MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS

GOVERNANCE DOCUMENTS

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Middle Level Commissioners and administered Internal Drainage Boards (IDBs) Culverting Policy

GENERAL

1. This culverting policy applies to the Middle Level Commissioners (MLC) and the IDBs administered from the Middle Level Offices. Details of those IDBs are given in the attached Schedule. Within the MLC area, where both the MLC and a local IDB have jurisdiction, applications for consent to install a culvert will be considered by the local IDB rather than the MLC.

2. This policy applies to applications to install a culvert whether made under section 23 Land Drainage Act 1991 or under MLC/IDB byelaws.

3. Applications to install culverts under section 23 Land Drainage Act 1991 are made to MLC/IDBs as appropriate inside their rateable districts. Details of the areas of such districts can be found at www.middlelevel.gov.uk. Outside such districts such applications should be made to the Lead Local Flood Authorities Cambridgeshire or Norfolk County Councils or Peterborough City Council (as appropriate).

4. The MLC/IDBs are in general opposed to the culverting of watercourses because of the adverse flood defence, ecological and other effects that are likely to arise. In addition, the majority of the MLC watercourses are statutory navigations and culverting would not be permitted as it would also prejudice the public right of navigation.

The MLC/IDBs will therefore only approve an application to culvert a watercourse if there is no reasonably practicable alternative, if to leave the watercourse unculverted would lead to increased flood risk, or if the detrimental effects of culverting would be so minor that they would not justify an alternative being considered.

5. In all cases, where it is appropriate to do so, adequate mitigation must be provided for damage caused or storage removed. Wherever appropriate the MLC/IDBs will support the restoration of culverted watercourses to open channels. The onus will in every case be on the applicant for a culvert consent to demonstrate that there is no increase in flood risk caused by his proposals.

6. Justification for Culverting Policy

(i) The MLC/IDBs consider it beneficial for watercourses to remain open wherever possible for both flood defence and environmental purposes although it is recognised that culverting may be beneficial within heavily urbanised areas, provided that such culverts are of an appropriate size and design and are properly maintained. Culverting can exacerbate the risk of flooding, increase maintenance requirements and create difficulty in pollution detection. It can also destroy wildlife habitats, damage a natural amenity and interrupt the continuity of a watercourse.

Loss of environmental features

(ii) Culverting can have a detrimental impact on the environment, resulting in a complete loss of features within a watercourse. The continuity of the watercourse corridor may be broken, adversely affecting the landscape and ecological value of the watercourse for migrating species. An existing or potential amenity is also lost for present and future

generations. In addition the requirements of the Water Framework Directive that water bodies should meet (as appropriate) Good Ecological Status or Potential may be prejudiced.

7. Increased likelihood of flooding from blockages

(i) Compared with an open channel there is an increased risk of blockage once a culvert is installed. If the blockage occurs within the culvert, there is much greater difficulty in removing it.

(ii) Flooding is more likely to result from culverts when they become obstructed, and culverted channels also provide less flood storage than open ones. Where culverts exist, proper arrangements must exist to remove the build up of debris at the culvert entrance/exit.

(iii) Culverting will create a less permeable bed to a watercourse and often increases the speed of water flow, possibly increasing flood risk downstream.

8. Increased difficulties in providing new drainage connections, and the repair, maintenance and replacement of culverts

(i) Drainage connections are more easily made to open watercourses where the performance of such systems can be visually monitored.

(ii) Culverts conceal the presence of a watercourse and can lead to development or unacceptable land-use above or near them. In many urban areas buildings have been constructed above or adjacent to culverts. This means that improving standards of flood protection or accommodating run-off from future developments could be impossible or uneconomic due to the cost of replacing or enlarging existing culverts.

(iii) The responsibility for the condition and maintenance of a culvert lies with the landowner or the owner of the culvert unless other arrangements are in place. The responsible party must therefore ensure that the culvert remains in good condition and free from obstructions. It should also be remembered that the responsible party may also be or become responsible for uprating or increasing the size of the culvert to ensure that it continues to properly pass the proper flows of water. This may lead to considerable cost and inconvenience. Generally it is easier and cheaper to improve an open watercourse than a culvert. Failure to do so could result in liability for any damage caused by flooding. Access to culverts is generally safe only with the use of special procedures and equipment, making inspection and maintenance both difficult and costly.

9. Health and safety hazards

There are dangers associated with open watercourses but culverted watercourses can be equally dangerous. Culverting does not remove the risk of drowning or injury. There have been many cases in the past where children in particular have died or suffered injury after entering culverts and they therefore can represent a considerable safety hazard. Water levels can rise suddenly and without notice, and there can be a lack of oxygen or a build-up of potentially toxic or explosive gases in culverts. All these hazards are a danger both to the public and to operatives when maintenance is required. The installation of a weedscreen can reduce some of these dangers but weedscreen blockages can in turn lead to flooding and such screens need to be properly maintained and cleared.

10. Pollution and effect on water quality

(i) Culverting a watercourse can make the early detection and tracing of pollution sources more difficult, resulting in the adverse impacts being perhaps more serious. However, they can also stop some types of pollution entering a wider drainage system.

(ii) There is normally a reduction in oxygenation of water passing through a culvert. Culverting may also result in stagnant water problems, particularly if culvert levels are badly planned or constructed.

11. Consenting Process

(i) The MLC/IDBs strongly encourage pre application discussions before making an application for consent to ensure that there are no delays in considering the matter. For pre application discussions see www.middlelevel.gov.uk/Planning/Planning Consent Documents/Pre-application Enquiries. The MLC/IDBs will, if necessary reject an application if the application form is not properly completed. The consent application form and guidance is available from www.middlelevel.gov.uk/Planning/Planning Consent Documents.

(ii) On receipt of a properly completed application form and appropriate fee, the MLC/IDBs will determine the application. As part of the process they may consult other organisations for example Environment Agency, or Natural England as appropriate.

(iii) The MLC/IDBs will then determine the application, inform you of approval or rejection and where the application is approved will provide you with a copy of the consent and any appropriate informatives.

12. Do your works require consent?

(i) The following works require ordinary watercourse consent from the relevant drainage authority under section 23 of the Land Drainage Act 1991, to:

a) erect any mill dam, weir or other like obstruction to the flow of any ordinary watercourse or raise or otherwise alter any such obstruction; or

b) erect a culvert in an ordinary watercourse; or

c) alter a culvert in a manner that would be likely to affect the flow of an ordinary watercourse.

(ii) In addition, culverting works in watercourses maintained by the MLC/IDBs will require consent under the relevant authority's byelaws. The application form and process of consideration will be the same however. In addition it should also be noted that the byelaws also require the relevant authority's prior consent to any works in the channel of or within a certain distance (20 metres in the case of MLC and normally 9 metres in the case of the IDBs) (the byelaw distance) of such a watercourse.

13. What organisation should consent your works?

(i) For works affecting a watercourse that falls within an Internal Drainage District then you will need to apply to the IDB responsible for that area.

(ii) For works affecting a watercourse that falls outside an Internal Drainage District then you will need to apply to the Lead Local Flood Authority for the area (see 3 above) except in the case of a Main River.

(iii) For works affecting **Main Rivers** the prior written consent of the Environment Agency is required for the erection of any structure in, over or under a main river, and consent for buildings over a culvert will usually be refused. The Agency also have byelaws which relate to Main Rivers and the byelaw distance relevant to such Rivers. Phone 03708 505 506 or visit www.environment-agency.gov.uk for further information on Main Rivers.

(iv) To find out whether your watercourse is a Main River or within an Internal Drainage District visit www.middlelevel.gov.uk for further information.

14. Guiding principles

(i) In considering any culverting proposals, our principal objective is to retain open watercourses with a corridor of open land on both sides. This maintains a flood channel and creates a valuable environmental feature which can enhance the site and be easily maintained. Developers will also be encouraged to incorporate existing open watercourses, or create new ones, together with access strips to facilitate the maintenance of such watercourses within their site design. Such features are of particular importance to wildlife by providing valuable open land in developed areas. Where possible, the removal of culverts will be encouraged to restore or replicate a more natural watercourse environment.

(ii) Those proposing to culvert a watercourse are encouraged to find alternatives which retain the open watercourse as a feature. Examples include:

- clear open span bridges with existing banks and bed retained;
- revision of site layout to incorporate an open watercourse;
- diversion of the watercourse in an environmentally sympathetic channel and corridor.

(iii) In some cases culverting may be desirable or unavoidable for example, short lengths for access purposes. In such cases the length involved should be restricted to the minimum required to meet the objectives.

(iv) Where an application for a culvert is to be made it is advised that the applicant enters into pre application discussions with the relevant authority (see 11 above) and seeks expert advice before submitting any designs. The applicant should consider the following:

- They must not increase the risk of flooding or prevent/restrict maintenance of the adjacent open watercourse.

- All culverts should be designed and constructed so as to accommodate and not to cause restriction to flood flows in the watercourse at the specified location.

15. Technical requirements

Design and Method Statement

(i) Detailed design plans, a flood risk assessment, an environmental assessment and a method statement for the proposed works will need to be submitted with the consent application. The MLC/IDBs will reject an application where there is insufficient information provided.

Maintenance

(ii) The responsibility for future maintenance and clearance of a culvert must be clearly set out. Details of those responsible and a formal maintenance regime must be submitted with your application for consent. The responsibility for the maintenance of a culvert lies with the landowner or the person who owns the culvert unless other arrangements have been made (see 8 above).

(iii) Suitable access arrangements for maintenance should be included in the design. Access chambers must be provided at each change of direction if the culverting is not straight. Sharp bends should be avoided. The maximum spacing between access chambers should not exceed 90 metres, 45 metres for pipes of 300mm diameter or less.

Size Requirements

(iv) The minimum recommended culvert size will vary according to the size of the watercourse but culverts smaller than a 600mm diameter pipe or equivalent will not normally be permitted. For long culverts under embankments or similar structures, culverts with at least 1.5m of headroom above bed level should be used to facilitate access for inspection and maintenance.

16. Technical guidance

(i) To ensure that the flow of the watercourse is not impeded or altered the following should be taken into account:

- The shape of the culvert and the materials used for construction should be chosen to satisfy site-specific requirements in terms of channel hydraulics, strength and durability, and should be appropriate to the local environment.

- The use of differently shaped pipes or different cross-sectional details within a culvert length should be avoided unless adequate hydraulic transitions are incorporated into the design. Such transitions are also essential where works to extend an existing culvert are proposed.

- Appropriate inlet and outlet structures should be provided in order to ensure smooth hydraulic transition and avoid erosion. Headwall arrangements at the upstream and downstream ends of a culvert should be suitably keyed into the bed and banks of the watercourse, and should be appropriate to the local environment.

- Over-sized pipes or box culverts should be used wherever possible to maximise the cross-section and capacity. Allowance should be made in the hydraulic design for freeboard.

- Overland flood flow routes should be considered to cater for situations where the capacity of the culvert could be lost due to blockages or exceeded and if necessary incorporated within the design.
- Multiple culverts must be avoided wherever possible. Multiple small culvert arrangements are prone to blockage by accumulation of waterborne debris at the inlet. MLC/IDBs do however, recognise that site conditions may prevent a single-pipe or box-culvert option being practical, in which case a single-span bridge design is recommended. Where multiple culverts are unavoidable, the presumption will be to refuse consent. In exceptional circumstances where consent is granted, a minimum number of culverts should be used and cutwaters should be provided between pipes at the culvert inlet. The design should also incorporate:

    - Depression of the invert of one culvert to carry low flows;

    - Facilities to enable temporary diversion of flows to allow inspection or maintenance of each culvert;

- Inlet and outlet screens may be appropriate to prevent debris entering the culvert and causing clogging, or where there is a danger to public safety. If screens are included, they need to be sized and designed to reduce the risks of blocking and provision must be made for adequate cleansing and maintenance of such screens.

(ii) Siphons are a source of continuous maintenance problems and should where possible be avoided.

(iii) To mitigate against the potential for erosion of the watercourse:

- Culverts and outfall structures should be designed so that the exit velocities do not create erosion problems at the outlet and downstream and appropriate erosion prevention measures should be incorporated into the design.

- On watercourses subject to severe erosion and siltation problems consideration should in addition be given to the provision of silt traps upstream of the culvert.

(iv) Services (for example sewers, water mains etc) should not impinge into the cross-section of the culvert.

(v) Clear and concise guidelines for the hydraulic design of culverts are contained within the publication CIRIA C689 – Culvert Design and Operation Guide – Visit www.ciria.org to download a copy.

17. Environmental considerations

(i) Environmental mitigation should include appropriate consideration of the provision of:

- ledges running through very large culverts (approximately 500mm wide and 300mm above normal water level) to allow for the passage of mammals. Or the provision of appropriately located mammal underpasses close to the culvert.

- ensuring that the height of the invert should not pose an obstruction to fish movement.

- opening up a length of previously culverted watercourse elsewhere on the site, enhancing other lengths of the or another suitable watercourse, creation of a pond/marshy area, scrub/hedge planting.
- the construction of headwalls and wingwalls in 'soft-engineering' or natural materials in keeping with the natural channel, where possible and sensible to do so.

18. Planning Considerations

(i) Any consent granted by MLC/IDBs does not remove the need for planning permission where this is required and the grant of planning permission does not imply that consent will be granted by the relevant drainage authority or remove the need for such consent to be obtained. Nor does it give the right to enter or cross land in third party ownership.

(ii) MLC/IDBs would normally object to a planning application and refuse land drainage consent in the following circumstances:

- for any building over a culvert as the culvert may, in the future, need to be repaired, replaced or up-rated if conditions in the catchment change. There is also the need to maintain an overland flow route if the culvert is blocked or its capacity exceeded

- on conservation grounds for a development which proposes a culvert where there are reasonable alternatives. Such alternative solutions might include a revised site layout or an ecologically acceptable diversion of an open channel.

19. Definitions

(i) Culvert – A covered channel or pipeline used to continue a watercourse or drainage path under an artificial obstruction.

(ii) Cutwater – The wedge-shaped streamlined head of a bridge pier or other structure within a watercourse channel.

(iii) Invert – The lowest internal surface or the floor of a culvert.

(iv) Main River – Those watercourses shown as such on the statutory main river maps held by the Environment Agency and the Department of the Environment Food and Rural Affairs. Main river can include any structure or appliance for controlling or regulating the flow of water in or out of the channel other than those vested in or under the control of the MLC/IDBs.

(v) Watercourse – Includes all rivers, streams, ditches, drains, cuts, dykes, sluices, sewers (other than public sewers) and passages through which water flows.

SCHEDULE

Benwick Internal Drainage Board
Bluntisham Internal Drainage Board
Churchfield & Plawfield Internal Drainage Board
Conington & Holme Internal Drainage Board
Curf & Wimblington Combined Internal Drainage Board
Euximoor Internal Drainage Board
Hundred Foot Washes Internal Drainage Board
Hundred of Wisbech Internal Drainage Board
Manea & Welney District Drainage Commissioners
March & Whittlesey Internal Drainage Board
March East Internal Drainage Board
March Fifth District Drainage Commissioners
March Sixth District Drainage Commissioners
March Third District Drainage Commissioners
Middle Level Commissioners
Needham & Laddus Internal Drainage Board
Nightlayers Internal Drainage Board
Nordelph Internal Drainage Board
Ramsey First (Hollow) Internal Drainage Board
Ramsey Fourth (Middlemoor) Internal Drainage Board
Ramsey Upwood & Great Raveley Internal Drainage Board
Ransonmoor District Drainage Commissioners
Sawtry Internal Drainage Board
Sutton & Mepal Internal Drainage Board
Swavesey Internal Drainage Board
Upwell Internal Drainage Board
Waldersey Internal Drainage Board
Warboys Somersham & Pidley Internal Drainage Board
White Fen District Drainage Commissioners

MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS ("the Board")

General principles relating to the respective roles of the Board, Board Members, Chairman and Clerk

This paper should be read in conjunction with the Schedule of Matters Reserved to the Board and the Board's Scheme of Delegations.

The Board is responsible for:

1 Establishing and maintaining the Board's vision, mission and values

2 Deciding the Board's strategy and structure and policies

3 Delegating functions as appropriate

4 Exercising accountability to rate and special levy payees and to relevant third parties

5. Deciding and monitoring budget expenditure

6 Appointing the Clerk and Engineer to the Board

7 Setting the annual rate and special levy

8 Taking responsibility for the Board's composition and development

9 Ensuring that adequate operational planning and financial control systems are in place

Board members, whether elected or nominated, should all fully participate in the running of the Board and have equal responsibility for:

1. Acting in the overall interest of the Board and not in the particular interest of an area of affiliation;

2. Familiarising themselves with the Board's District and its workings;

3. Addressing agricultural and urban land drainage, flood management and environmental issues, with each making input related to their background and experience;

4. Fully participating in the Board's affairs including attending all Board meetings unless prevented by ill-health or other necessary circumstances;

5. Declaring any pecuniary or non-pecuniary interest on any item on the agenda;

6. Acting in accordance with the Board's Standing Orders, Financial Regulations, Financial Code and other Board policies;

7. Representing the rate payers and special levy payers in the Drainage District, including both receiving information for the Board and the dissemination of the Board's decisions

The Chairman's key responsibilities include:

1. Setting the agenda, style and tone of Board discussions and chairing Board meetings, to promote effective decision making and constructive debate;

2. Providing leadership to the Board;

3. Ensuring proper information is made available to the Board;

4. Planning and conducting Board meetings effectively;

5. Getting all Board members involved in the Board's work;

6. Promoting effective relationships and open communication, both inside and outside the Boardroom, between Board members and those who undertake work for the Board;

7. Ensuring there is provision for the induction and development of Board members;

8. Ensuring the Board focuses on its key tasks;

9. Engaging the Board in assessing and improving its performance;

10. Ensuring effective implementation of Board decisions;

11. Establishing a close relationship of trust with the Clerk's office;

12. Representing the Board and presenting the Board's aims and policies to the outside world;

13. Understanding the views of ratepayers, special levy paying councils and key stakeholders and ensuring that effective lines of communication exist with the Board.

The Clerk's office has responsibility for the day to day running of the Board's business. Key responsibilities include:

1. Implementing Board policy;

2. Developing where appropriate strategic operating plans that reflect the longer term corporate objectives and priorities established by the Board;

3. Maintaining an ongoing dialogue with the Chairman of the Board;

4. Closely monitoring the operating and financial results against plans and budgets;

5. Taking remedial action where necessary and informing the Board of significant changes;

6. Representing the Board at meetings with ratepayers, special levy paying councils, Government, professional associations and key stakeholders;

NB To facilitate the management of the Board's day to day business, delegated authority to take all decisions necessary for the implementation of such business is given to the Clerk's office, subject to the exceptions reserved to the Board (or Board committee or Chairman (or other member(s)) and noted in the Schedule of Reserved Matters or Scheme of Delegations.

MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS

"the Board"

EMPLOYEES CODE OF CONDUCT

1. INTRODUCTION

The Board's Code of Conduct is set out below. It covers the main standards of behaviour the Board requires from employees and includes the Board Rules, which employees need to follow.

Nothing in this Code shall infringe the rights and duties of employees under the Whistle Blowing Policy and Confidential Reporting Code.

The Board's Rules and the examples of misconduct are not exhaustive. All employees are under a duty to comply with the standards of behaviour and performance required by the Board and to behave in a reasonable manner at all times.

A breach of the Board's Rules may result in disciplinary action. A single instance of gross misconduct may result in dismissal without notice. Examples of misconduct, which the Board normally regards as gross misconduct are included in the Board's Rules.

2. BOARD'S RULES

2.1 Attendance and Timekeeping

Employees are required to:

a) comply with their contractual rules relating to notification to absence

b) arrive at work promptly, ready to start work at their contracted starting times

c) remain at work until their contracted finishing times

Employees must obtain management authorisation if for any reason they wish to arrive later or leave earlier than their agreed normal start and finish times.

The Board reserves the right not to pay employees in respect of working time lost because of poor timekeeping.

Persistent poor timekeeping may result in disciplinary action.

2.2 Standards and Conduct

Employees are required to:

a) behave in a way that does not constitute unlawful discrimination

b) comply with all reasonable management instructions

c) comply with the Board's operating policies and procedures

d) co-operate fully with their colleagues and with management

e) maintain satisfactory standards of performance at work.

f) ensure that any queries received from the media are referred immediately to management. Employees must not attempt to deal with queries themselves.

g) ensure the maintenance of acceptable standards of politeness.

h) take all necessary steps to safeguard the Board's public image and preserve positive relationships with:

i) Local Authorities
ii) Members of the public
iii) Other associates
iv) Other Boards
v) Ratepayers of the District
vi) Environment Agency

2.3 Flexibility

Employees may be required to comply with any reasonable request wherever practicable and in accordance with their contract of employment.

a) from time to time to undertake duties outside their normal job remit

b) from time to time to work at locations other than their normal place of work

c) to work additional hours at short notice, in accordance with the needs of the Service

d) to undertake standby and call out duties as required by the Board

2.4 Conflicts of Interest

Employees must declare an interest in any of the Board's business, where there is a direct or indirect personal or prejudicial interest. Such interests are clearly defined in the Members Code of Conduct which employees are required to read.

2.5 Confidentially

Employees are required to keep confidential, both during their employment and at any time after its termination, all confidential information gained in the course of their employment about the Boards business, members, colleagues or ratepayers, except as required by law or in the proper course of their duties.

Employees are not permitted to engage in any activity outside their employment with the Board, which could reasonably be interpreted, as competing with the Board.

Examples of confidentiality – this list is not exhaustive, it is intended for guidance only:-

- Any matters relating to employment/contracts of employment
- Wages, salaries, bonuses etc
- Personal details of employees, Members, ratepayers

2.6 Working Clothing and Personal Protective Equipment

Employees are required to:

a) wear the appropriate clothing for the role in which they are employed

b) wear or use any personal protective equipment or clothing as instructed by and supplied by the Board at all times when required to do so.

2.7 Health and Safety

2.7.1 General

Employees are required to:

a) make an entry in the Board's Accident Book of all accidents, however small

b) report all accidents, however small, as soon as possible to the Board's Health and Safety Officer

c) observe the Board's health and safety procedures

d) ensure that safety equipment and clothing are always used in accordance with the Board's health and safety procedures

e) gain an understanding of the Board's health and safety procedures

2.7.2 On Site Rules

Employees working on site are required to

a) follow any site-specific rules

b) wear any protective masks, safety shoes and other clothing required on site at all times

2.7.3 Smoking

Employees must not smoke (or allow any non-employees to smoke):

a) in any of the Board's Buildings

b) in any of the Board's vehicles or,

c) anywhere on site or outside on the Board's premises where it would cause:

   i) an unpleasant environment for non-smokers
   ii) offence to others,
   iii) the harmful effects of second-hand smoke to be experienced by others

2.8 Property and Equipment

Employees must not without the permission of the Chairman or District Officer:

a) except for use on authorised Board business, make use of the Board's telephone, fax, postal , e-mail or other services.

b) remove Board or site property or equipment from Board or site premises unless for use on authorised Board business.

On termination of their employment employees must return all Board property, such as keys, laptops, mobile telephones, vehicles, documents or any other items belonging to the Board. This list is not exhaustive.

Where an employee damages property belonging to the Board, either through misuse or negligence, the Board reserves the right to make a deduction from the employee's pay in respect of the costs of repairing or replacing any such damaged property.

2.9 Personal Property

Personal possessions on Board's premises and/or in Board's vehicles are the sole responsibility of employees who should ensure that their personal possessions are kept in a safe place at all times.

2.10 Environment

In order to provide a cost-effective service, employees are requested to:-

a) handle all materials with care.

b) switch off equipment when it is not in use.

c) use the Board's equipment, materials and services wisely.

d) try to reduce wastage and the subsequent impact on the environment by ensuring that they close windows, avoid using unnecessary lighting or heating or leaving taps running.

2.11 Changes in Personal Details

To ensure the prompt payment of monies due to you and that the Board is able to contact you or another designated person in case of an emergency, employees must notify the Board as soon as possible of any change of:

a) name

b) address

c) marital status

d) next of kin

e) telephone number

f) bank account (which affects where monies due to you from the Board are paid)

This will also help the Board to maintain accurate personal details in compliance with the Data Protection Act 1998.

2.12 Gross Misconduct

Examples of behaviour which the Board treats as gross misconduct are set out below. Such behaviour may result in dismissal without notice.

(This list is not exhaustive):

- assault, acts of violence or aggression
- breach of confidentiality, including the unauthorised disclosure of Board business to the media or any other party
- bringing the Board into disrepute
- falsification of records or other Board documents, including those relating to obtaining employment
- bribery or corruption
- being under the influence of alcohol on Board premises or during working hours
- possession or use of or being under the influence of non-medical drugs on Board premises or during working hours
- refusal to carry out reasonable management instructions
- serious breach of the health and safety policies and procedures
- serious or gross negligence
- serious insubordination
- sleeping during working hours
- theft, dishonesty or fraud
- use of obscene or abusive language
- unauthorised accessing or use of computer data
- unauthorised copying of computer data
- unlawful discrimination, including acts of indecency or harassment or wilful damage to Board, employee or ratepayers' property

March Third District Drainage Commissioners "the Board"

Employees Code of Conduct

I confirm receipt of a copy of the Employees Code of Conduct

Name …….

Signed ……

Date ……

MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS

FINANCIAL CODE

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A SUMMARY

1. This Financial Code supplements the Board's Financial Regulations, Standing Orders, Schedule of Reserved Matters and Scheme of Delegations to ensure that its resources are properly managed, accounted for and controlled. It should be read together with those Regulations, Orders, Schedule and Scheme together with any supplementary guidance produced by the Clerk in respect thereof.

2. The level at which decisions relating to the finances and functions of the Board are to be taken are as set out in the Schedule of Reserved Matters and the Scheme of Delegations

3. The Clerk shall be responsible for maintaining adequate and effective controls and procedures in the manner and format he/she considers to be best and shall where appropriate, prepare additional rules of procedure or guidance, supplementary to this Code.

4. The Clerk shall be responsible for setting up and maintaining the financial and management accounting/reporting systems, processes, procedures and coding lists. Such systems shall be properly documented and shall not be changed save by or with the approval of the Clerk. The Treasurer to the Middle Level Commissioners from time to time shall be the Board's Responsible Financial Officer, as defined in and for the purposes of the Accounts and Audit Regulations.

5. The Clerk shall be responsible to the Board for securing economy, efficiency and effectiveness in its use of resources and for ensuring that value for money is provided.

6. The Clerk shall ensure that the Board's Financial Statements for each Financial Year ending 31 March are prepared in accordance with any advice received from the Internal Auditor and with the provisions in force from time to time of the Accounts and Audit Regulations and the Financial Reporting Standard for Smaller Entities and, so far as may be appropriate, the Practitioners' Guide to the Preparation of Financial Statements for IDBs..

7. The Clerk shall ensure that the Board considers and approves its Financial Statements for a Financial Year in accordance with the provisions of the Accounts and Audit Regulations.

8 References in this Code to ''the Clerk'' shall be a reference to such officers of the Middle Level Commissioners as may from time to time undertake the relevant work or functions on behalf of the Board and references to "the Chairman" shall also include the Vice Chairman.

B SCHEME OF BUDGET DELEGATION

1. The Clerk shall be a budget holder and is responsible to the Board for the overall management of the Board's Finances, the Expenditure Estimates and all Budgets.

2. The Board's Consulting Engineer is responsible to the Board to the extent that he is so authorised by the Board and is allocated funds for the purpose for preparing and managing the Board's Capital Works Budget

3. The Board's Consulting Engineer and/or the Chairman and/or the District Officer are responsible to the Board to the extent that they are so authorised by the Board and are allocated funds for the purpose for preparing and managing the Board's Maintenance Works Budget, the Plant/Labour Operating Accounts, the Plant Renewals Budget, the Stock Control

Account and the Rechargeable Works Budget and any other matter in respect of which they are authorised under the Scheme of Delegations.

4. Other than as set out in the Scheme of Delegations or where authorised to do so by a resolution of the Board, no other person shall be empowered to enter into contracts on behalf of the Board unless authorised to do so by a budget holder. Nor shall any other person commit the Board to a particular course of action or provide an undertaking or assurance to any third party without the prior consent of the Clerk or of the Chairman.

5. No budget holder other than the Chairman shall procure goods and services, charge, allocate or otherwise commit expenditure against a budget that they have no budgetary responsibility for.

6. All correcting journal entries shall always be authorised and approved by the Clerk.

7. All employees and members have a responsibility for health and safety, compliance with policies, procedures and codes of practice, for the general security of the Board's property, and, for economy efficiency and effectiveness in the use of resources.

8. All members and employees shall familiarise themselves with and observe the Schedule of Reserved Matters, the Financial Regulations, the Scheme of Delegations and this Code.

9. Failure to comply with any aspect of this Code may result in disciplinary action being taken against the individual(s) concerned. Serious breaches by Board Members may result in action being taken against them, in accordance with the Members Code of Conduct.

C MANAGING BUDGETS & REPORTING

1. The Clerk shall be responsible for preparing the Board's Estimates/Budgets, for monitoring income and expenditure during the course of the year, for alerting the Chairman to any material variances, and, for providing budget holders with the financial information that they require and assisting them as necessary to enable them to properly prepare/manage their budgets. The Clerk shall further ensure that the Board are presented with and consider the proposed expenditure estimates in order that the Rates and Special Levies can be determined for each financial year in due time in accordance with the Land Drainage Act 1991 and it is the individual budget holder's responsibility to provide him/her with their detailed budgets and supporting information in order that this may be done.

2. Any drainage rate refunds due for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.

3. The Clerk shall be responsible for ensuring that the Drainage Rates and Special Levies are substantially collected by **1 November** each year. Outstanding Rates/Levies shall be pursued in a timely manner after that date.

4. The Clerk shall ensure that appropriate procedures are in place for alerting the Clerk immediately should a Local Authority fail to make their Special Levy payment at the agreed time, or where Drainage Rates are outstanding following reminder.

5. Every budget holder is responsible for seeking to ensure that actual expenditure on each of their budgets does not exceed the budget as approved and shall regularly monitor income/expenditure to this end. Budget holders shall whenever practicable get approval for

material adverse variances to any of their budgets that are anticipated. Approval shall be sought in accordance with the Schedule of Reserved Matters and the Scheme of Delegations.

6. The Clerk may convene a meeting of the Board or a Committee. The Chairman or any 3 other Board members shall also have the power to convene such a meeting.

7. The Consulting Engineer shall prepare a Report for each Board meeting at which such items appear on the agenda detailing amongst other things the progress made on approved capital schemes in respect of which he has been instructed during the reporting period as compared to approved budgeted costs, and, when appropriate, will propose new capital schemes for consideration. Such Report will also detail any maintenance work which he has organised for the Board during the reporting period and the cost of such work.

8. The Clerk shall also prepare a Financial Report for each Board meeting and, shall prepare any other management accounting/financial report that may be required by the Board.

D PURCHASING GOODS & SERVICES (INCLUDING PLANT)

1. Unless otherwise authorised by the Board by resolution or required under the terms of any formal procedures relating to such work, budget holders shall always comply with the following procedures when procuring goods and services.

   Quotations/Tenders will be sought as follows, other than in emergency situations where approved buying groups or approved contractors/consultants/suppliers for a particular area of work or expertise have been appointed or are used or where approved service level agreements are in force. These threshold amounts may be amended from time to time by resolution of the Board:

Estimated Value of Goods/Services Quotes/	Quotation/Tenders to be obtained
<= £2,000	No quotations/tenders required
> £2,000 and <= £5,000	Obtain 1 written quotation
> £5,000	Obtain 3 quotations or 3 tenders as appropriate

2. The budget holder shall be responsible for ensuring that quotations or tenders are sought when required by the above table. Where it is not possible to get the required quotations or tenders, the Chairman's written approval must be obtained prior to awarding any contract.

3. Any approved contractors, consultants or suppliers list shall be maintained and kept up to date by the Clerk.

4. A budget holder must never agree to permit a third party to provide them with goods/services where tenders or quotations are required without obtaining a copy of their terms of business beforehand.

5. Budget holders shall fully comply with all competition law and the Bribery Act 2010 and shall so far as is reasonable, satisfy themselves as to the insurance policies of contractors, and their systems of work before awarding works contracts.

6. Budget holders shall not enter in to any contract that has been reserved to the Board or delegated to a Board Committee without obtaining the Clerk's approval beforehand. The Clerk shall not permit any budget holder to enter in to such a contract if he/she considers it to be inappropriate or that the required approval has not been given.

7. The relevant budget holder is responsible for ensuring that the procurement of all goods and services is authorised by the Board or in accordance with the Scheme of Delegations. All emergency work must be approved by the Chairman.

8. All procurement of goods and services shall be authorised by the signing and dating of an official purchase order or purchase instruction. On so authorising the procurement of goods or services the budget holder will have satisfied themselves that the Financial Regulations and this Code have been complied with and that any approval required by the Schedule of Reserved Matters and the Scheme of Delegations has been obtained. The Clerk shall be authorised to raise, sign and date a purchase order or purchase instruction where the procurement has been authorised by resolution of the Board.

9. The budget holder must never break down a job and string a number of purchase orders or authorisations together simply to avoid having to get 3 written quotations/tenders.

10. The following information must be clearly stated on each purchase order or instruction:

    i. The name of the supplier.

    ii. The agreed price of the goods/services required, other than in an emergency or where impractical to do so.

    iii. The cost centres to which the item(s) will be allocated and thereby charged to.

    iv The Unique Order No as approved by the budget holder.

11. The Clerk shall ensure that procedures are in place for establishing when goods or services, have been charged, allocated or otherwise expenditure has been committed against an unauthorised budget.

12. All quotes/tenders, delivery notes, invoices for payment and credit notes shall be matched to the official purchase order or instruction, examined and coded before they are proposed for payment or set off. If the budget holder or the Clerk deems any invoice/credit note to be incorrect they shall not process such invoices/credit notes for payment or set off until satisfied that payment or set off is properly due. The quotes/tenders, purchase orders and delivery notes where required to be signed or where amended, shall all be filed together with the invoices/credit notes as otherwise directed by the Clerk

13. The Clerk shall ensure that all Invoices which have been approved for payment are duly scheduled for payment.

14. All Invoices shall be authorised by the Chairman and checked by the Clerk prior to making payment.

15. Where it is considered that there are valid reasons for departing from these procedures the approval of the Chairman shall be obtained. Any such departure shall be reported to the Board.

E BANK MANDATE AND INVESTMENTS

1. No changes shall be made to the Board's bankers or the bank mandate without the prior consent of the Board.

2. Approved signatories for the Board's bank accounts are as follows:

    1. The Chairman

    2. Such other member(s) as shall from time to time be authorised by the Board

    3. Such officers of the Middle Level Commissioners as shall from time to time be authorised by the Board

3. All cheque books, deposit books, banking cards and other documentation or materials relating to the Board's bank accounts shall be retained in the custody of the Clerk.

4. All payments, bank transfers and Investments shall be made in the most efficient/secure manner as determined from time to time by the Clerk

5. The Clerk shall maintain a Register of Passwords and Contact Details relating to financial transactions. All bank accounts shall be reconciled monthly and checked at regular intervals by separate officers of the Clerk.

F INVESTMENTS AND LOANS STRATEGY

1. All investments made by the Board are made within guidance received from CIPFA (Chartered Institute of Public Finance Accountants) Guidance for the Public Sector, and relevant legislation:

    - The Board's investment activities are limited by statute

    - The Board may invest in major Banks and Building Societies

    - The Board's investments are to be regarded as low/medium risk

    - The Board's investments must be made in the name of the Board and not any named individual

2. All investments shall be negotiated by the Clerk and reported to the Board. They must be for an appropriate period.

3. All borrowings shall be effected in the name of the Board and shall be from the Public Works Loans Board unless a short term or emergency loan is required.

4. No loans shall be taken out without a resolution of the Board.

5. All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk.

G COLLECTING MONEY

1. The Clerk shall be responsible for ensuring that all monies received are properly recorded in the accounting records.

2. Electronic copies of all receipts issued shall be retained for at least six years.

H SUNDRY DEBTORS

1. Each budget holder shall be responsible for providing the Clerk with the necessary information to enable rechargeable work to be properly accounted for and invoiced, and, any other debts due to be properly invoiced. The budget holder shall advise the Clerk whenever an Invoice is to be raised for goods provided or services rendered, under their control.

2. The Clerk shall ensure that all such Invoices are properly raised as soon as practicable after being authorised.

3. The Clerk shall be responsible for ensuring that all other debts due to the Board are properly raised when required and collected promptly.

4. The Clerk shall be responsible for ensuring that the Board consider whether any rents payable to them should be reviewed by a Chartered Surveyor at least once every 5 years.

5. The Clerk shall calculate any claims for highland water payments from the Environment Agency and send such claims to the Agency by the dates specified by the Agency.

6. Any refunds due to debtors for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.

7. The Clerk shall ensure that procedures are in place for all debts to be substantially collected within 30 days from the Debtor Invoice tax point date and for when a debt becomes 3 months overdue or whenever a debt becomes doubtful or is disputed.

8. The Clerk shall be empowered to collect all sundry debts due.

9 The Clerk shall obtain the Board's approval for instigating legal proceedings to collect outstanding amounts in excess of the County Court Small Claims limit.

I EMPLOYING/MANAGING STAFF

1. The Chairman and/or the District Officer shall be responsible to the Board for all matters regarding any employees.

2. The Board's approval shall be required for the employment of additional permanent staff.

3. The Chairman and/or the District Officer shall have the authority to employ temporary staff and replace permanent staff provided the employment costs are contained within the Expenditure Estimates/Budgets approved by the Board and to take disciplinary action against (including the dismissal of) Board employees.

4 Subject to the above paragraphs and to the terms of any employee's contract, Board members shall not individually have the power to formally offer anyone any form of employment or to dismiss a Board employee, or otherwise take disciplinary action against any of the Board's employees unless the Board has specifically authorised such action by resolution.

5. Board members other than the Chairman and the District Officer shall not individually give instructions to any of the Board's employees.

6. The Chairman and the District Officer shall be responsible for managing the day to day activities of employees and for determining the nature and extent of these activities.

J STOCK IN STORES/DELIVERED TO SITE

1. The Board's Consulting Engineer shall be responsible to the Board for all matters relating to the security of the stock in stores or delivered to site and for managing stock in and out in respect of any works which he is undertaking on behalf of the Board.
2. The responsible person regarding the physical check of and accounting for all other items in stock will be the Chairman or the District Officer.

K ASSET ACCOUNTING/MANAGEMENT

1. Any assets to be sold will be advertised in the appropriate media or by the method most appropriate for securing best value and will be sold for the highest offer unless they are being part-exchanged or traded-in when acquiring another asset, or otherwise sold for a budget price approved by the Board.

2. The Clerk shall be responsible for documenting and maintaining the records of the Board's Assets.

L AUDIT

1. As a requirement of the Accounts and Audit Regulations the Clerk shall ensure that the Board is presented with the Internal Auditor's Report each year.

M SALARIES AND WAGES

1. The Board shall where appropriate seek independent advice before making significant changes to terms and conditions of employment and, save where such changes are as a result of legislative change no changes shall be made to terms and conditions of employment (deliberately or otherwise) without the prior consent of the Board.

2. The Clerk shall be responsible for the proper compilation of the payroll(s) and for the final determination of pay, as approved by the Board.

3. All annual holiday entitlements (including any carried forward provisions) shall be agreed with the Chairman and/or the District Officer at the beginning of every financial year and signed off by him/her as such, in accordance with the Board's terms and conditions of employment.

4. All time-off in lieu, sick leave, working-from-home arrangements and other absences from work or the work place shall be approved in writing by the Chairman and/or the District Officer.

5. All proposed payments of salaries and wages shall be authorised by the Clerk prior to being made.

N INSURANCES

1. The Clerk shall be responsible for expeditiously submitting all insurance claims that the Board agrees should be pursued. The Board shall be responsible for providing the Clerk with all of the necessary information he/she deems necessary in order to successfully make an insurance claim.

2. The Chairman and/or the District Officer shall immediately notify the Clerk of any loss, liability or damage or any event likely to lead to a claim on any of the Board's insurance policies and shall where appropriate notify the police of the relevant circumstances.

O SECURITY

1 Keys to the Board's buildings and property shall be controlled by the Chairman and/or the District Officer who shall maintain the list of such key holders.

P REVIEW OF FINANCIAL CODE

1. The Board reserves the right to make reasonable changes to this Code at any time in future.

2. Failure to take action against any employee following a breach of the Financial Regulations or of this Code does not constitute a waiver of the Board's right to take disciplinary action on any future breaches of the Financial Regulations or this Code and no single or partial action taken shall prevent any further disciplinary action being taken or other action being taken against any employee.

3. This Code shall be reviewed at the same time as the Financial Regulations.

MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS

Fraud and Corruption Policy

INTRODUCTION

One of the basic principles of public sector organisations is the proper use of public funds. It is therefore important that all those working in the public sector are aware of the risk of wrongdoing and the means of enforcing the rules against it. The aim of this document is to set out the Board's/Commissioners' policy for suspected or detected irregularities.

POLICY

The Board/Commissioners are committed to a culture of honesty, openness and fairness. They are therefore also committed to the elimination of any fraud and corruption and to the rigorous investigation of any such cases and the punishment of those involved.

The Board/Commissioners actively encourage anyone having reasonable suspicion of irregularities to report them. It is also the policy of the Board/Commissioners that no person should suffer as a result of reporting reasonably held suspicions. Malicious reports will, however, be subject to the Disciplinary Procedure.

The Board/Commissioners will take all reasonable steps to recover fully all losses from those responsible in proven cases of fraud or corruption including all costs incurred in the pursuit of such action.

DEFINITIONS

The term 'Fraud' encompasses criminal offences involving the use of deception to obtain some benefit or to be to the detriment of some person or organisation.

Corruption, in its broadest sense, involves the taking of decisions for inappropriate reasons – e.g. awarding a contract to a friend, appointing employees for personal reasons, or the giving or accepting of gifts as an inducement to take some course of action on behalf of the organisation.

The Audit Commission defines **Fraud** as – "the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain".

Corruption is defined by the Commission as – "the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person".

DISCOVERY OF FINANCIAL IRREGULARITIES

Financial irregularities can come to light in a number of ways. They are usually discovered as a result of:-

- Employees becoming aware of or suspecting that management controls are not being complied with

- Routine work, or Audit testing

- Information (tip-off) from a third party, internal or external to the organisation.

Any allegation, but particularly an anonymous one, should be treated with caution and discretion, because what appears to be suspicious circumstances may have a reasonable explanation. There is also a risk that some reports may be malicious. It must be remembered that those against whom allegations are made, are innocent until the contrary is shown.

Under no circumstances should information about any suspected irregularity be passed to a third party or to the media without the **express authority** of the Clerk or Internal Auditor

RESPONSIBILITY OF EMPLOYEES/MEMBERS

Employees or Members who are aware of, or suspect that a financial irregularity is taking place, or has taken place, have a duty to report their suspicions, since by doing nothing they may be implicating themselves. Employees should immediately inform their line manager. Members should immediately advise the Clerk and the Chairman or Vice Chairman of the Board. The only exception to this rule is where it is suspected that one of those named might be involved in the irregularity. In that event, the employee/member should advise the Internal Auditor.

Employees must not attempt to investigate suspected irregularities themselves, or discuss their suspicions other than with more senior managers in accordance with the Policy above.

Examples of the types of financial irregularity that might be suspected are:-

- Theft or abuse of property or funds

- Deception or falsification of records (e.g. fraudulent time or expense claims)

RESPONSIBILITIES OF MANAGERS

It is Management's responsibility in conjunction with internal audit to maintain control systems to ensure that the Board's/Commissioners' resources are properly applied in the manner, on the activities, and within the limits approved. This includes responsibility for the prevention and detection of fraud and other irregularities.

Where a report is received from an employee or other party of a suspected financial irregularity, the recipient should immediately inform the Clerk, who in turn will notify the Internal Auditor.

Line managers should not themselves attempt to undertake any detailed investigation of the possible irregularity and should not discuss their suspicions or those reported to them, other than with the Clerk and the Internal Auditor.

In cases of suspected irregularities, it is often necessary to suspend a suspect from duty. Any suspension will only take place in accordance with the Disciplinary Procedure. The purpose of suspension is to prevent any suggestion of a suspect having the opportunity to continue with the act complained of, falsify or destroy records, influence witnesses, etc. Suspension is not a punishment nor does it imply any fault or guilt on the part of the employee concerned.

RESPONSE

Upon receiving a report of suspected financial irregularity, the Internal Auditor will launch an investigation. The Auditor's conclusions and recommendations will be reported to the Clerk and

the Chairman will be updated on the situation. A formal report will be made to the Board/Commissioners.

The Internal Auditor will confer with the Clerk to agree the action plan to be adopted in the light of the particular circumstances.

When a prima facie case of fraud or corruption has been established, the following procedure will apply regarding referral to the Police:-

- **Minor cases of Misappropriation of Cash, etc.**

  In minor cases of suspected fraud and/or cash misappropriation by employees, as soon as reasonable evidence has been acquired and where speedy action is considered imperative in order to prove fraud, the Internal Auditor may call in the Police without reference to other officers. He will however advise the Clerk soon as practicable afterwards.

- **Major and more Complex Frauds:**

  The Internal Auditor will discuss the case with the Clerk, and consultation with the Police will normally be approved.

  Depending upon Police advice, the case will be reviewed by the above officers who will decide if it should be referred officially to the Police for investigation. If it is decided to do so the Clerk will authorise the official complaint and notify the Chairman of the Board/Commissioners.

  Following the official report to the Police, any further investigations by the Internal Auditor that are considered necessary, will be planned and executed in close co-operation with the Police, with the Clerk and the Chairman being kept informed.

The circumstances of the particular case will dictate when the Police and District Auditor are informed, but it is recommended that the Police should be informed when:-

- There is evidence of an irregularity which needs to be confirmed by witness interview if criminal prosecution is contemplated;

- Interview of the suspect is desirable to confirm the evidence of records;

- A prima facie case of fraud has been established but the perpetrator could not be identified.

INVOLVING THE POLICE

The Internal Auditor and Clerk may be reluctant to involve the Police in the belief that:-

- They are only interested if the alleged criminal offence is greater than a specific monetary value

- They will not be interested because of the potential complexity of the issues involved which render little chance of a successful prosecution
- The organisation prefers to deal with such incidents internally, avoiding publicity but implementing dismissal and recovery through civil action

- The Police will want hard evidence before they will pursue investigations, but when it is provided they advise that the rules of evidence have not been complied with.

Protracted internal investigations often unnecessarily delay involving the Police, thereby diminishing the value of co-operation with them. However, properly organised investigations, conducted by individuals with an inside working knowledge of the organisation, will be of great assistance to any subsequent Police enquiry, and management should therefore not be discouraged from liaising with the Police as soon as the issues are identified.

Publication Scheme for March Third District Drainage Commissioners

This is a Publication Scheme for District Drainage Commissioners. District Drainage Commissioners are internal drainage boards (IDBs) set up under local legislation rather than the Land Drainage Act 1991 and its predecessor legislation. The majority of the provisions of the Land Drainage Acts of 1991 and 1994 do however apply to such Commissioners. There are over 200 IDBs in England and Wales. Duties include general supervision over all aspects of land drainage within the district, duties to conservation and raising income to support land drainage works. The purpose of this Publication Scheme is to be a means by which District Drainage Commissioners can make a significant amount of information routinely available.

Further information about the Freedom of Information Act 2000 can be obtained from

The **Information Commissioner** (http://www.informationcommissioner.gov.uk)
The **Lord Chancellor's Department** (http://www.lcd.gov.uk/foi/foipunit.htm)

Section 1 – Introduction

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. An IDB is deemed to be a public authority for the purposes of the Act. Any person who makes a request for information to a public authority must be informed whether the public authority holds the information and, subject to exemptions, be supplied with that information. The Lord Chancellor's Department set January 1st 2005 as the date this right comes into force.

A general right of access to information is provided in the form of a publication scheme. Every public authority is required to adopt and maintain a publication scheme setting out the classes of information it holds, the manner in which it intends to publish the information, and whether a charge will be made for the information. The purpose of a scheme is to ensure a significant amount of information is available without the need for a specific request. Schemes are intended to encourage organisations to publish more information proactively and to develop a greater culture of openness.

In accordance with the Freedom of Information Act 2000 this scheme sets out classes of information which IDBs publish or intend to publish.

IDBs which are District Drainage Commissioners are statutory public bodies operating under primary and local legislation to provide a water level management service within the prescribed drainage district. Copies of primary legislation can be obtained from TSO (The Stationery Office), PO Box 29, Duke Street, Norwich NR3 1GN Tel No 0870 600 5522 Web Site www.tso.co.uk. Copies of relevant local legislation may be inspected at the office of the Board.

They raise income through the direct rating of agricultural land and buildings in their drainage district and recover through a special levy placed on constituent district councils or unitary authorities an income in recognition of the benefit arising from their work to all non-agricultural land and property.

IDBs including District Drainage Commissioners are responsible to the Department of Environment Food and Rural Affairs (DEFRA) from whom all legislation/regulations affecting them is issued. The work of an IDB is closely linked with that of the Environment Agency (EA) which has a range of functions providing a supervisory role over them. Information on this aspect can be obtained from DEFRA and the EA at Web Sites www.defra.gov.uk and www.environment/agency.gov.uk.

IDBs vary in size from a few hundred acres to tens of thousands of acres, which influences the arrangements in place for their administration. Large boards engage full time administrative and technical staff, while smaller boards contract work out or are managed under a consortium arrangement. The arrangement of the management of particular IDBs will affect the kinds of information they hold so consequently the information available through the scheme may vary between boards. By adopting this publication scheme the IDB is committed to publishing information in accordance with it.

All Internal Drainage Boards copyrights are reserved.

Section 2 – Areas of Information

To achieve the aim of representing information about IDBs which are District Drainage Commissioners in a clear and coherent way the classes of information are arranged under 7 broad subject headings. These are:

1. POLICY STATEMENT

The Board have, as a requirement of DEFRA, prepared a Policy Statement which is reviewed and updated as necessary and is available in this section.

2. BOARD MEMBERSHIP

The Board comprises those members qualified by ownership of agricultural property and those nominated by the special levy District Councils.

3. MEETINGS

Minutes of the meetings of the IDB and any Sub-Committees are available for the preceding 12 months.

4. FINANCE

The section identifies the sources of funding available to the IDB, and provides details of income and expenditure.

5. WORKS UNDERTAKEN

The range of works carried out by the IDB is scheduled and the means by which it is undertaken with the use of directly employed/contracted services.

6. REGULATION

The IDB issues formal consents, and comments upon development proposals.

7. HEALTH AND SAFETY

The classes of information set out under these headings are contained in section 5 and are set out to explain clearly what publications are available about the different aspects of IDBs.

Section 3 – Accessing Information

The information contained in each class may be accessed through a variety of means and in a number of formats where available. All information is available for inspection on request and by prior appointment, where appropriate copies could be made available. Where an IDB has a website some of the information will be available thereon.

Please note that where hard copies of information will normally be supplied upon request multiple copies cannot normally be provided.

To obtain hard copies of the information contained within a class please contact:

The Clerk to the Commissioners
Middle Level Offices
85 Whittlesey Road
March
PE15 0AH

Telephone: 01354 653232
Fax: 01354 659619
E-mail: admin@middlelevel.gov.uk

If there is any difficulty in accessing the Board's office in order to inspect information please refer to the Clerk for assistance.

Where available please consult the website in the first instance.

Charges may be imposed for the provision of some of the information within this publication scheme. Where a class contains information which levies a charge this is made clear in the scheme.

In certain classes a limitation on the age of documents has been stated. This does not mean that information prior to the date is unavailable but rather this information will not be made available in the course of this scheme.

Section 4 – Exempt Information

In adopting this scheme there has been an effort to be as open as possible but there are instances where, for legitimate reasons, certain parts of information are withheld. Where this is the case the reasons behind the decision to exclude certain information is clearly stated. Justifications for excluding information are made in consideration of the general exemptions contained in Part II of the Freedom of Information Act 2000.

In places where information has been withheld there will be a short explanation of the exemption being referred to.

Such information will not be available where this would be in conflict with the conditions under the Data Protection Act, European Convention on Human Rights and where it may be of a confidential or commercially sensitive nature.

Section 5 – Classes of Information

Where indicated (£) a charge could be made for the information provided under the Class of Information.

1. POLICY STATEMENT (£)

1.1 The Board's policy is a document which is based on a national model and covers the following

How the Board will Deliver the Government's Policy aim and Objectives.
Flooding Risks in the Board's Areas.
Environmental Measures
Review of Policy Statement

2. BOARD MEMBERSHIP

2.1 Schedule of the current membership is available.

3. BOARD MEETINGS

3.1 All meetings of the Board, and sub-committees are minuted, and these can be inspected for the preceding 12 months.

3.2 Dates of any future planned meetings will be provided and at which the public can attend, other than when excluded due to the nature of the business under discussion.

4. FINANCE (£)

The following Class can be inspected and copied

4.1 Annual Return to DEFRA – Form IDB 1
4.2 Audited Accounts
4.3 Agricultural Rating Schedule

5. WORKS UNDERTAKEN (£)

5.1 Details of drainage infrastructure
5.2 Map of the Drainage District
5.3 Details of Watercourses Maintained
5.4 Schedule of Maintenance Works undertaken

6. REGULATION (£)

The following Class can be inspected and where appropriate copied.

6.1 Byelaws
6.2 Land Drainage Consents
6.3 Formal comments to planning authority on planning applications

7. HEALTH AND SAFETY

7.1 A copy of the Board's Health and Safety Policy is available for inspection.

Section 6 – Feedback

Feedback, comments or complaints about the publication scheme should be directed to the Clerk to the Commissioners, forwarded to the address in Section 3.

If you are not satisfied that information is being published in accordance with this scheme you are able to refer your complaint to the Information Commissioner.

Publication Scheme Complaint
Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

SAFEGUARDING PUBLIC MONEY

The monies held by the Middle Level Commissioners and the administered internal drainage boards and the Commissioners for Imbanking Fenlands and Low Grounds constitute public funds. The Commissioners and IDBs have therefore adopted the following framework to safeguard such funds.

Framework to safeguard public money

1. There must be in place safe and efficient arrangements to safeguard public money

   (a) Regulation 4(1) of the Accounts and Audit (England) Regulations 2011 requires the Commissioners/IDBs to ensure that their financial management is adequate and effective. The Regulations also require there to be a sound system of internal control. This includes arrangements for the management of risk. Nowhere is this more important than when considering how to manage money.

What is money?

   (b) 'Money' includes cash and anything easily converted into cash. For example, a non-exhaustive list of money includes:

   - physical cash and notes, petty cash and unclaimed receipts, imprest accounts, cash in transit;
   - unpaid income held by debtors;
   - signed and unsigned cheques, drafts and other orders for payment;
   - current, deposit and investment accounts at banks and financial institutions and access to undrawn borrowing facilities;
   - credit cards (where held – see below), debit cards, store cards, fuel cards;
   - access to balances by telephone or electronic transfer; and
   - the ability to buy goods or services on credit.

   (c) This guidance applies to all accounts held with financial institutions, as principal or trustee, including controls over access whether physical or electronic. 'Public money' refers to all money controlled by the Commissioners or IDBs.

Roles and responsibilities of members

2. The effectiveness of the arrangements to protect money must be regularly reviewed

   (a) The Commissioners and IDBs are responsible for putting arrangements in place to safeguard public funds. They may delegate the role of protecting money to individuals, for example to the Clerk or the Treasurer, but the legal responsibility always remains with the authority and its members.

   (b) Therefore, arrangements should:

   - demonstrate how those responsibilities are met;
   - be current; and
   - include specific duties of individuals.
   -

   (c) The duties of such individuals may include:

- securely managing money;
- identifying internal controls; and
- supervision measures.

(d) External advice and guidance to enhance internal expertise, skill or knowledge may be sought from time to time. Periodic reviews of arrangements should be reported to the Commissioners/IDB.

3. The Commissioners/IDBs must arrange for the proper administration of their financial affairs and that one of its officers has responsibility for those affairs

The duties of those charged with day to day administration of the monies of the Commissioners/IDBs include to advise the Commissioners/IDBs on their:

- corporate financial position;
- key financial controls necessary to secure sound financial management;
- cash and investment management; and
- on the requirements of the Accounts and Audit Regulations.

Corporate arrangements for monitoring and scrutiny

4. Income and expenditure and the money represented by each must be protected and controls over money must be embedded in Financial Regulations

5. The Commissioners/IDBs must approve the setting up of and any changes to accounts with banks or other financial institutions

6. Corporate credit card accounts must be set up to operate within defined limits and cleared monthly

7. The Commissioners/IDBs must approve every bank mandate, the list of authorised signatures for each account, the limits of authority for each account signature and any amendments to mandates

(a) Financial Regulations should set out clearly the responsibilities of those handling money.

(b) Internal controls should include clear arrangements for the temporary holding, transit and storage of cash and clear rules about the frequency of banking. Those handling money and those with responsibilities for controls should be aware of the terms of the insurance cover for money movement and security.

Corporate controls to manage risk, error and fraud

8. Risk assessment and internal controls must focus on the safety of the Commissioners'/IDBs' assets, particularly money

To the extent possible, the Commissioners/IDBs should apply and monitor a clear segregation of duties regarding money and its movements.

9. Those with direct responsibility for money must undertake appropriate training from time to time

(a) Members should keep themselves informed about known risks and threats to money. The Commissioners/IDBs may engage with police and local anti-fraud and corruption networks to keep up to date with risks and security threats.

(b) Fidelity Guarantee insurance or any other form of security is not by itself sufficient protection over threats to money or other assets. Risk assessed insurance should, however, always cover maximum exposure to loss of money.

(c) Bank reconciliations should be carried out at intervals of no greater than monthly and will be reported through the Commissioners'/IDBs' Annual Return. In the event of bank reconciliation discrepancy, explanations should be checked and verified.

(d) The Commissioners/IDBs have authorised those approved on their bank mandate to make payments to suppliers between meetings. However the Commissioners/IDBs must receive a schedule of paid accounts at every annual general meeting, listing all payments that have been made to suppliers during the reporting period.

(e) Internal audit should review and report on controls over money annually.

(f) The Commissioners/IDBs may from time to time request written confirmation of balances from the bank/financial institution. This may be more frequent where paper statements are not received and reliance is placed on electronic information.

MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS (The Board'')
Schedule of Matters Reserved for the Board

The thinking behind having a Schedule of Reserved Matters for the Board is that, without such a Schedule, many decisions that the Board would expect to take can fall within the delegated authority of an executive, committee or joint committee. The existence of a schedule of matters reserved for the Board provides an internal safety net to ensure that these decisions have to be referred to the Board. It also simplifies the process of delegation and makes it easier for the Board to give executives and committees the powers they need to perform their functions. Broader powers can be delegated if they are made subject to the exceptions set out in the schedule. A schedule also allows corporate-wide changes to be made without having to alter the terms of delegation for each individual or committee. The main disadvantage of this approach to delegation is that those who exercise delegated powers are not always as knowledgeable as they should be about the contents of the schedule, a particular danger when the schedule has been amended. No matter how effective a Board may be it is not possible for members to have hands on involvement in every area of the Board's business. An effective Board controls the business but delegates day to day responsibility to the executive management. That said there are a number of matters which are required to be, or, in the interests of the organisation, should only be decided by the Board as a whole. It is therefore incumbent upon the Board to make it clear what these 'Reserved Matters' are.

A. Strategy and Management

1.1. Responsibility for the overall management of the Board (IDB) and for the general supervision over all matters relating to the drainage of land in the Internal Drainage District.
1.2. Approval of the IDB's objectives and strategy.
1.3. Approval of the IDB's annual operating and capital expenditure budgets and any material changes to them (where it is not feasible or practical to obtain the Board's prior approval to any such changes, the Chairman's prior approval shall be obtained and later ratified by the Board).
1.4. Oversight of the IDB's operations ensuring:
- Competent and prudent management
- Sound planning
- An adequate system of internal control
- Adequate accounting and other records
- Compliance with statutory and regulatory obligations.

1.5. Review of the IDB's performance in the light of the IDB's strategy, objectives and targets, service delivery plans and renewals/refurbishment programmes, policies and budgets, and ensuring that any necessary corrective action is taken.
1.6. Extension of the IDB's activities into new business or geographic areas.
1.7. Material changes in the criteria for exercising statutory powers or in the way in which duties are performed by the IDB in the drainage district.

2. Structure and capital

2.1 Changes relating to the IDB's capital structure, including balances, provisions and reserves.
2.2 Changes in rateable value of hereditaments within the drainage district.
2.3 Major changes to the IDB's management and control structure, and, the appointment of permanent staff to fill new roles.
2.4 Any change to the IDB's status as an independent and autonomous flood risk management authority for example an amalgamation or merger with one or more operating authorities, or abolition.
2.5 Any application to alter the boundaries of, or to in any way reorganise the Internal Drainage District, in accordance with sections 2 and 3 of the Land Drainage Act 1991.

3. Financial reporting and controls

3.1 Approval of the annual return and accounts, including authorising the completion of the corporate governance statement.
3.2 Approval of estimates and other budgets.
3.3 Approval of the reserves policy and material changes in the level of any provision, or reserve. (Where it is not feasible or practical to obtain the Board's prior approval to any such changes, the Chairman's prior approval shall be obtained and later ratified by the Board).
3.4 Approval of annual values as at 31st December in every year, to determine the proportion of drainage expenses raised from the proceeds of drainage rates and special levies.
3.5 Levying of drainage rates/special levies.
3.6 Approval of any significant changes in accounting policies or practices.
3.7 Approval of investment policies or strategies.
3.8 Approval of any write off or rating amendment/exemption.
3.9 Changes to plant and labour charge out rates.
3.10 Approval of any commutation of obligations and of the financial consequences arising therefrom.
3.11 Applications to make vary or revoke orders sub-dividing the drainage district for the purposes of raising expenses.
3.12 Approval of applications for government grant in aid.

4. Internal controls

4.1 Ensuring maintenance of a sound system of internal control and risk management including:
- Receiving reports on, and reviewing the effectiveness of, the IDB's risk and control processes to support its strategy and objectives
- Undertaking a periodic assessment of these processes
- Approving an appropriate statement for inclusion in the annual return.

4.2 Changes to the IDB's Rules and Financial Regulations.
4.3 Changes to the IDB's Byelaws, in accordance with section 66 of the Land Drainage Act 1991.
4.4 Consideration of action to enforce the removal of obstructions to the flow of any ordinary watercourse. (sections 24 and 25 of the Land Drainage Act 1991).
4.5 Approval of non-delegated Byelaw consents and ratification of any consent that has been granted between Board meetings.
4.6 Approval of IDB minutes and associated reports together with any material changes in their format and a schedule of paid accounts.
4.7 Approval of any works/activities that may be requested by the Environment Agency using their supervisory powers (section 7 of the Land Drainage Act 1991) or their default powers (section 9 of the Land Drainage Act 1991).
4.8 The designation of any feature under section 30 and Schedule 1 of the Flood and Water Management Act 2010.
4.9 Approval of any adoption/abandonment, adding to or decreasing the IDB's liability for flood risk management infrastructure within the drainage district.
4.10 Approvals of applications made to or from the Environment Agency or other third party to en-main, de-main or reclassify any land drainage/flood defence infrastructure within the drainage district.
4.11 Approving the dates and times of the IDB's meetings and inspections.

5. Contracts

5.1 Approving capital projects of the IDB and principal contracts arising therefrom.
5.2 Approving contracts which are material strategically or by reason of size, entered into by the IDB in the ordinary course of its undertakings.

5.3 Contracts not in the ordinary course of the IDB's undertakings, for example any joint administration arrangement or extension to include others in such an arrangement.
5.4 Approving the use of Buying Groups and Service Level Agreements through which to procure goods and services.
5.5 Approving any borrowing by the IDB.
5.6 Approving the sale or purchase of any land or the granting or obtaining of rights over land save, where the granting or obtaining of rights is concerned, where such grant is in accordance with a policy or strategy already agreed by the IDB.
5.7 Approving the acquisition or disposal of fixed assets and plant and vehicles save where acquired in accordance with a policy or strategy already agreed by the IDB.
5.8 Major investments by the IDB.

6. IDB membership and other appointments

6.1 Changes to the structure, size and composition of the IDB
6.2 Ensuring adequate succession planning for employees.
6.3 Election of the Chairman (and Vice Chairman) in accordance with Standing Orders.
6.5 Membership of IDB committees.
6.6 Continuation in office of any member at any time, in accordance with the requirements of the Members Code of Conduct.
6.7 Appointment or removal of the Internal Auditor.
6.8 Any request to remove or not to re-appoint the external auditor.
6.9 Appointments to outside bodies and any joint committees.

7. Remuneration

7.1 Approving the remuneration and training policies for employees
7.2 Approving changes to the terms and conditions of employees other than where made as a consequence of legislative change.
7.3 The introduction of new employee incentive schemes or major changes to existing schemes.
7.4 Approval of any severance packages in excess of the statutory minimum or of any pension enhancement made thereto.

8. Delegation of Authority

8.1 The delegation of responsibilities.
8.2 Approval of terms of reference for any IDB committees and any joint committee.
8.3 Receiving minutes, reports and recommendations arising from any IDB committees and any joint committee.

9. Corporate governance matters

9.1 Undertaking any review of the IDB's own performance, that of its committees/joint committees, individual members and of those appointed to outside bodies.
9.2 Determining the independence of members.
9.3 Considering the balance of interests between ratepayers, billing authorities, employees, and relevant third parties.
9.4 Reviewing the IDB's overall corporate governance arrangements and committee structure.
9.5 Receiving reports on the views of the IDB's stakeholders.

10. Policies

10.1 Approval of all IDB policies.

11. Other

11.1 Approval of the appointment of the IDB's bankers.

11.2 Prosecution, defence or settlement of litigation otherwise than where covered by a delegated authority. Settlement of other disputes or appeals being material to the interests of the IDB.

11.3 Approval of the overall levels and areas of cover of insurance for the IDB.

11.4 Major changes to the rules of the IDB's pension schemes and admissions policies, so far as these fall under the IDB's jurisdiction.

11.5 Changes to those authorised to institute legal proceedings, pursuant to various powers afforded to the IDB by the Land Drainage Act 1991 and the Flood and Water Management Act 2010.

11.6 The IDB will receive reports and recommendations from time to time on any matter which it considers significant in relation to this schedule of matters reserved for Board decisions. All other matters which by definition the IDB considers suitable for delegation have been delegated to the appropriate Committee or Officer. The nature and extent of any delegation to any Committee shall appear in that Committee's terms of reference. All delegations shall be exercised in accordance with the Standing Orders, Financial Regulations, Financial Code, Policies and Procedures.

March Third District Drainage Commissioners

Scheme of Delegation

To the Chairman (and/or Vice Chairman and/or other member(s) specifically authorised by the Board)

- Authority to sign deeds – in conjunction with the Clerk
- Authority to approve or authorise demands for payment and to authorise accounts
- Authority to authorise proceedings relating to debt recovery or other actions in the County Court
- Authority to procure goods, services, plant and machinery within the budget provided by the Board and to enter into contracts accordingly
- Authority to discharge and make payment of properly authenticated accounts
- Authority to authorise insurance cover so far as may be consider necessary or appropriate to safeguard the Board's interests
- Authority to seek such advice from external advisers as he may consider necessary or appropriate in the Board's interests.
- Authority to respond to communications.
- Authority to employ such temporary staff as may be required
- Authority to discipline and/or dismiss employees in accordance with current employment legislation and the Board's employment policies
- Authority to approve or authorise formal letters, notices and other documentation and take enforcement action for breaches of Legislation (including Byelaws) enforceable by the Board.
- Authority to approve consents, applications for water resources licences and other formal documents on behalf of the Board
- Authority to grant temporary rights over or interests in land owned by the Board
- Authority to negotiate and/or settle small claims against the Board
- Authority to negotiate contributions towards drainage works from third parties
- Authority to discuss works and access with landowners
- Authority to authorise press releases and to respond to consultations on behalf of the Board
- Authority to attend meetings of any committee or organisation with functions related to those of the Board and where appropriate to pass relevant information on to partner organisations.
- Authority to take any action which he may reasonably consider necessary in an emergency to protect the Board's interests.
- Authority to enter into contracts with consultants or contractors for works approved by the Board or a duly authorised committee.

To the District Officer

- Authority to discuss works and access with landowners
- Authority to procure goods, services, plant and machinery within the budget provided by the Board and to enter into contracts accordingly

- Authority to approve or authorise demands for payment and to authorise accounts Authority to approve or authorise formal letters notices and other documentation and take enforcement action for beaches of legislation (including Byelaws) enforceable by the Board
- Authority to respond to communications
- Authority to approve consents applications for water resources licences and other formal documents on behalf of the Board
- Authority to negotiate and/or settle small claims against the Board
- Authority to negotiate contributions towards drainage works from third parties
- Authority to attend meetings of any committee or organisation with functions related to those of the Board and where appropriate to pass relevant information on to partner organisations
- Authority to take any action which he may reasonably consider necessary in an emergency to protect the Board's interests
- Authority to enter into contracts with consultants or contractors for works approved by the Board or a duly authorised committee

March Third District Drainage Commissioners

Scheme of Delegation

To the Clerk (including the Clerk's Representative)

- Authority to sign deeds– in conjunction with a Member of the Board
- Authority to sign demands for payment for sums due to the Board
- Authority to take and appear in proceedings in Magistrates Courts for non-payment of drainage rates
- Authority to take and appear in proceedings relating to debt recovery or (where such action is authorised by the Board) other actions in the County Court
- Authority to procure goods, services, plant and machinery within the budget provided by the Board
- Authority to arrange insurance cover so far as he may consider necessary or appropriate to safeguard the Board's interests
- Authority to seek such further advice from such external advisers as he may consider necessary or appropriate in the Board's interests.
- Authority to discharge and make payment of properly authenticated accounts
- Authority to respond to communications
- Authority to issue formal letters, notices and other documentation and to make entries in public registers where necessary to protect the Board's interests.
- Authority to sign consents and other formal documents, other than deeds, on behalf of the Board
- Authority to negotiate small claims against the Board
- Authority to negotiate contributions towards drainage works from third parties
- Authority to discuss works and access with landowners
- Authority to issue press releases and to respond to press enquiries and consultations on behalf of the Board
- Authority to be a member of and attend meetings of any committee or organisation with functions related to those of the Board and where appropriate to pass relevant information on to partner organisations
- Authority to delegate such tasks as may be appropriate
- Authority to take any action which he may reasonably consider necessary in an emergency to protect the Board's interests.
- Authority to enter into contracts with consultants or contractors for works approved by the Board or a duly authorised committee
- Authority to draw up and sign off the Board's accounts and other financial statements and to be the Board's responsible financial officer under relevant legislation

This Scheme of Delegation is to be read in conjunction with the following policies:-

1) Financial Regulations

2) Procurement Policy

Approved.....

Review date.....

March Third District Drainage Commissioners "the Board"
Whistle Blowing Policy and Confidential Reporting Code

POLICY AIMS

The aim of this policy is to maintain a working environment where people, whether they are employees of the Board, suppliers, contractors, members or private individuals co-opted on to committees of the Board are able to raise concerns where they think there is misconduct or malpractice, and to know that their concerns will be taken seriously and investigated. The policy is intended to give confidence to employees to whistle blow and, as such, it incorporates statutory provision for protection under the Public Interest Disclosure Act 1998. Members of the public may also have concerns. That is why we have produced this whistle blowing policy not only to help our staff but we will publish this document on our website to enable the public to also contact us with their concerns.

OUR COMMITMENT

The Board attaches high priority to ethical standards and probity and is committed to taking appropriate action where misconduct or malpractice is identified. We are committed to being open, honest and accountable. The Board will protect both former and current staff from being penalised for raising concerns about misconduct or malpractice provided that allegations are made in good faith and without mischievous or malicious intent.
The following are affected by this policy:

- All former and current employees
- Board Members
- Private individuals co-opted on to committees of the Board
- Suppliers and those providing services under a contract whether working for the Board on Board premises or their own premises.

INTRODUCTION

Employees are often the first to realise that there may be something seriously wrong within the Board. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Board. They may also fear harassment or victimisation. In line with the policy statement we encourage employees and others that we work with, who have serious concerns about any aspect of the Board's work, to come forward and voice those concerns. We wish to make it clear that they can do so without fear of victimisation, subsequent discrimination or disadvantage. This 'Whistle blowing Policy and Confidential Reporting Code' aims to encourage and make it possible for employees to raise serious concerns within the Board rather than overlooking a problem or 'blowing the whistle' outside the Board.

AIM AND SCOPE OF THE POLICY

This policy aims to:

- encourage anyone to feel confident in raising serious concerns and to question and act on their concerns about practice
- provide avenues for anyone to raise those concerns and receive feedback on any action taken and make sure that anyone receives a response to their concerns and that they are aware of how to pursue them if they are not satisfied

- reassure anyone that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures in place which make it possible for staff to lodge a grievance relating to their own employment. This policy is intended to cover major concerns that fall outside the scope of other policies and procedures. These concerns include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- the Board's Constitution (including Standing Orders or Other Regulations etc) not being observed or are being breached by members and/or officers
- possible fraud and corruption
- sexual or physical abuse
- other unethical conduct
- information relating to any of the above being deliberately concealed or attempts being made to conceal the same.

This means that any serious concerns anyone has about any aspect of service provision or the conduct of officers or members of the Board or others acting on behalf of the Board can be reported under this policy. This may be about something that:

- makes anyone feel uncomfortable in terms of known standards,
- is against Financial Regulations, Board Procedure Rules, etc
- falls well below established standards of practice
- amounts to improper conduct.

The concerns must however be raised in the public interest.

What is not covered?

This policy cannot be used to deal with serious or sensitive matters that are covered by other procedures. Such procedures include the following:

- Staff complaints about their employment. These complaints are dealt with through our Grievance Procedure
- Complaints about our services. These complaints are dealt with through our Complaints Procedure

SAFEGUARDS

The Board is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If what is being reported is true, there should be nothing to fear because the person reporting will be doing their duty to the employer and those for whom they are providing a service. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect staff.

CONFIDENTIALITY

All concerns will be treated in confidence and every effort will be made not to reveal anyone's identity if they so wish. At the appropriate time however, you may need to come forward as a witness.

ANONYMOUS ALLEGATIONS

This policy encourages anyone to put their name to an allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Board. In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person concerned. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them where appropriate.

HOW TO RAISE A CONCERN

If the person works for the Board, they should normally raise their concerns with the Clerk or the Board Chairman. Concerns may be raised verbally or in writing. Anyone who wishes to make a written report is invited to use the following format:

- the background and history of the concern (giving relevant dates)
- the reason why they are particularly concerned about the situation.

The earlier the concern is expressed the easier it is to take action. Although no one is expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person being contacted that there are reasonable grounds for their concern. Advice and guidance on how to pursue matters of concern may be obtained from:

- The Clerk of the Board

Where possible It may be appropriate to consider discussing a concern with a colleague first and it may be easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. Unions and professional associations may also raise matters of concern on behalf of their members employed by the Board.

If you are a Board member or a member of the public you should contact the Clerk or Chairman of the Board.

HOW THE BOARD WILL RESPOND

The Board will respond to any concerns. Do not forget that testing out concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process

- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form should it take. The overriding principle which the Board will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example fraud or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is carried out. Within ten working days of a concern being raised, the Chairman or Clerk of the Board, depending upon who has been approached, will write:

- advising that the concern has been received
- advising how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- advising whether any initial enquiries have been made
- supplying information on staff support mechanisms where appropriate
- advising whether further investigations will take place and, if not, why not.

The amount of contact between the officers considering the issues and the person raising them will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Board will get further information from them.

The Board will take steps to minimise any difficulties which may be experienced as a result of raising a concern. The Board accepts that individuals need to be confident that the matter has been properly addressed. Therefore, subject to legal constraints, we will tell them the outcome of any investigation.

THE RESPONSIBLE OFFICER

The Clerk's office has overall responsibility for the maintenance and operation of this policy. They maintain a record of concerns raised and the outcomes (but in a form which does not endanger anyone's confidentiality) and will report as necessary to the Board.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide anyone with an avenue within the Board to raise concerns. If internal advice is required before starting action, you may talk to:

- the Clerk's office
- the local union branch.

The Board hopes everyone will be satisfied with any action taken. If they are not, and they feel it is right to take the matter outside the Board, the following are possible contact points:

- the External Auditor
- the Internal Auditor
- the local Citizens Advice Bureau

- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police
- the independent charity Public Concern at Work. Their lawyers can give free confidential advice at any stage about how to raise a concern about serious malpractice at work. The charity's contact details are: 020 7404 6604 / 020 7404 6576 / www.pcaw.co.uk/ whistle@pcaw.co.uk (enquiries) / helpline@pcaw.co.uk (helpline) / Public Concern at Work, Suite 306, 16 Baldwin Gardens, London EC1N 7RJ

If the matter is taken outside the Board, you must ensure that you do not disclose confidential information. Check with the Clerk of the Board about that.

WHISTLE BLOWING DO'S AND DON'TS

Do

- keep calm
- think about the risks and outcomes before you act
- remember you are a witness, not a complainant
- phone Public Concern at Work for advice on 020 7404 6604

Don't

- forget there may be an innocent or good explanation
- become a private detective
- use whistle blowing procedures to pursue a personal grievance
- expect thanks.

The policy will be reviewed again if there are any changes in legislation or to the Board's employment structure.