



Town Hall | 61 Newland Street | Witham | CM8 2FE
01376 520627
witham.gov.uk

AGENDA

WITHAM TOWN COUNCIL

Date: **Monday, 29th September 2025** Time: **7:30 p.m.**

Place: **Council Chamber, Town Hall, Newland Street, Witham, CM8 2FE**

Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:

Councillors:

P. Heath	(Town Mayor)	J. Martin
J.C. Coleman	(Deputy Town Mayor)	R. Playle
E. Adelaja		R. Ramage
L. Barlow		J. Robertson
P. Barlow		A. Sloma
J.M. Coleman		B. Taylor
B. Fleet		E. Williams
L. Headley		

Nikki Smith
Town Clerk

NS/GK/24.9.2025

1. APOLOGIES FOR ABSENCE

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of Town Council held 1st September 2025 (previously circulated).



3. INTERESTS

To receive any declarations of interest that Members may wish to give notice of on matters pertaining to any item on this agenda.

4. QUESTIONS AND STATEMENTS FROM THE PUBLIC

An opportunity to enable members of the press and public present to comment.

Order Note: A maximum of 30 minutes is designated for public participation time with no individual speaker exceeding three minutes unless otherwise granted an extension by the Chairman under Standing Order 3(F) & 3(G)

5. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

To receive reports from Essex County and Braintree District Councillors on matters relating to Witham.

6. 20's PLENTY/TACKLING SPEEDING REPORT

To note that application has been made to Essex County Councillor Louis for the Local Highways Panel to consider installing 20's Plenty signs outside Powers Hall School and Maltings Academy. He has also been asked to chase the application for a licence for a Speed Indicator Device in Hatfield Road.

7. TOWN MAYOR'S ENGAGEMENTS

To receive details of the Town Mayor's engagements attended for period 26th August to 24th September 2025 attached at page 4.

8. TOWN CLERK'S REPORT

To receive a verbal report from the Town Clerk on matters arising.

9. CONCLUSION OF AUDIT

To receive the closure letter from PKF Littlejohn LLP, Section 3 of the External Auditor Report and Certificate attached at page 5.

10. REVIEW OF POLICIES

To receive and approve the following revised policies –

- (a) Meeting Attendance Policy attached at page 10
- (b) Sexual Harassment Prevention Policy attached at page 11
- (c) Dignity at Work Policy attached at page 14
- (d) Officer, Members Relations Policy attached at page 19

To receive the following policy for adoption –

(e) Stress Management Policy attached at page 23

11. EVENTS REPORT

To receive an update on events attached at page 27.

12. EXCLUSION OF THE PRESS AND PUBLIC

At this point, the Chair will move the following resolution: Under the Public Bodies (Admissions to Meetings) Act 1960 S.1(2) and in accordance with Standing Order 3(d), the press and public should be excluded from the remainder of the meeting due to the confidential nature of the business to be transacted.

13. LAND TRANSFER

To receive a report attached at page 28.

14. COMMUNITY CENTRE

To receive a report attached at page 29.

15. BLACKWATER LANE

To receive a report attached at page 33.

16. PROPOSED MOBILE COFFEE SHOP

To receive an email attached at page 40.



**LIST OF MAYOR'S ENGAGEMENTS BETWEEN
26th August 2025 – 24th September 2025
Councillor Paul Heath**

Thursday 28th August 2025

Engaging with Witham residents with Bluey.

Monday 1st September 2025

Attended RBL sponsored walk around River Walk, 4.3 miles.

Attended Witham Rail Disaster Memorial Service at Armond Road bridge.

Wednesday 3rd September 2025

Attended the Welcome Service at Witham Methodist Church.

Thursday 18th September 2025

Attended Lift New Rickstones School open evening.

Saturday 20th September 2025

Attended Witham Street Festival.

Sunday 21st September 2025

Attended Prime Appointments Alzheimer's Society memory walk.

Attended Sunday Cinema at the RBL.

Tuesday 23rd September 2025

Attended Witham Football Club for their Crafting Afternoon.

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Agenda Item 9

Witham Town Council
BY EMAIL

DDI:

+44 (0)20 7516 2200

Email:

sba@pkf-l.com

Date:

10 September 2025

Our Ref:

EX0279

SAAA Ref:

SB09562

Witham Town Council

Completion of the limited assurance review for the year ended 31 March 2025

Dear Ms Smith

We have completed our review of the Annual Governance & Accountability Return (AGAR) for Witham Town Council for the year ended 31 March 2025. Please find our external auditor report and certificate (Section 3 of the AGAR Form 3) included for your attention as an attachment to the email containing this letter along with a copy of Sections 1 and 2 of the AGAR, on which our report is based.

The external auditor report and certificate details any matters arising from the review. The smaller authority must publish these documents immediately and at the next meeting consider the final external auditor report and decide what, if any, action is required.

Action you are required to take at the conclusion of the review

The Accounts and Audit Regulations 2015 (SI 2015/234) set out what you must do at the conclusion of the review. In summary, you are required to:

- Prepare a "Notice of conclusion of audit" which details the rights of inspection, in line with the statutory requirements. We attach a pro forma notice you may use for this purpose (a Word version is available on request).
- Publish the "Notice" along with the certified AGAR (Sections 1, 2 & 3) before 30 September 2025, which must include publication on the smaller authority's website. (Please note that when the statute and regulations were amended in 2014 and 2015, they did not include a requirement for the length of time for which that the "Notice" must be published. The previous statute required 14 days; but it is now up to the authority to make this decision).
- Keep copies of the AGAR available for purchase by any person on payment of a reasonable sum.
- Ensure that Sections 1, 2 and 3 of the published AGAR remain available for public access for a period of not less than 5 years from the date of publication.

PKF Littlejohn LLP
15 Westferry Circus,
Canary Wharf, London
E14 4HD

T: +44 (0)20 7516 2200
pkf-l.com

Fee

We enclose our fee note, on page 4 of this attachment, for the limited assurance review, which is in accordance with the fee scales set by Smaller Authorities' Audit Appointments Ltd which can be found at <https://www.saaa.co.uk/audit-fees/>. This fee is statutory, must be paid and is due immediately on receipt of invoice, please arrange for this to be paid **at the earliest opportunity**.

Additional charges are itemised on the fee note, where applicable. These arise where either:

- we have had to issue chaser letters and/or exercise our statutory powers due to a failure to provide an AGAR by the submission deadline; or
- it was necessary for us to undertake additional work.

Please return the remittance advice with your payment, which should be sent to: PKF Littlejohn LLP, Ref: Credit control (SBA), 5th Floor, 15 Westferry Circus, Canary Wharf, London, E14 4HD. Please include the reference EX0279 or Witham Town Council as a reference when paying by BACS.

Timetable for 2025/26

Next year we plan to set a submission deadline for the return of the completed AGAR Form 3 and associated documents (or Certificate of Exemption) in the usual way and this is expected to be Wednesday 1 July 2026. It is anticipated that the instructions will be sent out during March 2026, subject to arrangements for the 2025/26 AGARs and Certificates of Exemption being finalised by Smaller Authorities' Audit Appointments Limited (SAAA). Our instructions will cover any changes about which smaller authorities need to be aware.

- The smaller authority must inform the electorate of a single period of 30 working days during which public rights may be exercised. The period must be **exactly** 30 working days, please do not set public rights dates that cover a longer period. This information **must be published at least the day before** the inspection period commences;
- The inspection period **must** include the first 10 working days of July 2026, i.e. 1 to 14 July inclusive. In practice this means that public rights may be exercised:
 - at the earliest, between Wednesday 3 June and Tuesday 14 July 2026; and
 - at the latest, between Wednesday 1 July and Tuesday 11 August 2026.

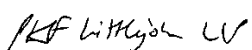
As in previous years, in order to assist you in this process we plan to include a pro forma template notice with a suggested inspection period on our website. On submitting your AGAR and associated documentation, as was the case for this year, we will need you to either confirm that the suggested dates have been adopted or inform us of the alternative dates selected.

We would like to draw your attention to a change within the Practitioners' Guide 2025 which is mandatory for the 2025/26 period. Paragraphs 1.47 to 1.54 relate to an additional assertion to be included in the 2025-26 AGAR, Assertion 10, regarding email management, websites, compliance with both the General Data Protection Regulation (GDPR) 2016 and the Data Protection Act (DPA) 2018 and the requirement to have an IT policy. The requirements in relation to Assertion 10 are listed in Paragraphs 1.47 to 1.54 and the local authority should review these requirements and take appropriate steps to ensure compliance.

Feedback on 2024/25

We would welcome feedback on your experiences with PKF Littlejohn LLP during the review for the year ended 31 March 2025. Such feedback is important to us to help us drive improvements in client service. If you wish to provide feedback, our satisfaction survey template can be used, which is available on our website on this page: <https://www.pkf-l.com/services/limited-assurance-regime/useful-information-and-links/>

Yours sincerely



PKF Littlejohn LLP

Section 1 – Annual Governance Statement 2024/25

We acknowledge as the members of:

Witham Town Council

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2025, that:

	Agreed		'Yes' means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			✓

***Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.**

This Annual Governance Statement was approved at a meeting of the authority on:

12/05/2025

and recorded as minute reference:

TC/28 12/05/2025

Signed by the Chair and Clerk of the meeting where approval was given:

Chair



Clerk



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Section 2 – Accounting Statements 2024/25 for

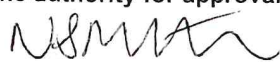
Witham Town Council

	Year ending		Notes and guidance
	31 March 2024 £	31 March 2025 £	
1. Balances brought forward	578,643	646,063	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	797,141	942,474	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	318,827	179,371	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	531,585	583,610	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	516,963	395,017	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	646,063	789,281	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	594,329	745,310	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	1,198,321	1,211,912	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>

For Local Councils Only	Yes	No	N/A	
11a. Disclosure note re Trust funds (including charitable)		✓		<i>The Council, as a body corporate, acts as sole trustee and is responsible for managing Trust funds or assets.</i>
11b. Disclosure note re Trust funds (including charitable)			✓	<i>The figures in the accounting statements above exclude any Trust transactions.</i>

I certify that for the year ended 31 March 2025 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval



Date

29/04/2025

I confirm that these Accounting Statements were approved by this authority on this date:

12/05/2025

as recorded in minute reference:

TC/29 12/05/2025

Signed by Chair of the meeting where the Accounting Statements were approved



Section 3 – External Auditor’s Report and Certificate 2024/25

In respect of **Witham Town Council – EX0279**

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2025; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor’s limited assurance opinion 2024/25

On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

Other matters not affecting our opinion which we draw to the attention of the authority:

None.

3 External auditor certificate 2024/25

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2025.

External Auditor Name

PKF LITTLEJOHN LLP

External Auditor Signature

PKF Littlejohn LLP

Date

09/09/2025

Witham Town Council: Meeting Attendance Policy

Policy Overview

This policy has been written to help encourage efficient administration of meetings, avoid inquorate meetings and allow appropriate rescheduling of meetings where required. It will also provide responsibility and accountability for Members. It also aims to promote transparency and public accountability by publishing Members' attendance records.

Apologies for Absence

- Members shall give as much advance notice as possible of absence from all meetings by contacting the Council Office.
- Members should be able to provide a valid reason for absence to the Office.
- The deadline for receiving an apology for absence shall be ~~the end of office hours on the day after the meeting.~~ **3pm on the day of the meeting.**
- Apologies for absence shall be made directly to the Office and not normally via a third person or platform such as another Member at the meeting, or social media.

Extended Periods of Absence

- A Councillor who does not attend any meetings for a period of six consecutive months will automatically cease to be a Member of the Council unless the reason for absence is approved by the Council before the end of the period.
- If absence becomes necessary for extended periods, Councillors are recommended to submit a request to the Town Clerk giving the reason for absence, for approval by the Council.

Recording and Publishing Attendance

- For all meetings of the Council, the Committee Clerk will record Members' attendance, or nonattendance with or without apologies in the attendance register.
- The Minutes of meetings will show Members in attendance and Members absent who have or have not given their apologies.
- The Minutes of meetings will not reflect the reason for Members apologies, unless they are as a result of conflicting council business.
- Members' attendance shall be published on the website alongside whether apologies were received.
- Attendance records will be updated on the website quarterly.

The Council is committed to transparency and accountability. Publishing attendance records serves to inform the public about their elected representatives' engagement and participation in council business.

Agreed: Minute 7 of Policy and Resources Meeting held 20th June 2022.

Reviewed: Policy and Resources held 23rd September 2025

To be reviewed: September 2027

Policy WTC/48



Witham Town Council: Sexual Harassment Prevention Policy

Policy Overview

This policy is designed to prevent sexual harassment in the workplace and to provide a framework for addressing incidents if they occur. Witham Town Council is committed to providing a safe, respectful, and inclusive work environment for all employees, councillors, contractors, and visitors.

Scope

This policy applies to all employees, councillors, contractors, and anyone else engaged with Witham Town Council, regardless of their position or status. ~~It covers conduct in the workplace, at work-related events, and in any work-related communications.~~ **It covers all behaviour at work, work-related events, and in work-related communications, both in-person and online (including social media and emails, even when accessed via personal devices).**

Definition of Sexual Harassment

As per the Equality Act 2010, sexual harassment is defined as unwanted conduct of a sexual nature which has the purpose or effect of:

Violating someone's dignity, or

Creating an intimidating, hostile, degrading, humiliating or offensive environment for them

~~This can be from someone of the same or a different sex.~~

This includes conduct by anyone—colleagues, supervisors, clients, customers, or members of the public—that occurs within a work context.

Examples of Sexual Harassment

Sexual harassment can take various forms, including but not limited to:

- Unwelcome sexual advances or touching
- Requests for sexual favours
- Displaying sexually explicit materials
- Sending sexually suggestive emails or messages
- Making sexual comments or jokes
- Intrusive questions about a person's private life or body
- Unwelcome comments about a person's appearance
- Spreading sexual rumours about a person

Harassment may occur face-to-face or through digital/remote communications and is not limited by the gender of those involved.



Prevention Measures

In line with the Worker Protection (Amendment of Equality Act 2010) Act 2023, Witham Town Council will take reasonable steps to prevent sexual harassment of its workers. These steps include:

- Providing training on sexual harassment prevention for all staff and councillors
- Displaying information about the council's zero-tolerance approach to sexual harassment
- Ensuring all employees understand the complaints procedure
- Regularly reviewing and updating this policy
- Fostering a culture of respect and dignity in the workplace
- Linking this policy with relevant guidance such as disciplinary, social media, and dress code policies, ensuring that all forms of harassment including online are addressed
- Conducting periodic risk assessments and staff surveys to identify and address areas of concern
- Ensuring third-party harassment (by clients, customers, etc.) is considered in risk assessments and preventative steps, per EHRC guidance
- Training staff who may advise or receive reports of sexual harassment (e.g., HR representatives or managers)

Reporting Procedure

Any employee who experiences or witnesses sexual harassment should report it immediately to the Town Clerk, or if this is not appropriate, the Chair of Staffing.

All reports will be taken seriously and investigated promptly, thoroughly, and confidentially.

The rights of both the complainant and the accused will be respected throughout the process.

Retaliation against anyone who reports sexual harassment or participates in an investigation is strictly prohibited.

Individuals experiencing harassment may choose to report issues informally or formally, and may approach a range of contacts such as line managers, senior managers, trained staff, or union representatives

Reports may relate to harassment by staff, managers, or third parties connected with the council

Investigation Process

Upon receiving a complaint, the Town Clerk (or designated person) will initiate an investigation.

Both the complainant and the accused will be interviewed separately.

Any witnesses will be interviewed.

All interviews and findings will be documented.

Confidentiality will be maintained to the extent possible.

Investigations will follow the Acas Code of Practice for full and fair procedures, and this policy will coordinate with formal grievance processes where needed



Consequences

If sexual harassment is found to have occurred, appropriate disciplinary action will be taken, up to and including termination of employment or Code of Conduct complaints for Councillors.

Third parties found responsible for harassment may be banned from council premises or reported to appropriate authorities

Support for Affected Individuals

The council will provide support to individuals affected by sexual harassment, which may include counselling or other appropriate services.

False Accusations

While the council encourages reporting of genuine concerns, knowingly making a false accusation of sexual harassment will be treated as a serious disciplinary matter.

Review

This policy will be reviewed annually to ensure it remains up-to-date and effective. By implementing this policy, Witham Town Council affirms its commitment to creating a workplace free from sexual harassment and to complying with all relevant legislation, including the Equality Act 2010 and the Worker Protection (Amendment of Equality Act 2010) Act 2023.

Approved: 29th October 2024 WTC/63 Full Town Council minute 119

Reviewed: 29th September 2025

Next review: October 2026

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Witham Town Council: Dignity at Work Policy

This protocol is intended to create a working environment where all council employees, councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and consideration. We aim to create a workplace where there is zero tolerance for harassment and bullying.

Scope

This policy covers bullying and harassment of and by clerks/chief officers and all employees engaged to work at Witham Town Council. Should contractors have a complaint connected to their engagement with the Council this should be raised to their nominated contact, in the first instance. Should the complaint be about this contact the complaint should be raised to the Town Clerk.

Contractors are equally expected to treat council colleagues, and other representatives with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council's policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g., employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

This policy also applies to council members in their dealings with staff and other council members. Any complaints about council members will be dealt with under the Code of Conduct for members and the council's adopted procedures for handling such complaints.

The position on bullying and harassment

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. The Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g., physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, Member/Officer Relations Policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.



Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.

What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g., promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information, a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- Disrespectful comments
- Negative comments directed towards an individual/ the council on social media



- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear; however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic or due to their association with someone else.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

Victimisation

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e., you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

Reporting Concerns

Informal approach: Anyone who feels they are being bullied or harassed should try to resolve the problem informally in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour that their conduct is unacceptable, offensive or causing discomfort.

Formal approach: Where the employee feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially with the Town Clerk or Chair of Staffing Committee if more appropriate.



Alternative routes: Employees may also wish to get confidential advice from their trade union representative or the ACAS helpline. Employees may also contact the Equality Advisory Support Service for advice.

Bullying and harassment & performance management

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

Responsibilities

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

During the investigation

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

The council should also consider whether there is a need to separate the alleged perpetrator and the complainant in the workplace during the investigation, taking into account the nature of the allegations and the potential impact on both parties.



Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

Confidentiality

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations, it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how to deal with the matter may be required.

Victimisation

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload.

False allegations

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure.

WTC/50

**Approved at Full Town Council 29.09.2022
(minute 101)**

Reviewed: Full Town Council 15.09.2025

Review Date: October 2026

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Witham Town Council: Member/Officer Relations Policy

This protocol is intended to assist Councillors and employees in approaching some of the sensitive circumstances which arise in a challenging working environment. The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy.

Roles of Councillors and Employees

The respective roles can be summarised as follows:

- Councillors and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct.
- Councillors are responsible to the electorate and serve only so long as their term of office lasts.
- Officers are responsible to the Council. Their job is to give guidance to Councillors and to the Council, and to carry out the Council's work under the direction and control of the Council and relevant committees.
- Each group must work together in the public interest, upholding 'The Seven Principles of Public Life' (Nolan Principles) and respective codes of conduct.

Councillors

Councillors have four main areas of responsibility:

- To determine council policy and provide community leadership;
- To monitor and review council performance in delivering services;
- To represent the council externally; and
- To act as advocates for their constituents.

All Councillors have the same rights and obligations in their relationship with the Town Clerk and other employees, regardless of their status or political party, and should be treated equally.

Councillors should not involve themselves in the day-to-day running of the Council. This is the Town Clerk's responsibility, and the Town Clerk will be acting on instructions from the Council or its Committees, within an agreed job description.

Chairman and Vice-Chairman of the Council and Committees

Chairman and Vice-Chairs have additional responsibilities. These responsibilities mean that their relationships with employees may be different and more complex than those of other Councillors.

However, they must still respect the impartiality of Officers and must not ask them to undertake work of a party-political nature, or to do anything which would prejudice their impartiality.

Officers

The role of Officers is to give advice and information to Councillors and to implement the policies determined by the Council. In giving such advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express their own professional views and recommendations.

An Officer may report the views of individual Councillors on an issue, but the recommendation should be the Officer's own. If a Councillor desires to express a contrary view, they should not pressurise the



officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging their responsibilities.

Expectations

All Councillors can expect:

- A commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillor's or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from Officers to enquiries and complaints;
- Officer's professional advice, not influenced by political views or personal preferences;
- Regular, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from Officers;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by Officers outside the council's agreed procedures;
- That Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly;
- That Officers will at all times comply with the relevant code of conduct.
- Clear guidelines on information that is considered confidential or personal between them and officers;
- Access to a formal complaint procedure if there is an unresolved dispute between them and an Officer;
- Adequate resources to be provided by the Council to enable Officers to effectively carry out their duties.

Officers can expect from Councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
- Respect, courtesy, integrity and appropriate confidentiality;
- Not to be used to make a political statement;
- Not to be intimidated or to be put under undue pressure;
- That Councillors will not use their position or relationship with officers to advance their own interests or those of others or to influence decisions inappropriately;
- That Councillors will at all times comply with the council's adopted Code of Conduct.
- Recognition of and respect for the role of Officers in providing professional advice, even when it does not accord with the views of the Councillor(s)

Relationship Between Members and Officers

It is imperative that any communications between Members and Officers, both written and oral, should observe professional standards of courtesy, and must pay heed to existing protocol that states that Members should communicate with Members, and Officers should communicate with Officers.



The relationship between Members and Officers will be improved by friendly relations. However, mutual respect and the trust that Officers are providing objective professional advice to Members must not be compromised. Members and Officers should be cautious in developing close friendships.

To avoid reputational damage to the Council, disagreements between Members and Officers should be acknowledged and resolved in private, rather than in public or through the media.

This policy prohibits Members raising matters related to the conduct or capability of employees in public. They must be aware of the lines of accountability within service areas and must not apply pressure to an Officer to act in a manner contrary to the instructions of the Town Clerk.

Officers must not allow their personal or political opinions to influence or interfere with their work. Officers should not take part, and Members should not ask Officers to take part, in any activity which could be seen as influencing support for a political party.

Officer support in these circumstances must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising Members on matters of party-political business.

Both Members and Officers should adhere to the rules and regulations set by Council to manage committee business.

Both Members and Officers have access to information which has not yet been made public and is still confidential. It is a betrayal of trust to breach such confidences. Confidential information must never be disclosed or used for personal or political advantage or to the disadvantage or the discredit of the Council or anyone else.

The Town Clerk will instigate any appropriate investigations into actual or alleged breaches of confidence in relation to the release of confidential information.

Officers should ensure that they provide the necessary respect and courtesy due to Members in their various roles. Equally, Members should ensure that they provide the necessary respect and courtesy due to Officers in their roles.

Members should not put pressure on an Officer with regard to matters which have been delegated for Officer decision under the Scheme of Delegation to Officers. Officers should be left to make decisions that are objective and can be accounted for; and are fair and consistent in their application.

Members should not bring influence to bear on any Officer to take any action which is contrary to law or against the Council's approved procedures, including but not limited to the following procedures: a breach of Personnel procedures; conflict with standing orders; or policies.

Members and Officers should be aware of the potential for conflicts of interest and should declare any personal relationships that might affect their professional roles.

Political Groups



It is the National Association of Local Council's (NALC's) policy that party politics should have no place in town councils. Town Councillors are there to serve their community as members of the community, and should not be side-tracked by party political issues.

Party politics within a town council can pose particular difficulties in terms of the impartiality of the Town Clerk and other employees, and the relationship between Councillors and the staff generally.

Party political groups have no power to require the Town Clerk or any other employee to attend group meetings or to prepare written reports for them, and employees can legitimately refuse to do so. The Town Clerk and other Officers are responsible to the Council as a whole and should not take action under instructions from any individual Councillor, even if they have been styled as 'Leader' of the council.

The Town Clerk will ensure that any reports or advice offered to a political group are statements of relevant facts, with an appraisal of options and do not deal with the political implications of the matter or options, or make any recommendations. It is not the Town Clerk's job to make recommendations to a political group.

If a report is prepared for one political group, the Town Clerk will advise all other political groups that the report has been prepared, or that advice was given.

Complaints

Procedure for officers. The relationship between Councillors and the Town Clerk (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, it is important to adhere to the Council's formal grievance policy.

If a Councillor is displeased with the conduct, behaviour or performance of the Town Clerk or another employee, the matter should be raised with the Town Clerk in the first instance. If the matter cannot be resolved informally, it may be required to invoke the council's disciplinary procedure.

WTC/51

Approved at Full Town Council 29.09.2022 (minute 102)

Reviewed: Full Town Council 15.09.2025

To be Reviewed: October 2026

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Witham Town Council: Stress Management Policy

Policy Overview

The Council recognises the importance of identifying and reducing the potential causes of workplace stress to safeguard all staff. This policy reflects legal duties under the Health and Safety at Work Act 1974 and Management of Health and Safety at Work Regulations 1999, covering all employees, and acknowledges that managing work-related stress and mental health is essential for both well-being and productivity.

What is stress?

Stress occurs when individuals cannot cope with demands placed upon them. Pressures can be positive, but excessive pressure is detrimental. Stress is not a weakness or failure and can affect anyone, at any level, at any time. Recognising the difference between stress and pressure is essential for employee wellbeing and business performance.

Possible sources of stress in the workplace

For work-related stress to be adequately addressed, the organisational culture must facilitate and promote good communications, social support, trust and respect. It follows that stress can arise from poor organisational culture, which can be typified by lack of communication and consultation with staff, a blame culture when mistakes are made and an expectation of regularly working long hours and taking work home. The key indicators are:

- Job demands, typified by either too little or too much to do, excessively tight deadlines, inadequate or excessive training for the job, boring repetitive work and a noisy, dirty, hot or threatening working environment.
- Control over the work, typified by no control over the tasks, the timing, pace of work or skills used.
- Support, training and individual factors, typified by lack of support from managers or colleagues, inadequate or inappropriate training opportunities, reprimanding instead of supporting when things go wrong, poor work-life balance and poor team make up.
- Relationships with co-workers, typified by poor working relationships with colleagues and an atmosphere of unacceptable behaviour such as bullying, sexual or racial harassment.
- Role within the organisation, typified by role conflict, where there are conflicting job demands or being asked to undertake tasks which are not considered part of their job and role ambiguity, where the person does not have a clear view of their job and expectations of them.
- Organisational change, typified by poor communications with staff about proposed change and the reasons for it, lack of consultation, uncertainty about what is going on and the future, possible job losses and lack of support for staff.

Stress can also arise from the pressures people experience in their home and personal lives, e.g. bereavement, relationship or family problems, and financial difficulties. These factors can make people more vulnerable to stress at work or reduce their ability to perform effectively.

Procedures

The Council will:

- Identify and risk assess all potential causes of workplace stress, both organisation-wide and for individuals as required.
- Consult with employees, safety representatives, and trade unions on stress prevention and response.
- Promote open dialogue, encourage reporting of stress and mental health concerns, and protect against discrimination and stigma.
- Provide confidential support (including EAP, counselling, signposting and line manager check-ins), and train staff and managers to recognise and respond to early signs of stress.
- Regularly review effectiveness of controls, acting on findings to improve workplace culture, systems, and environment.
- Ensure that risk assessment, action, and monitoring around stress become routine and embedded in management processes, as per HSE's "5 Rs" (Reach out, Recognise, Respond, Reflect, and make it Routine).
- Use employee surveys and sickness records to inform annual reviews and targeted interventions.

Responsibilities

Elected Members and Town Clerk:

- Demonstrate visible commitment, receive regular updates on workplace health and stress, and champion improvement.
- Ensure adequate resources for proactive prevention and timely support.

Managers:

- Carry out risk assessments and implement effective controls (individually if required).
- Foster a psychologically safe and supportive team culture.
- Understand flexible and hybrid work can create new stressors—respond accordingly.
- Take all concerns seriously, signpost to support promptly, and monitor both workload and team resilience.

Employees:

- Participate in stress management activities, training, and risk assessments.
- Speak up about stressors and seek support for themselves and colleagues.
- Prevention, Early Intervention and Support
- Training and awareness in stress management and psychological safety to be delivered to all at regular intervals.
- Address individual and group risks proactively, not reactively.

Managers to use HSE Talking Toolkits and ensure all risk assessment findings are shared and acted upon collaboratively.

How To Recognise The Signs Of Stress

Some common signs of stress are listed below. However, experiencing any of these does not necessarily give an indication of stress and advice should be sought from the occupational health service when concerns are raised.

- Persistent or recurrent moods – anger, irritability, detachment, worry, depression, guilt and sadness.
- Physical sensations/effects – aches and pains, raised heart rate, increased sweating, dizziness, and blurred vision, skin or sleep disorders.
- Changed behaviours – increased absence levels, difficulty concentrating or remembering things, inability to switch off, loss of creativity, making more errors, double checking everything, eating disorders, increasing use of tobacco, alcohol or drugs.

The Business Case: Tackling Stress Brings Benefits

Research has shown work-related stress to have adverse effect in terms of:

- Employee commitment to work
- Staff performance and productivity
- Staff turnover and intention to leave
- Attendance levels
- Staff recruitment and retention
- Customer satisfaction
- Organisational image and reputation
- Potential litigation

It is also worth thinking about the impact that work-related stress could have on your team. For example, losing one colleague for an extended period with a stress-related illness can have a dramatic impact on the workload and morale of the rest of the team. By taking action to tackle the causes of stress in your workplace, you can prevent or reduce the impact of these problems on the whole of the organisation.

Actions

The following actions should be taken to help alleviate stress in the workplace.

Recruitment and selection

The full range of responsibilities and demands of the job should be identified and set out clearly in the job description. The emphasis should be on the range and responsibilities - if too much detail is given then any apparent deviation may create the potential for stress arising from conflict. The candidate's ability to deal with the requirements and potential pressures of the job should be investigated and assessed as part of the selection process.

Pre-employment health screening

No person should be offered an employment start date before a health questionnaire has been completed and health clearance given. This will ensure that the candidate is matched to the requirements of the job and any support they require to perform effectively is identified and provided. When seeking advice, the Town Clerk must ensure that the occupational health advisor has sufficient information related to the job's requirements and potential demands, such as the job description and risk assessment results.

Induction and promotion

Planned induction helps to eliminate many concerns that a new job may create for new recruits. All new employees must receive corporate and local induction into their jobs. Relocation can be an additional temporary source of stress, although relocation may actually be a chosen option to reduce stress. As part of the induction programme the stress policy should be briefly discussed and employees advised who will provide them with support.

Risk assessment

All existing jobs should be risk assessed for stress and those risk assessments should be reviewed regularly, particularly when circumstances change (such as during a restructuring exercise). The risk assessment will normally apply to groups of staff and an assessment of an individual post will rarely be required. The Town Clerk should ensure that appropriately trained risk assessors are available within teams and actions are taken to deal with any issues raised during the risk assessment process.

Training and development for the post

Employees may experience stress if they are not adequately trained for their job, especially when moving into a new or changed role. Training needs analysis must feature in all cases where re-structuring of individual jobs or sections takes place. Identifying and meeting training needs should not be seen as a one-off annual exercise but as a continual process, although annual appraisal and mid-year review are useful opportunities for emphasising training requirements.

Specifically, the Council will aim to ensure that managers and staff are aware of the risks of stress and the measures that can be taken to identify and manage it.

In all management and supervision training and other appropriate skills training courses the stress policy should be raised as part of the manager's ongoing responsibilities. Managers should also discuss and address their own stress management approach.

Supportive counselling

Employee assistance programmes such as counselling and occupational health advice will be provided as appropriate.

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ITEM NO: 11

Officer Report: Events Update

Witham Festival

The Witham Festival was well received with positive feedback on social media. If the festival is approved for next year it is suggested that the council undertake a participatory budgeting exercise with the schools and residents and ask them to choose their own acts.

Halloween Trail

The Halloween Trail is Harry Potter themed and historically councillors have dressed up to give sweets out to children. So far two have volunteered, if others can help please make the office aware.

Christmas Market

Final preparations are being made for the Christmas Market which is being held on 22nd November 3-7pm. This year the road closure includes Maldon Road from The White Hart to the mini roundabout near the park and carries on up Newland Street to the junction with Collingwood Road. The council has always covered some of its costs by selling mulled wine on a stall exclusively manned by councillors. At least 3 councillors are required at any one time from 2.45pm-7pm.

Advice:

For Members to receive and note the report and to consider which members will run the mulled wine stall this year.

NS/24.09.2025

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