

St Dogmaels Community Council Owned Land and Asset Policy Statement

Contracts

In order to maintain the integrity, legality and smooth running of Council Community Controlled Contracts;

General Instruction of Contractors

- a) The Clerk will have sole responsibility to issue instructions to contractors
- b) Each Contractor will be notified in writing that only instructions, including those which deviate from the agreed contract, received from the Clerk should be acted on

other than in the absence of the Clerk, when the contractor will be advised of a named liaison Councillor

or where the contractor requires a further named contact for the duration of site work

Failure to Comply by Either Party

Failure to comply with the acceptance of instruction as per the above policy, by the contractor may be deemed a breach of contract should the Council so decide.

Should the Council fail to follow the above policy and procedures (other than by said policy and procedures being rescinded by resolution of the full Council, all contractors being informed of this at the earliest opportunity) causing the Contractor to be unable to fulfil the terms of the Contract or cause the Contractor have to seek instruction from sources other than the Clerk and liaison Cllr this shall not, in itself, be deemed a breach of contract.

Council Procedures

1. Instruction of Contractors During Absence of the Clerk

In the event the contractor requires instruction during an absence of the Clerk and to ensure that there is continuity of function of the contract during any absence of the Clerk, the Council will nominate a named liaison Councillor for each contract/contractual term.

The contractor will be advised of the liaison Cllr and his/her contact details.

The contractor will be advised that in the event of absence of the Clerk the contractor will liaise and take instruction only from the named Cllr.

For planned absences such as leave the Clerk will advise the contractor of transfer to the liaison Cllr for the duration.

In the event of unplanned absences, the Clerk or his/her representative, as per the employment contract, will advise the Chairman of his/her absence. The Chairman will alert any nominated liaison Cllrs who will make contact with the contractor(s) as soon as is reasonably possible to advise that Cllr liaison will take place until further notice.

The nominated Councillor will take on liaison responsibilities for the designated contract during the Clerk's absence.

- i. Where possible, if decisions are not immediately H&S related, instruction should be deferred for the Clerks return. However, it is accepted that on occasion decisions need to be taken to facilitate the work of the contractor and cannot be deferred.
- ii. The nominated Councillor will keep a log of any work request and any subsequent instruction given to the Contractor in the Clerk's absence and provide the log to the Clerk at the earliest opportunity.

3. In the event that a Contractor requires further back-up contact whilst on site the Council will designate a named liaison Cllr and contact details of said Cllr will be made known to the Contractor.

Volunteer Working

Volunteer(s) working under Council insurance on Council owned land

1. To address volunteer working on Council owned land planned work should be advised to and authorised by the Clerk (see also 3. above) prior to the work taking place.
2. This ensures that appropriate insurance cover is provided for anyone taking part in volunteer work (including that by Cllrs). (To clarify this doesn't mean for example someone taking a walk and cutting off the odd dock seed head but when there is 'planned work' with someone spending time on site to achieve it.)

Other Volunteer groups (assuming groups have their own insurance) working on Council owned land

1. The group planning any work should, before any work takes place, inform the clerk (see also 3. above) and seek permission for the work to be carried out (this will ensure there is no conflict with already contracted work).

They (at the Clerk's discretion) may be asked to provide the following:

- i. Proof of valid insurance cover
- ii. Full details of the work to be carried out
- iii. Detailed H&S Risk Assessment
- iv. List of the names of the Volunteers involved
- v. Proof of adequate First Aid cover in place

Work on PROWs on Council owned land

In order to ensure there is no conflict with any Council contracted work on PROWS, Volunteer Groups should inform the clerk of any planned work they wish to carry out in advance. (No work should be carried out on Council land either side of the PROW without prior permission.)

The Council appreciates the help of Volunteers but needs to ensure that there is no conflict with Council issued contracts, Health and Safety matters are adhered to and Legal requirements are met in full.

Dated: January 2021