



## CERTIFYING DOCUMENTS POLICY

In response to an increasing trend for foreign nationals and others requesting town, parish and community council Clerks to certify their identity or other legal documents for them, Hughenden Parish Council has agreed that the Parish Council stamp can be used when certifying legal documents if the requirement is specified on the document and it is eligible in law, but only if it is clear that Councillors or Staff are signing in a personal capacity and declaring their professional role and that is written clearly on the document.

The Parish Council reserve the right to levy a charge of £25 for the service regardless of how many documents were presented by an individual at one time.

1. You should only sign to confirm another person's identity, if you actually do know the person or have sight of their passport or photographic driving licence.
2. If a Town or Parish Clerk is doing this, then they should be signing in an individual capacity, although it is perfectly acceptable to add 'Clerk to X Hughenden Parish Council' etc as this is their job title.
3. The Parish Council cannot vouch for an individual's identity, but the Parish Council may give its consent to the Clerk, acting in a personal capacity, signing to vouch for the identity of individuals within office hours etc, and may be happy for the Clerk to apply the Parish Council stamp to documents, provided it is clear that the Clerk is signing in their individual capacity and not on behalf of the Parish Council.
4. Whilst there is no specific power for a local council to levy a fee for this service, providing a council recoups no more than a nominal charge, then charging a small fee for officer time, relying on the power in s1, Localism Act 2011, will probably not exceed the limits on charging under s3 of the Act.
5. The Clerk may be asked to certify that a document is a true copy of an original produced before him/her or to witness a signature. Again, the Clerk should only do this in a personal capacity and should take care to check what it is that they are being asked to confirm - can they confirm this? Are they confident that the documents are genuine?
6. Depending on the nature of the documents concerned or the jurisdiction for which they are being completed, the Clerk may or may not be a suitable person to sign, but that is an issue for the individual making the request rather than for the Clerk.
7. Advice on UK passport applications and renewals, including advice for counter signatories, is provided on the Directgov website.

This policy to be reviewed every four years or following legislation by Government affecting this service.

POLICY RESOLVED – 2 March 2021

NEXT REVIEW DATE – March 2025