INTERNAL DRAINAGE BOARD
GOVERNANCE DOCUMENTS
I N D E X

SCHEDULE

Benwick Internal Drainage Board
Churchfield & Plawfield Internal Drainage Board
Conington & Holme Internal Drainage Board
Curf & Wimblington Combined Internal Drainage Board
Euximoor 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
Upwell Internal Drainage Board
Warboys Somersham & Pidley Internal Drainage Board
White Fen District Drainage Commissioners

INTERNAL DRAINAGE BOARD (“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.

INTERNAL DRAINAGE BOARD ("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. It should be read in conjunction with the Employee Handbook.

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 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 regard as gross misconduct are included in the Employee Handbook.

2. BOARD'S RULES

2.1 Attendance and Timekeeping

Employees are required to:

a) arrive at work promptly, ready to start work at their contracted starting times
b) remain at work until their contracted finishing times

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

The Board reserve 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. Unauthorised 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 Commissioners

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 Board's 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's, which could reasonably be interpreted, as competing with the Board.

Examples of confidentially – 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 Boards vehicles or,
c) anywhere on site or outside of the Boards 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 permission of the Chair or District Officer:

a) except for use on authorised Board business, make use of the Board's telephone, fax, postal, email 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 reserve 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 the 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 Commissioners are able to contact you or another designated person in case of an emergency, employees must notify the Commissioners 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 Commissioners are paid)

This will also help the Commissioners 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

Internal Drainage Board ("the Board")

Employees Code of Conduct

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

Name ………………………………….

Signed …………………………………

Date……………………………………

Publication Scheme for Internal Drainage Board

This is a Publication Scheme for Internal Drainage Boards (IDB). There are over 200 IDBs in England and Wales and their duties and powers and specifically provided for by the Land Drainage Acts 1991 and 1994. 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 Internal Drainage Boards 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)

Section1–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 internal drainage board 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 Internal Drainage Boards publish or intend to publish.

An Internal Drainage Board is a statutory public body operating under primary legislation to provide a water level management service within its prescribed drainage district. Copies of 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.

It raises income through the direct rating of agricultural land and buildings in its drainage district and recovers 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 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 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 elected by the agricultural ratepayers and those nominated by the special levy District Councils.

Elections for the agricultural ratepayer's representatives are held every three years and a formal election procedure prescribed under the Land Drainage Act 1991 and Regulations is followed.

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 Board
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.

2.2 An electoral register as at the 1st April in an election year is available for inspection.

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 Sealed 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 Board, 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 I 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. <u>The Commissioners/IDBs must arrange for the proper administration of their financial affairs and that one of its officers has responsibility for those affairs</u>

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. <u>Income and expenditure and the money represented by each must be protected and controls over money must be embedded in Financial Regulations</u>

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

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

7. <u>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 mandate</u>

(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.

INTERNAL DRAINAGE 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 maybe it is not possible for members to have hands on involvement in every area of the Internal Drainage 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 Schedule 1 Part III paragraph 8 of the Land Drainage Act 1991 and/or requirements of the Members Code of Conduct.
6.7 Filling casual vacancies, if for any reason whatsoever the place of an elected member becomes vacant before the end of their term of office, in accordance with Schedule 1 Part III paragraph 10 of the Land Drainage Act 1991.
6.8 Approval of the Electoral Register.
6.9 Appointment or removal of the Internal Auditor.
6.10 Any request to remove or not to re-appoint the external auditor.
6.11 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 Approving any application to pay the Chairman of the IDB an allowance, for the purpose of enabling him/her to meet the expenses of his/her office, in accordance with Schedule 2 paragraph 1 of the Land Drainage Act 1991.
7.4 Determining the policy of paying allowances or reimbursing expenses incurred by IDB members, in accordance with Schedule 2 paragraph 1 of the Land Drainage Act 1991.
7.5 The introduction of new employee incentive schemes or major changes to existing schemes.
7.6 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 were 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.

Internal Drainage Board

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 considered 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

Internal Drainage Board

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..................

Internal Drainage Board "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.