Maltby Town Council - Payments Schedule

AGENDA ITEM 11.1

Payments since the last meeting							
CHQ	**Payee**	**Description**	**Budget**	**Net**	**VAT**	**Total Amount**	**Ctte**
2280	Carl Bailey (Proper Snap Catering)	Provision of x109 Christmas meals	OAP Christmas Lunches	£1,253.50	£0.00	£1,253.50	E
2281	BWP Creative Limited	65% remaining website build balance £486.85; annual website hosting and support of www.maltbytowncouncil.co.uk of £19 p/m billed annually from 01/12/2022 to 30/11/2023 £228.00; 1 year domain renewal for maltbytowncouncil.co.uk from 29/05/2023 to 29/05/2024 £10.00	Website	£724.85	£144.97	£869.82	F&S
2282	YLCA	YLCA conference 23/09 - x2 delegates Cllrs Fitzgibbons + Lines; x1 delegate Cllr Crossland Developing your skills as a councillor 21/07 £33.40	Members Training/Conferances	£273.40	£0.00	£273.40	F&S
2283	Acorn Lighting Services Ltd	External christmas lights installation (lamp posts) installation + removal £3,751.00 + Xmas switch on event £500.00 (70% invoice of total £5,360 approved) - £1,109 o/s balance remaining for removing external lights	Christmas Illuminations	£3,751.00	£750.20	£4,501.20	GP
2284	Cllr C McMahon	Morrisons - Tesco - reimbursement wine for xmas dinners	OAP Christmas Lunches	£185.45	£0.00	£185.45	E
2285	Cllr C McMahon	Crest Regalia Ltd - Repairs to chains and replacement of Chairman Pendent	Chairmans Allowance	£83.33	£16.67	£100.00	F&S
2286-2292	*x6 Employees	December wages inc back pay award inc fomer employees + expenses	Salaries (inc Tax + NI)	£10,290.43	£0.00	£10,290.43	F&S
2288	Chq error	destroyed	-	£0.00	£0.00	£0.00	F&S
2293	*HMRC	PAYE & NI - month 9	Salaries (inc Tax + NI)	£2,851.34	£0.00	£2,851.34	F&S
2294	Robert Ogle	Payroll processing fees - November inc additional fee for calculating pay awards and pension admin/uploads	Payroll Service	£70.00	£14.00	£84.00	F&S
2295	Fireguard Ltd	Fire risk assesment for Fireworks nights £350.00; Fire Evacuation £75.00 + fuel £2.50	Fireworks	£427.50	£85.50	£513.00	E
2296	YLCA	x1 delegate Cllr McMahon - managing grievance + disciplinary	Members Training/Conferances	£33.40	£0.00	£33.40	F&S

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AGENDA ITEM 11.1

2297	Green Pastures Pest Control	Quarterly invoice - Pest control - allotments + pigeon sheds	Allotments Maintenance	£256.25	£0.00	£256.25	GP
2298	Tarpaflex Ltd	Green 88% privacy netting 2.0m x 50m roll (6'6 x 154')	Allotments Special Projects	£211.30	£42.26	£253.56	GP
2299	R&S Security Ltd	Call out to fire alarm system Edward Dunn 16/12 + replacement fire alarm	Maintenance Contracts	£135.00	£27.00	£162.00	GP
2300	Chq error	destroyed	-	£0.00	£0.00	£0.00	F&S
2301	Cllr J Lines	Tesco - reimbursment for food hampers	Christmas Appeal	£277.36	£0.00	£277.36	E
2302	Chq error	destroyed	-	£0.00	£0.00	£0.00	F&S
2303	Cllr C McMahon	Tesco - reimbursment for food hampers	Christmas Appeal	£300.00	£0.00	£300.00	E
2304	M Conlon	Snickets - x10 locations	Maltby Pride (Streetscene)	£300.00	£0.00	£300.00	GP
2305	Cllr J Lines	Tesco - reimbursement for food hampers	Christmas Appeal	£381.46	£0.00	£381.46	E
2306	RMBC	By-election costs 04 August 2022	Elections	£10,454.50	£0.00	£10,454.50	F&S
2307	PHS Group	Air freshner and sanitory disposals	Cleaning Materials	£38.91	£7.78	£46.69	GP
2308	Waterplus	Edward Dunn - water charges Sept-Dec	Water & Sewerage Charges	£176.42	£7.74	£184.16	GP
2309	R Harvey	Airborne Angel - x2 days performance @ £70 per day	OAP Christmas Lunches	£140.00	£0.00	£140.00	E
2310	Maltby Miners Welfare Band	Christmas Lights Switch on event (training band performance)	Brass Bands	£180.00	£0.00	£180.00	E
2311	Nectere Ltd	Chq 2248 + 2273 cancelled + re-issued				£230.62	F&S
2312	Cllr J Lines	Tesco - reimbursement for food hampers	Christmas Appeal	£32.23	£0.00	£32.23	E
2313	Nectere Ltd	Paper + Stationary - ord 21/12	Printing & Stationary	£122.52	£24.50	£147.02	F&S
2314	Fireguard Ltd	Bi-annual fire alarm + emergency lights service - service date 07/11/22 - Sports Ground	Sports Ground	£302.50	£60.50	£363.00	SG

*Salary + Expenses + HMRC payments made in accordance with contracts + Financial Regulations

*Payments Schedule does not include Regular Payments as per schedule previously approved by council (payments on direct debit + standing orders)

Reciepts Received + Banked							
BACS	RMBC	Laptop funding (approved by FC)		£599.00	£0.00	£599.00	F&S
500135	MTC	Income from sale of x55 tickets	OAP Christmas Lunches	£165.00	£0.00	£165.00	E
500136	Maltby Cricket Club	Cricket Ground Fees	Sports Ground Income	£700.00	£0.00	£700.00	SG

Maltby Town Council - Payments Schedule

AGENDA ITEM 11.1

500137	Edward Dunn Social Dance + Social Club	Inv 2460	Room Hire	£540.00	£0.00	£540.00	GP
500138	MTC	income from wine - xmas dinner	OAP Christmas Lunches	£36.00	£0.00	£36.00	E
500138	MTC	income from wine - xmas dinner	OAP Christmas Lunches	£24.50	£0.00	£24.50	E
500138	Scouts	x4 sleepovers - July 2022; Sept 2022; Dec 2022 + Feb 2023	Room Hire	£427.70	£0.00	£427.70	GP
500139	MTC	income from sale of x59 tickets	OAP Christmas Lunches	£177.00	£0.00	£177.00	E
500140	Gratinos Ices	Donation from fireworks event	Misc inc (code 1900-180)	£40.00	£0.00	£40.00	E
500140	Flashing Lights vendor	Donation from fireworks event	Misc inc (code 1900-180)	£100.00	£0.00	£100.00	E
500140	Hot food vendor (burger van)	Donation from fireworks event	Misc inc (code 1900-180)	£150.00	£0.00	£150.00	E
500141	Customers	X-mas switch on event - x11 stall hire fees	Christmas Stalls	£110.00	£0.00	£110.00	E
500142	Customer	Edward Dunn hall hire 15/10/22	Room Hire	£20.00	£0.00	£20.00	GP
500142	Customer	Photocopying charges	Photocopying Charges?	£1.50	£0.00	£1.50	F&S

*This does not incude all income recieved ie income via bank transfers

AGENDA ITEM 11.2

		Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Finance and Staffing Committe								
101	Administration							
1176	Precept	245,061	245,061	0			100.0%	
1190	Bank Interest Received	2,016	2,800	784			72.0%	
	Administration :- Income	**247,077**	**247,861**	**784**			**99.7%**	**0**
4055	Chairman's Allowance	100	200	100		100	50.0%	
4066	Website	577	600	23		23	96.2%	
4111	Printing & Stationery	199	500	301		301	39.9%	
4112	Photocopying	1,191	2,625	1,434		1,434	45.4%	
4114	Newsletter	0	1,000	1,000		1,000	0.0%	
4115	Advertising	360	0	(360)		(360)	0.0%	
4120	Telephones & Internet	1,022	1,000	(22)		(22)	102.2%	
4121	Postages	48	200	152		152	23.9%	
4130	Bank Charges	97	200	103		103	48.6%	
4140	Office Equipment	128	500	372		372	25.7%	
4145	Repairs & Renewals - Office	0	500	500		500	0.0%	
4147	Disaster Emergency Fund	360	5,000	4,640		4,640	7.2%	
4149	Microsoft Subscription	636	1,100	464		464	57.8%	
4233	Staff clothing / uniforms	0	100	100		100	0.0%	
4599	Miscellaneous Expenses	83	250	167		167	33.3%	
	Administration :- Indirect Expenditure	**4,802**	**13,775**	**8,973**	**0**	**8,973**	**34.9%**	**0**
	Net Income over Expenditure	**242,275**	**234,086**	**(8,189)**				
103	Training and Travel Expenses							
4050	Staff Training	50	1,000	950		950	5.0%	
4051	Members Training/Conferences	425	1,000	575		575	42.5%	
	Training and Travel Expenses :- Indirect Expenditure	**475**	**2,000**	**1,525**	**0**	**1,525**	**23.8%**	**0**
	Net Expenditure	**(475)**	**(2,000)**	**(1,525)**				
105	Employment Costs							
4000	Salaries (inc Tax + NI)	53,379	106,348	52,969		52,969	50.2%	
4002	Non-Taxable Exp via Payroll	1,748	0	(1,748)		(1,748)	0.0%	
4008	Pension Contributions	2,015	9,000	6,985		6,985	22.4%	
	Employment Costs :- Indirect Expenditure	**57,143**	**115,348**	**58,205**	**0**	**58,205**	**49.5%**	**0**
	Net Expenditure	**(57,143)**	**(115,348)**	**(58,205)**				

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		Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
108	Professional Fees							
4052	Health & Safety	0	2,000	2,000		2,000	0.0%	
4110	Insurances	5,357	7,000	1,643		1,643	76.5%	
4122	Subscriptions	2,570	3,000	430		430	85.7%	
4124	Audit Fees	0	1,200	1,200		1,200	0.0%	
4125	Legal & HR Support Fees	1,811	2,000	189		189	90.5%	
4126	Payroll Service	258	315	57		57	81.9%	
	Professional Fees :- Indirect Expenditure	**9,995**	**15,515**	**5,520**	**0**	**5,520**	**64.4%**	**0**
	Net Expenditure	**(9,995)**	**(15,515)**	**(5,520)**				
109	Council Funded Projects							
4316	One Stop Advice Service Ltd	4,200	7,200	3,000		3,000	58.3%	
4327	Holiday Prog & evening Prog	7,520	5,000	(2,520)		(2,520)	150.4%	
4369	Maltby Craggs	500	600	100		100	83.3%	
4376	Mental Health Wellbeing Costs	207	0	(207)		(207)	0.0%	
	Council Funded Projects :- Indirect Expenditure	**12,427**	**12,800**	**373**	**0**	**373**	**97.1%**	**0**
	Net Expenditure	**(12,427)**	**(12,800)**	**(373)**				
140	Grants & Donations							
4400	Grants Section 137	3,244	2,000	(1,244)		(1,244)	162.2%	
4401	Grants Paid Out	1,838	3,000	1,162		1,162	61.3%	
	Grants & Donations :- Indirect Expenditure	**5,082**	**5,000**	**(82)**	**0**	**(82)**	**101.6%**	**0**
	Net Expenditure	**(5,082)**	**(5,000)**	**82**				
195	CIL (Comm Infrastructure Levy)							
1178	CIL Monies from RMBC	8,078	0	(8,078)			0.0%	8,078
	CIL (Comm Infrastructure Levy) :- Income	**8,078**	**0**	**(8,078)**				**8,078**
	Net Income	**8,078**	**0**	**(8,078)**				
6001	less Transfer to EMR	8,078						
	Movement to/(from) Gen Reserve	**0**						
	Finance and Staffing Committe :- Income	**255,155**	**247,861**	**(7,294)**			**102.9%**	
	Expenditure	**89,924**	**164,438**	**74,514**	**0**	**74,514**	**54.7%**	
	Net Income over Expenditure	**165,231**	**83,423**	**(81,808)**				
	less Transfer to EMR	**8,078**						
	Movement to/(from) Gen Reserve	**157,153**						

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		Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Events Committe								
180	Events							
1140	Queens Jubilee Grants	5,500	0	(5,500)			0.0%	
1205	Horti Show entry fees	0	25	25			0.0%	
1900	Miscellaneous Income	689	0	(689)			0.0%	
1920	Christmas stalls	0	200	200			0.0%	
1921	Christmas switch-on sponsors	0	1,000	1,000			0.0%	
1923	OAP Christmas lunches	0	210	210			0.0%	
1925	Christmas appeal	0	1,000	1,000			0.0%	
	Events :- Income	**6,189**	**2,435**	**(3,754)**			**254.2%**	**0**
4300	Bonfire/Fireworks	1,740	10,000	8,260		8,260	17.4%	
4302	Christmas Lights Switch On	0	5,000	5,000		5,000	0.0%	
4305	Horticultural Show	0	1,500	1,500		1,500	0.0%	
4311	Remembrance Day	0	5,000	5,000		5,000	0.0%	
4315	Queens Jubilee	12,148	5,000	(7,148)		(7,148)	243.0%	
4335	Easter Egg Hunt	225	500	275		275	45.1%	
4337	Awards Ceremony	0	1,000	1,000		1,000	0.0%	
4339	Brass Bands	0	1,000	1,000		1,000	0.0%	
4343	OAP Christmas lunches	448	2,000	1,553		1,553	22.4%	
4598	Events Contingency	0	1,000	1,000		1,000	0.0%	
	Events :- Indirect Expenditure	**14,561**	**32,000**	**17,439**	**0**	**17,439**	**45.5%**	**0**
	Net Income over Expenditure	**(8,372)**	**(29,565)**	**(21,193)**				
	Events Committe :- Income	**6,189**	**2,435**	**(3,754)**			**254.2%**	
	Expenditure	**14,561**	**32,000**	**17,439**	**0**	**17,439**	**45.5%**	
	Movement to/(from) Gen Reserve	**(8,372)**						

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		Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
General Purposes Committee								
110	Edward Dunn Memorial Hall							
1100	Room Hire	5,306	8,484	3,178			62.5%	
1103	Pods rental income	0	109	109			0.0%	
1202	Solar Panels Feed-in tarrif	0	1,050	1,050			0.0%	
	Edward Dunn Memorial Hall :- Income	**5,306**	**9,643**	**4,337**			**55.0%**	**0**
4123	Music Licences	849	900	51		51	94.4%	
4200	Business Rates	128	500	372		372	25.6%	
4201	Gas	499	525	26		26	95.1%	
4202	Electricity	1,136	3,500	2,364		2,364	32.5%	
4203	Water & Sewerage Charges	385	700	315		315	55.0%	
4210	Waste Disposal	1,008	1,500	492		492	67.2%	
4211	Cleaning Materials	196	1,000	804		804	19.6%	
4220	Maintenance Contracts	2,502	0	(2,502)		(2,502)	0.0%	
4221	Building Repairs & Renewals	151	1,500	1,349		1,349	10.1%	
4234	Equipment and supplies	711	1,000	289		289	71.1%	
4242	Bar - Staff costs	60	0	(60)		(60)	0.0%	
4599	Miscellaneous Expenses	230	500	270		270	46.1%	
Edward Dunn Memorial Hall :- Indirect Expenditure		**7,855**	**11,625**	**3,770**	**0**	**3,770**	**67.6%**	**0**
	Net Income over Expenditure	**(2,549)**	**(1,982)**	**567**				
120	General Purposes							
4150	Roll of Honour	567	0	(567)		(567)	0.0%	
4301	Christmas Illuminations	34	17,000	16,966		16,966	0.2%	
4318	Winter conditions	0	200	200		200	0.0%	
4319	Maltby Pride (Streetscene)	4,575	14,000	9,425		9,425	32.7%	
4350	Floral Decorations	0	5,000	5,000		5,000	0.0%	
4352	Winter Planting	0	1,000	1,000		1,000	0.0%	
4360	Cenotaph Maintenance	0	979	979		979	0.0%	
4599	Miscellaneous Expenses	374	0	(374)		(374)	0.0%	
	General Purposes :- Indirect Expenditure	**5,550**	**38,179**	**32,629**	**0**	**32,629**	**14.5%**	**0**
	Net Expenditure	**(5,550)**	**(38,179)**	**(32,629)**				
150	Allotments							
1150	Allotment Rents	1,924	2,100	177			91.6%	
	Allotments :- Income	**1,924**	**2,100**	**177**			**91.6%**	**0**
4390	Allotments Maintenance	1,316	2,100	784		784	62.7%	

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		Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4391	Allotments special projects	900	5,000	4,100		4,100	18.0%	
	Allotments :- Indirect Expenditure	**2,216**	**7,100**	**4,884**	**0**	**4,884**	**31.2%**	**0**
	Net Income over Expenditure	**(292)**	**(5,000)**	**(4,708)**				
160	Parks and Recreational							
1201	Tennis receipts	0	300	300			0.0%	
	Parks and Recreational :- Income	**0**	**300**	**300**			**0.0%**	**0**
4353	Bowling Greens	0	250	250		250	0.0%	
4361	Tennis courts	0	1,000	1,000		1,000	0.0%	
4373	Coronation Park	98	10,000	9,902		9,902	1.0%	
4374	Memorial Gardens & Beacon	448	0	(448)		(448)	0.0%	
	Parks and Recreational :- Indirect Expenditure	**546**	**11,250**	**10,704**	**0**	**10,704**	**4.9%**	**0**
	Net Income over Expenditure	**(546)**	**(10,950)**	**(10,404)**				
	General Purposes Committee :- Income	**7,230**	**12,043**	**4,813**			**60.0%**	
	Expenditure	**16,167**	**68,154**	**51,987**	**0**	**51,987**	**23.7%**	
	Movement to/(from) Gen Reserve	**(8,937)**						

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		Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Maltby Miners Sports Ground								
185	Maltby Miners Rec Ground							
1104	Sports Ground Income	10,984	0	(10,984)			0.0%	
1908	Maltby Main Income	0	10,000	10,000			0.0%	
	Maltby Miners Rec Ground :- Income	**10,984**	**10,000**	**(984)**			**109.8%**	**0**
4372	Maltby Miners Welfare Ground	23,710	20,000	(3,710)		(3,710)	118.5%	3,710
4375	Salaries, Tax+NI-Sports Ground	15,301	0	(15,301)		(15,301)	0.0%	
	Maltby Miners Rec Ground :- Indirect Expenditure	**39,011**	**20,000**	**(19,011)**	**0**	**(19,011)**	**195.1%**	**3,710**
	Net Income over Expenditure	**(28,027)**	**(10,000)**	**18,027**				
6000	plus Transfer from EMR	3,710						
	Movement to/(from) Gen Reserve	**(24,317)**						
	Maltby Miners Sports Ground :- Income	**10,984**	**10,000**	**(984)**			**109.8%**	
	Expenditure	**39,011**	**20,000**	**(19,011)**	**0**	**(19,011)**	**195.1%**	
	Net Income over Expenditure	**(28,027)**	**(10,000)**	**18,027**				
	plus Transfer from EMR	**3,710**						
	Movement to/(from) Gen Reserve	**(24,317)**						
	Grand Totals:- Income	**279,558**	**272,339**	**(7,219)**			**102.7%**	
	Expenditure	**159,663**	**284,592**	**124,929**	**0**	**124,929**	**56.1%**	
	Net Income over Expenditure	**119,895**	**(12,253)**	**(132,148)**				
	plus Transfer from EMR	**3,710**						
	less Transfer to EMR	**8,078**						
	Movement to/(from) Gen Reserve	**115,527**						

Appendix A

Rotherham MBC Corporate Safeguarding Policy [children, young people and adults]

1. Policy statement

Rotherham Council believes that every child, young person and adult, regardless of their background, age, culture, sexual orientation, gender identity, disability, ethnicity or religious belief, should be able to participate in a safe society without any fear, violence, abuse, bullying, discrimination or exploitation.

Safeguarding is everyone's business and everyone at the Council shares a responsibility, both corporately and individually, to ensure that every person is treated with dignity and respect and protected from others who may abuse them. All Council employees, elected members, contractors and volunteers, particularly those who come into contact with, or who share information about, children, young people or adults in the course of their work - but not exclusively so - have a duty of care to safeguard and promote the welfare of the most vulnerable people in Rotherham, young or old.

Procedures and good practice will be developed within the Council to ensure that every service and employee can demonstrate that they understand their duty to safeguard and promote the welfare of children, young people and adults

The Council will have an ongoing focus on providing evidence to show how this Safeguarding Policy is being implemented, monitored and reviewed, both within the Council and within multi-agency working arrangements.

2. Policy objectives

This policy will operate as a framework for every service in the Council and define the roles and responsibilities for all employees, managers, elected members and volunteers in the safeguarding of children, young people and adults.

Rotherham Council will:

- Promote safeguarding as everybody's business; ensuring all employees, managers, elected members and volunteers understand their roles and responsibilities for safeguarding and are supported to develop and maintain this understanding.
- Implement clear procedures and protocols to ensure it meets its obligations towards the safeguarding of children, young people and adults.
- Ensure clear overall accountability for safeguarding exists for services.
- Provide assurance to members of the public, service users, elected members, employees, partners and people working on behalf of the Council that there are arrangements in place to safeguard and protect children, young people and adults.
- Ensure services are planned and delivered in a way which seeks to safeguard children, young people and adults; and employees are able to conduct themselves safely.
- Ensure local services work together where appropriate around the safeguarding needs of children, young people or adults, and that they are actively involved in developing and evaluating the services which are provided for them.
- Invest in preventative and early intervention services and endeavour to avoid situations where abuse or harm may occur.
- Ensure the Council and partner organisations, in relation to multi-agency working arrangements, have a shared understanding of the duty to safeguard.

3. Background and context

Safeguarding is everyone's business and all staff who have direct or indirect contact with children, young people and adults, or who have access to information about them, have a responsibility to safeguard and promote their welfare.

Beyond this, the Council, as an organisation, has a duty to make appropriate arrangements to safeguard and promote the welfare of children, young people and adults across all of its activities. Government guidance makes it clear that safeguarding is a shared responsibility, and depends upon effective joint working between agencies and professionals that have different roles and expertise.

This is a joint, corporate policy, reflecting the fact that there are similarities in many of the actions needed to safeguard children, young people and adults. However the Council recognises there are also distinct differences and these too are reflected in the policy and supporting guidance; as well as the relevant specific policies and procedures within adult and children and young people's social care.

3.1 Links to Rotherham Council Corporate Plan

The Corporate Plan details the Council's priorities for the year ahead. The Corporate Safeguarding Policy, as well as making clear the Council's duty to safeguard and promote the wellbeing of children, young people and adults, will also help contribute to achieving a number of the Corporate Plan objectives, in particular:

- **Priority - Every child making the best start in life**
  Outcome: Children, young people and families are protected and safeguarded from all forms of abuse, violence and neglect
- **Priority - Every adult secure, responsible and empowered**
  Outcome: Individuals and carers are supported to be safe, independent and resilient within a personalised model of care and support
- **Priority - A strong community in a clean, safe environment**
  Objective: Communities are strong and people feel safe

3.2 Rotherham: a child-centred borough

The Council is committed to making Rotherham a "child-centred borough" and therefore will combine its resources to support every child the best it can and provide them with the best start in life. In achieving this ambition, the Council has agreed a number of outcomes which will contribute towards all children, young people and adults being able to participate in a safe society:

- Rotherham recognised as a great place for families to bring up children and see young people safe into adulthood
- An environment with exciting, challenging, schools, colleges and access to higher education, where teachers want to teach, students want to learn and young people are full of ambition and aspiration
- A place where vulnerable adults are respected and play a full part in the life of Rotherham
- The Council accepting and acknowledging its past history with child sexual exploitation, has tackled its past, and robustly and effectively dealing with current cases.

(from "Rotherham Improvement Plan 'A Fresh Start'" 2015)

3.3 What is meant by abuse

This section considers the different types and patterns of abuse and neglect. The list is taken from examples in the Care Act 2014 and the Children Act 2004. It is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to safeguarding concerns.

Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should also look beyond single incidents or individuals to identify patterns of harm.

- **Physical abuse** – such as assault, misuse of medication, restraint and inappropriate physical sanctions.
- **Domestic violence** – such as psychological, physical, sexual and financial abuse.
- **Sexual abuse** – such as rape, assault, sexual harassment, exploitation, sexual photography, and sexual acts to which the adult has not consented or was pressured into consenting.
- **Psychological or emotional abuse** – such as threats of harm or abandonment, humiliation, intimidation, verbal abuse, cyber bullying and isolation
- **Financial or material abuse** – such as theft, fraud, internet scamming and coercion in relation to an adult's financial affairs
- **Modern slavery** – such as human trafficking, forced labour and domestic servitude.
- **Discriminatory abuse** – such as harassment because of race, gender, age, disability, sexual orientation or religion.
- **Threat from terrorism** – the Council has a duty under the Counter-terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'.

4. Safeguarding children and young people

Definition: "*A child is anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people' throughout. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under the Children Act 2004."* (Working Together to Safeguard Children 2015).

Whilst local authorities and care professionals play a lead role, safeguarding children and protecting them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play. Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions and any services they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children.

The local authority's duties in relation to the safeguarding of children in its area include:

- The duty to investigate actual or likely significant harm to a child*
- Responsibility to intervene to safeguard and protect children who have suffered or are likely to suffer significant harm**
- Provide services to prevent the impairment of a child's health and wellbeing.

(*Children Act 1989, **Working Together to Safeguarding Children 2015)

4.1 Rotherham local safeguarding children board

The Local Safeguarding Children Board (LSCB) does not commission or deliver direct frontline services, though they may provide training. While LSCBs do not have the power to direct other organisations they do have a role in making clear where improvement is needed. Each board partner retains its own existing line of accountability for safeguarding.

LSCBs have a responsibility to:

- Coordinate the work of all agencies represented on the board for the purposes of safeguarding and promoting the welfare of children in the area, and assess whether partners are fulfilling their statutory obligations set out in statutory guidance
- Ensure the effectiveness of what is done by each such person or body for those purposes
- Develop policies and procedures for safeguarding and promoting the welfare of children in the area of the authority
- Communicate the need to safeguard and promote the welfare of children
- Participate in the planning of services for children in the area, and assess the effectiveness of the help being provided to children and families

5. Safeguarding adults

Section 42 of the Care Act 2014 places a duty on local authorities to safeguard adults. This duty applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- Has needs for care and support (whether or not the authority is meeting any of those needs)
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of the care and support needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case and, if so, what and by whom.

5.1 Safeguarding Adults Board

The overarching purpose of the Safeguarding Adults Board (SAB) is to help and safeguard adults with care and support needs. It does this by: assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance, assuring itself that safeguarding practice is person-centred and outcome-focused, working collaboratively to prevent abuse and neglect where possible, ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred, assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

The SAB must lead adult safeguarding arrangements across its locality and oversee and coordinate the effectiveness of the safeguarding work of its member and partner agencies. SABs have three core duties. They must:

- develop and publish a strategic plan setting out how they will meet their objectives and how their member and partner agencies will contribute
- publish an annual report detailing how effective their work has been
- commission safeguarding adults reviews (SARs) for any cases which meet the criteria for these.

6. Equality and diversity

Councils are under a duty to promote equality and diversity in the work they do and services they deliver. In Rotherham, this means we will:

- Work to provide an environment for everyone that is free from discrimination, harassment and violence
- Encourage and support people to be active in community life, volunteering and local decision making
- Work to build a strong, cohesive community where people from different backgrounds develop positive relationships
- Encourage other organisations to adopt similar policies on fairness, equality and diversity, including those that provide goods and services on behalf of the Council
- Celebrate the diversity of people within the Rotherham area.

([Draft] Rotherham Equality and Diversity Policy, 2016)

7. Corporate responsibilities for safeguarding

Every service within the Council has a role to play and has to take full ownership of their safeguarding responsibilities. Particular employees will have specific roles in relation to safeguarding; notwithstanding this, every employee has an obligation to safeguard and take action when required to ensure children, young people and adults are helped and protected. This section clarifies the various roles across the Council, at different levels.

Rotherham Council will ensure highest standards of safe recruitment, supervision and management of staff, particularly, but not exclusively those working directly with children, young people or adults, or those who have access to information about them.

The Council will support all staff to understand their roles and responsibilities for safeguarding, through appropriate training, information sharing and guidance on what to do if there are concerns.

The Chief Executive has the Council's overarching responsibility for ensuring that there are effective safeguarding arrangements for children, young people and adults - that there are policies and procedures in place; that they are implemented with effective corporate governance arrangements; and that all statutory requirements are met.

The Director of Children's Services and Lead Member for Children's Services are the key points of professional and political accountability with responsibility for the effective safeguarding of children and young people *("Working Together to Safeguard Children", 2014).*

The Director of Adult Social Services, as chief officer for the leading adult safeguarding agency, has a particularly important leadership and challenge role to play in adult safeguarding. They are responsible for promoting prevention, early intervention and partnership working, which is critical in the development of effective safeguarding.

Human Resources (HR) will ensure appropriate and up-to-date policies are in place in relation to safer recruitment practices, including criminal records checks and verification of references. Specifically HR will:

- Annually review and update these policies to reflect children, young people and vulnerable adults protection needs
- Ensure job profiles include the duty to safeguard within Council competencies
- Oversee staff disciplinary investigations if any concerns, disclosures or allegations of abuse by a staff member are made in conjunction with the Council's LADO (Local Authority Designated Officer) procedures
- Ensure robust procedures are in place for undertaking the relevant checks which form part of the recruitment and selection process e.g. criminal records, right to work etc.
- Make arrangements for general safeguarding training to be available for all groups of employees.

Line managers will:

- Ensure they fully understand the safeguarding policy and all other policies which have a direct link
- Ensure all staff in their area receive appropriate safeguarding information and training commensurate with the responsibilities of their role
- Ensure safeguarding responsibilities are highlighted during team meetings, supervision sessions and performance and development reviews
- Ensure they encourage staff to contribute to discussions about safeguarding and positively involve them in developing safe practices where appropriate
- Ensure they adhere to the safer recruitment guidance/procedures and that appropriate checks are undertaken
- Ensure any concerns reported to them regarding safeguarding issues are passed to the relevant team/individual for action.

All staff (including volunteers and contractors) will:

- Ensure they are fully aware of their duty to safeguard and promote the welfare of children, young people and adults
- Ensure they promote good practice by being an excellent role model
- Ensure they undertake any awareness raising/training appropriate to the level and responsibilities of their role
- Ensure they raise concerns or allegations of abuse and neglect without delay to the relevant team/officer or if unsure of the process that they inform their line manager
- Ensure they act in a way which protects them against false allegations of abuse as far as possible in accordance with this policy.

Elected Members

All elected members have an important part to play to ensure that the Council is discharging its statutory responsibilities and its services to safeguard vulnerable children, young people and adults. All elected members will receive training which will include how to identify and report safeguarding concerns within the appropriate levels of confidentiality.

There are a number of different roles elected members can take, depending on their area of responsibility. When they are elected, all Councillors take on the role of 'corporate parent' to children looked after by their local authority and have a duty to take an interest in the wellbeing and development of those children, as if they were their own. Others such as the Lead Member for Children's Services have a role defined in legislation.

Overview and scrutiny offers a key way in which Councillors can fulfil their safeguarding responsibility, by giving them the opportunity to ask searching questions of a range of service providers and assure themselves that safeguarding processes are working properly.

There is a comprehensive induction programme offered to new members to introduce them to their responsibilities, as well as an ongoing commitment to elected member development and support. All members of the Council are encouraged to attend so they are familiar and confident in their roles.

Member induction and support includes sessions on:

- Children's safeguarding (including countering child sexual exploitation)
- Corporate parenting
- Safeguarding adults

Members with different roles will have tailored support in line with any additional responsibilities.

Safeguarding Champions

The Council is committed to raising awareness and promoting the responsibility of all staff to help safeguard children and adults. For this purpose, a number of 'Safeguarding champions' have been drawn from across the whole organisation to work collectively and individually in their own services to promote the safeguarding agenda, learn from each other, disseminate good practice and improve understanding.

The safeguarding champions' network is led by the principal social workers/safeguarding leads for adults and children's social care. [For more information see annex, 'safeguarding champion's network' terms of reference.]

7.1 Working with partners

Good inter-agency and multi-disciplinary working is promoted and maintained both within the Council and with other organisations. This will be achieved by:

- Ensuring that the Local Safeguarding Children Board and Safeguarding Adult Board are provided with appropriate support to carry out their duties in partnership with other local organisations in Rotherham.
- Ensuring a positive and shared understanding of the duty to safeguard and promote the wellbeing of children, young people and adults at across all partner organisations, through appropriate policies.
- Information is shared effectively and efficiently in respect of issues that may affect the safety and welfare of children, young people and adults and clear protocols are in place to ensure that information is shared appropriately and safely.
- Ensuring the Council has a network of trained, accessible safeguarding champions to support staff to raise concerns

7.2 The Council's Confidential Reporting Code

This code provides the means to raise matters of concern regarding safeguarding issues related to the work environment. It is intended to encourage and enable employees to raise serious concerns within the Council which are in the public interest and makes it

clear that employees can come forward and express their concerns without fear of victimisation, discrimination or disadvantage. If an employee has a concern which they believe it is in the public interest to raise, they may do so either in writing or verbally with the Director of Legal and Democratic Services, Human Resources or the Chief Executive (although specific safeguarding concerns must also be raised via the channels referenced in this policy).

7.3 Recruitment and selection

In order to ensure that children, young people and adults are protected, the Council will make sure that all staff and volunteers are carefully selected, screened, trained and supervised. In particular the Council will ensure that the following checks are satisfactorily completed before a person takes up a position within the Council:

- Check the applicant is who they claim to be - e.g. having sight of an applicant's birth certificate, passport and/or driving licence
- Check the applicant has the right to work in the UK
- Check the applicant's academic qualifications are genuine
- Check that satisfactory professional and character references have been received and verified for the applicant
- Check the applicant's previous employment history has been examined and any gaps have been satisfactorily accounted for
- Check a criminal records check at the right level has been undertaken
- Check the applicant is registered with the relevant professional body and there are no active restrictions against them (where applicable).

This also applies to agency workers who will be working or coming into contact with children, young people and vulnerable adults.

7.4 Induction and Training

- All new members of staff will receive induction training which should include how to identify and report safeguarding concerns within the appropriate levels of confidentiality.
- All staff will be expected to undertake awareness raising/training on safeguarding children and vulnerable adults at a level appropriate to their role
- All staff will undertake refresher training when required i.e. following discussion with their line manager
- All managers who participate in recruitment and selection will have undertaken the appropriate training. For those working with children, young people and vulnerable adults this should also include the safer recruitment element. Refreshers should be completed when required i.e. following discussion with their line manager.

7.5 Commissioning and procurement

Each commissioned service should know how to record, report and escalate current issues around safeguarding and follow up issues to ensure they have been resolved. Each service should be committed to safeguarding in all aspects of its work, promoting the welfare of children, young people and vulnerable adults. All staff and volunteers must share this commitment, be trained in all aspects of safeguarding legislation and practice as well as having good links with local safeguarding boards.

The Council will ensure that all relevant commissioned services have a safeguarding policy in place, and that service specifications include a section on safeguarding and a requirement to be compliant with Section 11 of the Children Act 2004, where this is required.

Procurement and commissioning will ensure that safeguarding principals are embedded for all contracts, especially those who come into contact with children, young people, and adults.

8. What to do if you have a concern

Any member of staff with concerns regarding the safety of an individual, or the behaviour of colleagues towards a child or adult should contact the appropriate department:

If a child or adult is in immediate danger 999 should be used to contact the emergency services.

For adult safeguarding issues contact Assessment Direct on 01709 822330

For children's safeguarding issues contact MASH (the Multi Agency Safeguarding Hub) on 01709 336080

9. Implementation, monitoring and review of this policy

The Corporate Safeguarding Policy will be reviewed annually or sooner if required, by the Corporate Safeguarding Working Group and supported by the safeguarding champions. This will include an on-going review of guidance, both nationally and locally, to ensure the Council meets requirements to safeguard children, young people and adults, and there are appropriate procedures and protocols in place.

The Council's Corporate Plan priorities will be reported to cabinet, which will include a range of specific priorities and objectives which this policy will contribute to.

The Council's scrutiny function will also have a role in scrutinising and challenging the Corporate Safeguarding Policy, and the work and performance of the Corporate Safeguarding Working Group. The Safeguarding Children Annual Report and Safeguarding Adults Annual Report will be submitted to cabinet, scrutiny and the Health and Wellbeing Board and to the Corporate Safeguarding Working Group for information.

10. Performance management framework

As part of the on-going implementation and review of the corporate safeguarding agenda, an ongoing plan and performance management framework will be developed to sit underneath this policy, monitored by the Corporate Safeguarding Working Group and supported by the safeguarding champions.

Key indicators will likely include:

- Improved staff awareness of safeguarding
- Number of referrals by non-specialist teams
- Safeguarding policies and procedures in place and understood across the organisation
- All job descriptions include safeguarding as a responsibility for all staff

- Timely and appropriate completion of the Section 11 audit across all relevant sections of the Council
- All relevant corporate strategies and plans consider safeguarding responsibilities e.g. the Corporate Plan and supporting service business plans address safeguarding responsibilities through the Council's performance management framework

11. National legislation and guidance documents

- Section 42 of the Care Act 2014 (adults)
- Working Together to Safeguard Children 2015
- Children's Act 2004 – section 11 audit – reflecting on what we need to improve
- Children and Families Act 2014

EXAMPLE 1 POLICY

CHILD PROTECTION AND SAFEGUARDING POLICY

Policy Statement

In the interests of child protection and the welfare and protection of vulnerable adults, EXAMPLE EXAMPLE Parish Council is committed to ensuring that children and vulnerable adults are protected and kept safe from harm whilst they are engaged in any activity associated with the Parish Council. Safeguarding children and vulnerable adults is everyone's responsibility. In this policy a child is defined as a person under the age of 18 (The Children Act 1989)

Aims

The aim of this policy document is to guide members of EXAMPLE EXAMPLE Parish Council should any child protection issue or any issues with vulnerable adults rise during their work.

Policy Objective:

• To ensure that where possible all facilities and activities offered by the Parish Council are designed and maintained to reduce the risk to children and vulnerable adults.

• To promote the general welfare, health and development of children by being aware of child protection issues and to be able to respond where appropriate as a local government association.

• To develop procedures in recording and responding to accidents and complaints and to alleged or suspected incidents of abuse and neglect.

• As the Parish Council does not directly provide care or supervision services to children and vulnerable adults, it expects all children and vulnerable adults using its facilities to do so with the consent and the necessary supervision of a parent, carer or other responsible adult.

Responsibilities and Procedures

The Councillors and Clerk will be responsible in:

• Ensuring that before any Parish Council organised event with children or vulnerable persons, the Designated Safeguarding Lead briefs participants appropriately.

• Ensuring that members are aware of the risk they may face in certain circumstances whilst carrying out their duties.

• Ensuring that whilst Council members are unlikely to be involved with children during the performance of their duties, they are mindful of the risk they face.

• Ensuring that before any volunteers or paid members of staff are recruited to work with children and vulnerable persons they are interviewed and two references taken up.

• Decisions on whether any person should be DBS checked will be made by the Council or the Chairman after consultation with the Clerk following a risk assessment.

• All Councillors are to be provided with a copy of the Safeguarding Policy and are required to acknowledge and sign to confirm they will abide by it. All new Councillors will also be required to sign.

• Councillors will adhere to the 'List of Recommended Behaviour' namely:

o A minimum of two adults present when supervising children

o Not to play physical contact games

o Adults to wear appropriate clothing at all times

o Ensure that accidents are recorded in an accident book

o Never do anything of a personal nature for a young person.

• Keep records of any incidents or allegations a person may make to any council member or volunteer.

• Refer cases of suspected abuse or allegations to the Designated Safeguarding Lead who will be responsible for ensuring the matter is handled in accordance with the **Local Safeguarding Children Board procedures.**

• Sharing information about child protection and good practice with partner organisations, councillors, employees, volunteers, parents and carers.

• In the event of a contractor, working directly for the Parish Council, being deemed to be working in any area where children or vulnerable adults may be at risk, then that contractor will be asked to provide their Safeguarding Policy.

Any organisation which may make contact with children or vulnerable adults shall be required to show proof of its own appropriate Safeguarding Policy before being allowed to participate in the use of any council owned facilities.

Photography

All photography should be made in public where young people are involved. The child or young person should be happy with having their picture taken. The names of children or young people should not be used in photographs or video footage, unless with the express permission of the child or young person's parent.

There may be occasions when photographs of groups of children are taken at public events, e.g., at the opening of a playground. Permission to use such images in the press, in village magazines, or on the website would not normally be expressly sought; this is common practice.

Declaration

EXAMPLE EXAMPLE Parish Council is fully committed to safeguarding the well-being of children and vulnerable adults by protecting them from physical, sexual, emotional harm, neglect including cyber bullying, sexting and peer on peer abuse.

All members of EXAMPLE EXAMPLE Council should read the Safeguarding Policy. Having read the Policy, they should be proactive in providing a safe environment for children and vulnerable people who are involved in Parish Council activities.

Adopted:

EXAMPLE 2 – POLICY

EXAMPLE Town Council Safeguarding Policy

SECTION 1- Introduction

Everyone has a duty to safeguard children, young people and vulnerable adults. This policy promotes good practice in safeguarding for those using Town Council facilities. EXAMPLE Town Council will review it annually.

Definitions

Children and young people: Anyone under the age of 18 years

Vulnerable Adult: Anyone over 18 who is:

- Unable to care for themselves
- Unable to protect themselves from significant harm or exploitation
- Or may be in need of community care services

To whom this policy applies

- This policy applies to anyone working for or on behalf of EXAMPLE Town Council whether in a paid, voluntary or commissioned capacity, for example contracted to do a piece of work.
- It also applies to any individual using EXAMPLE Town Council facilities for the purpose of delivering any service to children, young people or vulnerable adults.

SECTION 2 - Promoting a safe environment

In order to promote a safe environment for children, young people and vulnerable adults, EXAMPLE

Town Council will:

- Provide safe facilities and do regular safety assessments.
- Ensure that employees, councillors and leaders of activities in / on Town facilities, are aware of the safeguarding expectations.
- Ensure that the policy for users of Town facilities includes a requirement that they are safe to work with children, young people and vulnerable adults. (eg, any adults who have regular

unsupervised contact with children, young people or vulnerable adults during the course of their duties should undergo appropriate Disclosure and Barring Service checks.)

- Ensure that attendees at functions are aware that parents are responsible for their children's safety and the location of a dedicated safe place for lost children is clear.

Use of facilities by groups for use with children, young people or vulnerable adults (eg clubs /

organisations regularly using the Recreation Ground).

EXAMPLE Town Council will require the leaders to:

- agree to work to EXAMPLE Town Council's policy and relevant guidance.

• Ensure leaders make their members aware of EXAMPLE Town Council Policy and ensure that it is

followed whilst using Town facilities

• Do risk assessments for individual activities.

SECTION 3 - Safe working practice

All users of Town Facilities must follow the safeguarding children, young people and vulnerable adult's policy and procedures at all times. For example, they should:

• Plan activities to involve more than one person being present or at least in sight or hearing of others. Alternatively, record, or inform others of their whereabouts and intended action.

• Where possible, have male and female leaders working with a mixed group.

• Ensure that photos or videos of individuals are not taken without written permission from parents/ carers.

• Ensure they have access to a first aid kit and telephone.

Ensure that where a child, young person or vulnerable adult needs assistance with toilet trips and when first aid is required, that this is carried out in pairs or in the latter case, that it is carried out where they can be seen.

• When working outside, ensure activities, breaks and clothing are suitable for the weather

conditions and that shelter is available where possible.

Expectations of behaviour

All users of Town Facilities should:

• Ensure that communications, behaviour and interaction with users should be appropriate and professional.

• Treat each other with respect and show consideration for other groups using the facilities.

• Refrain from any behaviour that involves racism, sexism and bullying and in addition to report any instances of such behaviour to group leaders, Town councillors, the Town clerk or parents and carers, as appropriate.

SECTION 4- Allegations against staff and volunteers

• All staff and volunteers should take care not to place themselves in a vulnerable position with a child or vulnerable adult.

• If an allegation is made against a member of staff or volunteer, the person receiving the allegation will immediately inform the Chair of EXAMPLE Town Council.

• EXAMPLE Town Council should follow the EXAMPLE SVPP (Safeguarding Vulnerable People Partnership) procedures for managing allegations against staff/volunteers on the EXAMPLE Safeguarding Board website. No attempt should be made to investigate or take action before consultation with the Local Authority Designated Officer (LADO).

Whistleblowing

All staff and volunteers should be aware of their duty to raise concerns about the attitude or actions of colleagues and appropriate advice will be sought from the LADO or Safeguarding Team.

Useful contacts

EXAMPLE Safeguarding Vulnerable People Partnership -

EXAMPLE Multi Agency Safeguarding Hub (MASH) - (Mon -Thur 8:45-5pm / Friday

8:45-4pm)

MASH Emergency Duty Service-

Domestic Abuse helplines – SPLITZ – (weekdays) / (out of hours)

Adopted on

Minute ref; 178/21 (ix)

What to do if you are worried a person is being abused or neglected for staff, councillors and volunteers Be alert to signs of abuse and question unusual behaviour If you have concerns about a person's welfare…

Where a person also discloses abuse or neglect:

 Listen; take their allegation seriously; reassure

that you will take action to keep them safe

 Inform them what you are going to do next

 Do not promise confidentiality

 Do not question further or approach/inform the alleged abuser

If there is an immediate danger please call 999.

If you need medical advice and support fast, but it's not life threatening, call your GP or NHS 111.

NSPCC Helpline – 0808 800 5000

 Multi-Agency Safeguarding Hub (MASH):

 Out of Hours Emergency Duty Service:

(5.00pm to 9.00am weekdays, 4:00pm Friday to 9:00am Monday)

 If the person is in immediate risk, dial 999 and ask for police assistance

Children

EXAMPLE Council Multi Agency Safeguarding

Hub (MASH) –

if out of hours.

For less urgent enquiries email

Adults

EXAMPLE Council Safeguarding Adults Board

(WSAB) –if out of hours.

For less urgent enquiries email

MASH will:

1. Acknowledge receipt of referral

2. Decide on next course of action (within 1 working day)

3. Provide feedback decision to referrer (e.g. further assessment including: strategy discussion/child protection

enquiries; no further action required for children's social care and early help assessment/CAF recommended; referral to other agency for service provision).

EXAMPLE 3 POLICY

Safeguarding Policy.

THE POLICY

The aim of the policy is to ensure that all members of staff, volunteers and any contractors know what is required to protect and keep children and vulnerable adults safe from harm as a result of physical, sexual or emotional abuse.

Children and vulnerable adults in society have the right to participate, have fun and be safe in the activities that they participate in or are chosen for them by parents, carers or guardians.

To provide staff and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection.

This policy will help to maintain a safe and positive environment for children and adults.

Definition

 Children and young people: anyone under the age of 18

 Vulnerable adult: someone who is over the age of 18 who is in need of care services for reasons of illness, disability or mental health. Someone who may be unable to protect themselves from harm or exploitation.

Legal Framework

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in England.

Working together to safeguard Children DfE 2018

Keeping Children Safe in Education DfE 2019

Keeping Children safe in out of school settings: code of practice 2020

Safeguarding Vulnerable groups Act 2006

Children and families Act 2014

NSPCC Introductory Guide to Safeguarding and Child Protection for the Voluntary and Community Sector

NSPCC Safeguarding Standards and Guidance 2021

Disclosure and Barring Service Checks.

The Parish Council will ensure that volunteers who provide activities for and supervise activities for children and young people will have a DBS check. This will be at the request of the Parish Council who will fund the check. A volunteer who has a DBS check from another

organisation will be allowed to declare and use that check providing that proof is given of its existence and that it is no more than 3 years since it was carried out. The Parish Council can then require another DBS check.

Objectives of the Policy

 To ensure where possible all facilities and activities offered by EXAMPLE Parish Council (OPC) and its committee for the Community Park (CPC) are designed and maintained to limit risk to children and vulnerable adults.

 To promote the general wellbeing, health and development of children by being aware of safeguarding concerns and being able to respond appropriately as a local government organisation.

 To develop procedures in recording and responding to accidents and complaints and to alleged or suspected incidents of abuse or neglect.

 Endeavour to protect children and young people from harm by using as appropriate the Disclosure and Barring Service (DBS) and a safer recruitment procedure for both employees and volunteers.

 As EXAMPLE Parish Council does not provide any care or supervision services for children or vulnerable adults it expects all children and vulnerable adults with care and support needs who attend events or use its facilities to do so with the necessary supervision and consent of parents, carers or guardians.

 To ensure that we give equal priority to keeping all children, young people and young adults safe regardless of their age, gender, disability, race, gender reassignment, religion or belief and sexual orientation.

 To take any concern by child, vulnerable adult, employee, contractor or volunteer seriously and manage it sensitively and appropriately in line with procedures written in this policy.

Use of photography, video, social media.

Photograph's, audio recordings, videos or any kind of other media must not be used without the express permission of the parent, carer or guardian

PROCEDURES

Types of abuse

Abuse covers any kind of harm resulting from physical, mental, sexual abuse including

bullying and including neglect that leads to injury or harm. For vulnerable adults this also includes financial abuse.

 Neglect is where people fail to meet a child's or vulnerable person's basic physical / psychological needs and is likely to result in the serious impairment of their health or development, e.g. failure to ensure that a child is protected from unnecessary risk of injury, or exposing them to undue cold.

 Physical Abuse is where physical pain or injury is caused, e.g. hitting, shaking, biting, etc.

 Sexual Abuse is where children or vulnerable adults knowingly or unknowingly take part in an activity that meets the sexual needs of the other person or persons involved. This includes inappropriate photography or videoing.

 Emotional / Mental Abuse is where there is persistent emotional ill treatment that causes severe and persistent adverse effects on the child's or vulnerable person's emotional status e.g. bullying (including cyber and text bullying), constant criticism and unrealistic pressure to perform.

 It is important to recognise that disabled children may be particularly vulnerable to abuse and may have added difficulties in communicating what is happening Dependency on others for primary needs, e.g feeding and clothing may make a person feel powerless to report abusive treatment.

RESPONDING TO ALLEGATIONS

If a person discloses abuse by someone else:

 Stay calm, take the allegation seriously

 Allow the person to speak without interruption, accepting what is said.

 DO NOT investigate the disclosure.

 Only ask questions for clarification. Do not ask leading questions.

 Alleviate feelings of guilt and isolation, while passing no judgement. Reassure them that they did the right thing by talking to you.

 Advise that you will try to offer support, but that you MUST pass the information on, do not offer to keep secrets.

 Record the facts as you know them.

 Refer the allegation immediately and directly to the appropriate person who will be

the Designated Safeguarding Lead (DSL)

 All allegations must be referred, no matter how insignificant they seem to be, or when they occur.

 Try to ensure that no-one is placed in a position which could cause further compromise.

 As soon as possible after the incident or disclosure write down notes, dates, times, facts, observations, and verbatim speech.

 Ensure the correct details are available, the young person's / vulnerable adult's name and address, and the name and address of their parent or guardian.

 The DSL will immediately contact Customer Services at Lincolnshire Children's Safeguarding Partnership.

 With the DSL prepare a confidential file. Record all notes, conversations and advice from LCSP. Confidentiality has to be maintained. Do not discuss the disclosure with anyone

 The DSL will store this information in a secure place with limited access to designated people, in line with data protection legislation.

 Follow the advice from LCSP; take no other action unless advised to do so

CONFIDENTIALITY

Members, staff, volunteers and contracted service providers must not discuss allegations of abuse, substantiated or not, with anyone other than in connection with the formal investigation. Where it is necessary to put in procedures to prevent continuing abuse the matter should be shared with the DSL so that appropriate risk assessments may be undertaken.

FIRST AID

The administration of first aid to children, young people and vulnerable adults can present risks. Under ordinary circumstances, a child or young person and vulnerable persons can be administered with first aid only if their parent or guardian expressly permits this course of action. When administering first aid, wherever possible, employees should ensure that another adult is present, or is aware of the action being taken. Parents/carers should always be informed when first aid is administered. Child welfare is of paramount importance. In certain circumstances members, employees, volunteers and contracted service providers may undertake first aid as a last resort, notifying parents / carers as soon as possible, to

minimise a child's or vulnerable adult's distress. Owmby Parish Council will have a register of trained First Aiders and ensure that training is up to date or ensure that trained First Aiders from a recognised association is present at events that may require such level of First Aid.

CONTACT DETAILS

Nominated Child Protection Lead

Name:

Deputy Child Protection Lead(s)

Name:

Phone/email:

Lincolnshire Child Safeguarding Partnership

Phone:

Phone/email: NSPCC Helpline 0808 800 5000

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on: ……March 2022……(date)

Signed: …… …… [this should be signed

by the most senior person with responsibility for safeguarding in your organisation, for example the safeguarding lead]

Date: …….March 2022……

Publications and Legislation used to inform this policy.

Children's Act 1989

Equality Act 2010

Children's and Families Act 2014

Keeping Children safe in Education 2014

Working together to Safeguard Children 2018

Keeping Children safe in out of school settings: code of practice DfE 2020

Safeguarding Vulnerable groups Act 2006

NSPCC

 Safeguarding and Child Protection for the Voluntary and Community sector

 Safeguarding Standards and Guidance.

Code: OT01269

Winter Warm Pack

Community safety pack for the colder months. Ideal for fighting fuel poverty and supporting indepent living.

BRAND ME



Key Information

1 x Fleece Blanket
1 x Hot Water Bottle
1 x Thermo Mug
1 x Woolly Hat
1 x Pair Gloves
1 x Pair Socks
1 x Reusable Canvas Bag

Note: blanket & hot water bottle colour may vary



Designed in partnership with our customers across housing associations, councils and charities, our Winter Warm Pack provides elderly and vulnerable residents with simple, cost-effective protection against cold conditions in properties.

SOLON SECURITY

For more information on our product range visit:
solonsecurity.co.uk
Get in touch with our dedicated sales team today:
sales@solonsecurity.co.uk / 01352 762266

Allowances, Travel and Subsistence Expenses Policy [For Members]

Legal Background

Councillors Allowances

In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003; parish councils have the discretion to introduce a members allowances scheme in addition to a travelling allowance and a subsistence allowance.

A parish or town council is able to pay a parish basic allowance for each year to its chairman only or to each of its elected members (regulation 25). The amount payable to the chairman may differ from that of other members (i.e. a higher sum could be paid because of the extra duties that may be required of the chairman) but otherwise the sum shall be the same for each member. The allowance is not a salary. It is a figure, which is calculated to cover the expenses, which are normally associated with the basic duties of being a local councillor.

Maltby Town Council does not operate with a scheme for basic parish councillor allowances however a small budget is allocated each year for the Chairmans Expenses.

Travel and Subsistence

Travelling and subsistence allowances are treated separately (see below). There is no set figure and no doubt the figures will differ from region to region for a variety of reasons.

Travel and subsistence allowances can be set by the Council however a parish basic allowance (which Maltby Town Council does not operate with), can only be set by the Council after it has considered the recommendations of the parish remuneration panel of the principal authority. It is recommended where such schemes exist, they must be outlined in a formal policy adopted by the Council. Should Maltby Town Council resolve to introduce a scheme for basic parish councillor allowances, they are required to refer to the National Association of Local Councils (NALC) legal topic note LTN 33 on ‘Councillors Allowances’.

Dependents’ Carer’s Allowance

Parish and town councillors are not entitled to claim this allowance under the regulations and yet it is available under the new regulations, for example, to those district councillors with dependant children.

Purpose of the Policy

This policy sets out the rates, procedures and rules which must be observed for the submission of claims for travelling and subsistence allowances.

Claims for Travelling and Subsistence Allowance

The council will pay to both elected and co-opted members allowances in respect of travelling and subsistence, including an allowance in respect of travel by bicycle or other non-motorised form of transport, undertaken or incurred in connection with the performance of any duty within the following categories:

A. The attendance at a meeting of the council or of any committee or sub-committee, of the council, or of any body to which the council makes appointments or nominations or of any committee or sub-committee of such a body; which takes place outside of the Maltby Town Council boundary.
B. The attendance at a meeting of any association of authorities of which the council is a member; if held outside the Maltby Town Council boundary
C. The performance of duties in connection with a tender process which requires travel outside the Maltby Town Council boundary
D. The performance of any duty (outside the Maltby Town Council boundary) which requires the inspection of any premises
E. The carrying out of any other duty approved by the council, or any duty of a class so approved, or in connection with, the discharge of the functions of the authority or of any of its committees or sub committees, outside of the Maltby Town Council boundary

Travel and Subsistence Rates

For any functions authorised in line with above, travel and subsistence can be authorised for journeys by public transport car, or non-motorised device will be made to members, co-opted members and officers. Payment will not be paid for travel within the Maltby Town Council boundary. The approved HMRC travel rates will be paid as follows:

Bus or rail travel	cost of journey subject to receipt or ticket being provided to the Town Clerk
Car	£0.45 per mile (HMRC rate)
Motorbikes	£0.24 per mile (HMRC rate)
Non-motorised transport (eg: bicycle)	£0.10 per mile (HMRC rate)
Taxi	The cost of taxis will be paid in exceptional circumstances only authorised by the Responsible Financial Officer on behalf of the Council

Overnight Accommodation

Where the nature of the duties being undertaken result in a Councillor/Co-opted member or Officers being absent from his/her usual place of residence (more than 2 hours away), overnight accommodation will be booked and paid directly by Maltby Town Council. The overnight accommodation allowance is payable, normally to cover bed and breakfast, where you are required to stay away from home overnight. There are two types of allowance, one for accommodation in London, and one for accommodation outside London. These allowances are subject to a maximum, which is reviewed annually.

Overnight accommodation (Bed and Breakfast) outside of London	£82.08 (Same rate as RMBC)
Overnight accommodation (Bed and Breakfast) in London	The cost of staying at a hotel chosen procured by the Town Clerk (or where the Councillor or Co-opted Member has attended a conference, the cost of staying at the conference hotel if greater).

There may be exceptions where the cost of overnight accommodation exceeds the maximum allowance due to availability. In these circumstances the Town Clerk can authorise the additional expenditure. This authorisation should be attached to your claim for reimbursement.

Subsistence Expenses
Expenses may also be paid to cover items such as newspapers, telephone calls, food and drink. Receipts must be produced for all claims made, except in exceptional circumstances where the Town Clerk may authorise payment without evidence of a receipt.

Receipts must be produced for all claims made, except in exceptional circumstances where the Town Clerk may authorise payment without evidence of a receipt.

	Outside London (RMBC Rates)	In London
Breakfast	£5.13	£6.50
Lunch	£7.03	£8.50
Tea	£2.77	£5.50
Evening Meal	£8.72	£12.50

Completion of Claim Forms
Claim forms can be obtained from the Town Council office and a copy is attached to this policy (appendix A).
The following applies when completing claim forms:-

➢ Enter your name, date and reasons for the journey and destinations

➢ Enter the mileage for each journey plus expenses claimed and totals

➢ Where you can provide a VAT receipt for the fuel purchased shortly before the date of the journey then the Town Council can reclaim the VAT at the appropriate vat mileage rate

➢ The form should be signed by the councillor and then authorised by the Town Clerk/RFO before processing. All travel and subsistence expenses must be reclaimed using the expense form and not through the petty cash floats.

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

Appendix A

Travel and Subsistence Expenses Form

Name: …… Date: …….. Meeting/Event ……

Date	Journey Details	Milometer Readings		Total Miles Travelled	Allowance Per Mile	Amount Claimed
		Start	Finish			

Date	Subsistence Details	Meeting / Event	Amount Claimed

Car Registration:

Receipts attached: Y / N

Signature of Claimant:……

Office Use Only

Authorised:

Date Paid:

Travel and Subsistence Rates

If further guidance is required when submitting claims, please refer to the Council's Allowances, Travel and Subsistence Expenses Policy

The approved HMRC travel rates will be paid as follows:

Bus or rail travel	cost of journey subject to receipt or ticket being provided to the Town Clerk
Car	£0.45 per mile (HMRC rate)
Motorbikes	£0.24 per mile (HMRC rate)
Non-motorised transport (eg: bicycle)	£0.10 per mile (HMRC rate)
Taxi	The cost of taxis will be paid in exceptional circumstances only authorised by the Responsible Financial Officer on behalf of the Council

Overnight Accommodation

Overnight accommodation (Bed and Breakfast) outside of London	£82.08 (Same rate as RMBC)
Overnight accommodation (Bed and Breakfast) in London	The cost of staying at a hotel chosen procured by the Town Clerk (or where the Councillor or Co-opted Member has attended a conference, the cost of staying at the conference hotel if greater).

Subsistence Expenses

	Outside London (RMBC Rates)	In London
Breakfast	£5.13	£6.50
Lunch	£7.03	£8.50
Tea	£2.77	£5.50
Evening Meal	£8.72	£12.50

Community Engagement Strategy and Statement of Intent

Introduction
A community engagement strategy guides us and our partners (including Rotherham Borough Council, Police and health service) on how we engage with our communities, interested people and organisations in the many services we all provide.

Aims and Objectives
It's important for everyone to have the opportunity to get involved and have their say in local issues that affect or interest them. Maltby Town Council is committed to engaging residents by encouraging them to become actively involved in decisions that affect them and the community, to delivering better services and to improving the quality of life of residents by creating a more active and informed community. Maltby Town Council will do this by ensuring access to relevant information to allow them to contribute by an exchange of information to the decision-making process.

The aim of the Community Engagement Strategy is to:
• To work with all members of the community by keeping them informed of events within their locality.
• To improve the way in which the Council communicates with members of the community
• To listen to the views of residents on important issues
• To use these views to deliver better services
• To improve the long-term social, economic and environmental well being of residents
• To plan future development of the parish in accordance with community priorities and Needs

This document sets out:

- The Role of community engagement and its importance;
- How Maltby Town Council engages the wider community and identifies the needs and aspirations of the community.
- How the Town Council can improve community engagement

Community Engagement
Maltby Town Council and its partners will inform, consult and involve the community in many ways to influence local services. It will do this through various methods included but not limited to:
• Agenda and minutes to be placed on the website
• The Annual Report and Accounts will be available at the Annual Town Meeting and on the web site
• Survey, both electronic and paper based
• Website Forums

• Public Meetings
• Door knocking
• Public Participation at council meetings
• Meeting with local representatives and groups
• Having representatives on outside bodies
• Noticeboards
• Newsletters
• Newspapers
• Social networking including Facebook and Twitter
• Presentations
• Councillor surgeries
• Planning for real exercises

The Town Clerk will:
• Develop and assess Questionnaires
• Report back to Council
• Identifying the hard to reach groups
• Publish results
• Receive and store information
• Arrange visits
• Prepare presentations
• Design newsletters
• Place notices in noticeboards
• Update the website, Facebook and twitter pages

The key aspects of community engagement include:-

- Development of a network of relationships between the Council, individuals, voluntary and community groups.
- Clear and open communication to ensure that information is made accessible to all groups.
- Listening and understanding to a range of people to identify aspirations, needs and problems of local people and groups.

Effective and meaningful community engagement can provide a number of benefits:-

- The problems and needs of local people are clearly identified in order that appropriate new or improved facilities / services can be provided.
- Those participating feel empowered by being involved in decision making in their local community.
- This may result in enhanced leadership and greater interest in elections or standing for Council and in volunteering within the community.

Opportunities for Community Involvement

Parish Council Meetings

The Town Council has an element for Public Participation. The monthly (except August) council meetings are open to the public and time is set aside, prior to the commencement of the meeting, for members of the parish to make representations on items on the agenda.

An Annual Town meeting is held each year giving residents the opportunity to have a say on local issues, find out what the town council has been doing and residents are given the opportunity to share their opinions on the services delivered by the council.

Residents will be encouraged to submit items which they wish to be brought to the attention of Councillors at the monthly meetings, or to give their opinion on a particular agenda item, to the Clerk.

Contact Your Councillors

Make an appointment, make a phone call, write a letter, send a fax, e-mail a message – let your Councillor know what you think.

• Contact your Councillor to:
• let them know what you think
• get advice or help
• pass on a suggestion or good idea

Councillor Surgeries

Come along to a councillor surgery and discuss local issues with your local town councillor.

Contact your local council for details about your local government representatives.

Partnership Working

Maltby Town Council is committed to working with local voluntary and community groups to improve the quality of life for residents in the parish. The Town Council will work with Local Authorities (Borough, County and the Police) to ensure an improvement in the quality and delivery of services. The Town Council will work with neighbouring parish councils to find a solution to common problems. The Town Council will continue to support and engage with local organisations to assist them in meeting their own aims and objectives. The Town Council will continue to support local projects and events.

Outcomes

The outcomes which we are striving for and against which the success of this policy will be measured are:-

- Improved communication through the establishment of the channels of engagement.
- More residents understanding the role of Councillors, feeling they can become involved and thereby getting the best outcome.
- Improved engagement with local communities, with more people feeling that they are involved in decision-making and a higher percentage of people involved in volunteering.
- Improved satisfaction with services provided by the Council.

The Community Engagement Strategy and Statement of Intent will be reviewed annually to assess its effectiveness and amended as necessary.

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

Document Retention and Disposal Policy

1 Introduction

1.1. The guidelines set out in this document supports the Maltby Town Council Data Protection Policy and assists us in compliance with the Freedom of Information Act 2000, the General Data Protection Regulation 2018 (GDPR) and other associated legislation.

1.2. It is important that Maltby Town Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. However, it is important to note that this is a live document and will be updated on a regular basis.

1.3. Maltby Town Council will ensure that information is not kept for longer than is necessary and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

2. Aims and Objectives

2.1. It is recognised that up to date, reliable and accurate information is a vital to support the work that Maltby Town Council does and the services that we provide to our residents. This document will help us to:

- Ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public.
- Comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the GDPR.
- Save employees' time and effort when retrieving information by reducing the amount of information that may be held unnecessarily.
- Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

3. Scope

3.1. For the purpose of this policy, 'documents' includes electronic, microfilm, microfiche and paper records.

3.2. Where storage is by means of paper records, originals rather than photocopies should be retained where possible.

4. Standards of good practice

4.1. Maltby Town Council will make every effort to ensure that it meets the following standards of good practice:

- Adhere to legal requirements for the retention of information as specified in the Retention Schedule at Annex A.

- Personal information will be retained in locked filing cabinets within the Edward Dunn Memorial Hall and access to these documents will only be by authorised personnel.
- Disclosure information will be retained in a locked cabinet in the Edward Dunn Memorial Hall.
- Appropriately dispose of information that is no longer required.
- Appropriate measures will be taken to ensure that confidential and sensitive information is securely destroyed.
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes eg. Equalities data.
- Wherever possible only one copy of any personal information will be retained and that will be held within the Edward Dunn Memorial Hall *[eg locked filing cabinet or other secure storage facility]*.

5. Breach of Policy and Standards

5.1. Any employee who knowingly or recklessly contravenes any instruction contained in, or following from, this Policy may, depending on the circumstances of the case, have disciplinary action, which could include dismissal, taken against them.

5.2. Where there is a breach of the policy, the Council may need to consider whether there is also a breach of the GDPR.

6. Roles and Responsibilities

6.1. The Maltby Town Council Clerk has responsibility for implementation of the policy under delegation of Maltby Town Council.

6.2. The Clerk is responsible for the maintenance and operation of this policy including ad-hoc checks to ensure compliance.

7. Retention

7.1. Timeframes for retention of documents have been set using legislative requirements, guidance from the National Association of Local Councils and the Chartered Institute of Personnel and Professional Development (CIPD).

7.2. Throughout retention the conditions regarding safe storage and controlled access will remain in place.

7.3. The attached 'Appendix' shows the minimum requirements for the retention of documents as determined by Maltby Town Council for the management of specific documentation types. Officers holding documents should exercise judgement as to whether they can be disposed of at the end of those periods detailed in the attached 'Appendix'

8. Disposal

8.1. Documents/data no longer required by Maltby Town Council for administrative purposes must be finely shredded/disposed of through specialist waste removal contractors and deleted entirely and securely from the Maltby Town Council computer system(s).

APPENDIX A
Document Retention Timescales

Document	Retention Period
Finance	
Financial Published Final Accounts	Indefinitely
Annual Governance and Accountability Return	Indefinitely
Final Account working papers	6 years
Records of all accounting transactions held in the financial management system	At least 6 years
Cash Books (records of monies paid out and received)	12 years
Purchase Orders	6 years
Cheque Payment Listings (Invoices received)	6 years
Payment Vouchers Capital and Revenue (copy invoices)	12 years
Goods received notes, advice notes and delivery notes	3 years
Petty cash vouchers and reimbursement claims	6 years
Debtors and rechargeable works records	6 years
Expenses and travel allowance claims	6 years
Asset Register for statutory accounting purposes	10 years
Adopted annual budget	6 years
Financial Plan	6 years
Budget Estimates – Detailed Working Papers and summaries	3 years

Bank Statements (electronic) and Instructions to banks	6 years
Bank Statements (Hardcopy)	6 years
Prime evidence that money has been banked	6 years
Refer to Drawer (RD) cheques	3 years
Cancelled Expenditure cheques	3 years
Bank Reconciliation	3 years
Cheques presented/drawn on the Council bank accounts	3 years
Grant/Funding Applications & Claims	3 years
Precept Forms	Indefinitely
Internal Audit Plans/Reports	3 years
Fees and Charges Schedules	6 years
Loans and Investment Records; temporary loan receipts	10 years (after redemption of loan)
Current and expired insurance contracts and policies and Insurance records	3 years (or as long as it is possible for a claim to be made)
Claims correspondence	3 years after settlement
Employers Liability Insurance Certificate	40 years
VAT records, input and output	10 years
Final accounts of contracts executed under hand or seal	12 years from completion of contract

Personnel/employment	
Redundancy record	6 years from the date of redundancy
Unsuccessful application forms	6 months to 1 year
Unsuccessful reference requests	1 year
Successful application forms and CVs	For duration of employment + 6 years
References received	For duration of employment + 6 years
Statutory sick records, pay, calculations, certificates etc.	For duration of employment + 6 years
Annual leave records	For duration of employment + 6 years
Unpaid leave/special leave	For duration of employment + 6 years
Annual appraisal/assessment records	Current year and previous 2 years
Time Control Records	2 years
Disclosure and Barring checks	6 months
Employee Personnel files, training records, discipline and grievance records and working time records	6 years after employment ceases

Disciplinary or grievance investigations - unproven	Destroy immediately after investigation or appeal
Statutory Maternity/Paternity records, calculations, certificates etc	3 years after the tax year in which the maternity period ended
Time sheets and overtime claims	6 years
Statutory end of year returns to Inland Revenue and Pensions records	Indefinitely
Income Tax and National Insurance Records	Not less than 3 years after the end of the financial year to which they relate
Wages/salary records, overtime, bonuses, expenses etc	6 years
Accident books, records and reports	3 years from date of last entry (If a child or young adult is involved, then until the person reaches the age of 21
Redundancy records	6 years from the date of redundancy
Supporting documentation for tax returns	6 years

Corporate	
Councillors Registers of Interests	When councillor is no longer a public office holder
Councillors Declaration of Acceptance of Office forms	When councillor is no longer a public office holder

Chairman's Declaration of Acceptance of Office	When the term of office comes to an end
All Maltby Town Council minutes including minutes of committees, sub-committee meetings and any working group minutes	Permanently (in perpetuity) and archived after two years
Policies and procedures	Until updated or reviewed
Asset management records	Indefinitely
Internal audit fraud investigation	7 years from date of final outcome of investigation
Risk register	Indefinitely
Risk assessments (any)	6 years
Burial records and associated documentation	Indefinitely
Drivers log books and mileage	6 years
Vehicle maintenance and registration records (all necessary certificates, MOT certificates, test records and vehicle registration documents etc)	2 years after vehicle disposed of
Allotment application forms	Length of Tenancy + 2 years
Allotment agreements	Length of Tenancy + 6 years
Pre-tender qualification document, summary list of expression of interest received, a summary of any financial or technical evaluation supplied with the expressions of interest Initial application	1 year
Successful tender documentation Life of contract	6 years from date of final payment
Unsuccessful tender documentation	Until final payment of contract let is made

Deeds of land and property	Permanently or until property is di disposed of
Land and property rental agreements	6 years after expiry of the agreement
Property evaluation lists	Indefinitely
Lease agreements, variation and valuation queries	15 years after the expiry of the agreement
Documentation referring to externally funded projects	6 years
Booking diaries	3 years
Premises License applications	Indefinitely

Health & Safety	
Health and Safety Accident books and records	3 years after the date of the last entry (unless an accident involving chemicals or asbestos is contained within then 40 years). If the accident concerns a child or young adult retain until the person reaches the age of 21.

Medical records containing details of employee exposed to asbestos or as specified by the Control of Substances Hazardous to Health Regulations 1999	40 years from the date of the last entry
Medical examination certificates	4 years from date of issue
Asbestos records for premises/property including survey and removal records	40 years
Parks and play area inspection reports	6 years
All inspection certificates	6 years
Repairs job sheets	2 years
Periodic machinery inspection tests (PAT, equipment calibration etc)	2 years
Documents relating to the process of collecting, transporting and disposal of general waste	3 years
Documents relating to the process of collecting, transporting and disposal of hazardous waste	10 years
Plant and equipment testing	2 years
Unusual Incident Forms	3 years
Manual Handling Assessment Forms	3 years

Other	
Hard copy routine correspondence	Suggested: File management – retain until matter dealt with; maximum period 6 months. Where Maltby Town Council believes that it is necessary to keep correspondence for an increased length of time, it will redact personal data from the correspondence.
Electronic routine correspondence	Suggested: File management – retain until matter dealt with; maximum period 6 months. Where Maltby Town Council believes that it is necessary to keep correspondence for an increased length of time, it will redact personal data from the correspondence.
Requests under the Freedom of Information Act 2000	Suggested: File management – retain until matter dealt with plus 6 months. Where Maltby Town Council believes that it is necessary to keep correspondence for an increased length of time, it will redact personal data from the correspondence.
Planning Applications	Suggested: Recommendations in connection with relevant planning applications are recorded in the minutes which are retained indefinitely. Correspondence (both hard copy and electronic) received in connection with planning applications will be retained in accordance with the routine documents/correspondence policy noted above. Where an application is refused by the local planning authority, the application will be retained until the period within which an appeal can be made has expired.

Agreements and related correspondence	
Contracts with customers and suppliers Licensing agreements, Rental/Hire Purchase agreements Indemnities and guarantees Other agreements and contracts	Six years after expiry or termination of contract Six years is generally the time limit within which proceedings founded on a contract may be brought If the contract is executed as a deed the limitation period is twelve years Actions for latent damage may be brought up to fifteen years after the damage occurs
Donations and Subscription Records	
Donations granted and related correspondence	Six years
Deed of covenant	Six years after last payment made but up to 12 years if any payments are still outstanding or there is any dispute regarding the Deed
Subscription records	3 years after cessation of membership

Emergency Plan Policy

The Emergency Plan
Maltby Town Council has adopted an emergency plan that is a confidential document available from the Town Council office to councillors, staff and other parties who have consented to data sharing as part of the emergency plan. The purpose of the emergency plan is to help Maltby Town Council to provide appropriate help in the response to any emergency in the area.

In normal circumstances, the resources of the Rotherham Borough Council will be used to respond to an emergency.

Maltby Town Council can be a focal point locally to assist in communication, coordination and liaison. This plan should enable local people and the Town Council to respond quickly and efficiently to a local emergency.

Ways in which the local community can work together can include:

· Providing local knowledge to the Emergency Services.

· Setting up links with local groups, organisations and useful individuals.

· Passing on information and instructions to local people.

· Providing information about people who may be particularly vulnerable such as those with disabilities or elderly.

· Making sure that buildings in the area are available for possible emergency use.

· Organising local help as required, such as emergency centres, food provision and information points.

This plan has information to help all the support services, but it can never be exhaustive. It must be seen as a list of people and resources that have agreed to help if needed and if they are available.

YOUR FIRST RESPONSE

In the event of any emergency situation taking place NOW, affecting all or part of Maltby, your first action is to CALL 999

Give the emergency services clear and concise facts. They will ask you:

· Where? What? When?

· Your contact details.

· Ring them again if you find out more about the emergency.

The confidential emergency plan and response will be triggered by the Town Clerk, Officers or Maltby Town Councillors. The emergency plan will inform the council:

· Who to talk to

· Where you can take people for shelter and care

· About the special skills and expertise available locally and financial support

Emergency Expenditure
The Town Council has an emergency Disaster Fund budget in place. Any requests for financial support within seven days of the disaster that fall within the criteria of 'Security, Safety and Accommodation' may be authorised by the RFO under delegated authority for emergency payments (the costs to be met from the disaster emergency budget). After the seven day period an assessment on a case by case basis must be undertaken by the councillors acting as welfare officers to identify additional needs.

Review of the Emergency Plan
The General Purposes committee is responsible for ensuring the plan is up to date with contact information and to recommend any changes to the plan to the full town council.

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

Press and Media Policy

Introduction

1. Maltby Town Council ("the Council") is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via the Council's publication scheme, please contact the Council's clerk or, in his absence, the Deputy/Assistant Clerk.

2. The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet ("the media").

3. This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply.

Legal requirements and restrictions

4. This policy is subject to the Council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the General Data Protection Regulations (GDPR) 2018, other legislation which may apply and the Council's standing orders and financial regulations. The Council's financial regulations and relevant standing orders referenced in this policy are available via the Council's publication scheme.

5. The Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Council cannot disclose information if this is prohibited under the terms of a court order, by legislation, the Council's standing orders, under contract or by common law.

Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Council, a copy of which is available via the Council's publication scheme.

Meetings

6. A meeting of the Council and its committees is open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council's standing orders, persons may be required to leave a meeting of the Council and its committees, if their disorderly behaviour obstructs the business of the meeting.

7. Where a meeting of the Council and its committees include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's standing orders.

8. The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter,

Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) paragraphs 9 and 10 below apply.

9. The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given permission.

10. Oral reporting or commentary about a Council or committee meeting by a person who is present at the meeting is not permitted.

11. The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.

12. The Council's standing orders will confirm if attendance by the public, their participation, photographing, recording, filming or other reporting is permitted at a meeting of a sub-committee.

Other communications with the media

13. This policy does not seek to regulate councillors in their private capacity.

14. The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of councillors are different to the Council's corporate position and views, they will make this clear.

15. The Council's Clerk, or in his absence, the deputy/assistant Clerk may contact the media if the Council wants to provide information, a statement or other material about the Council.

16. Subject to the obligations on councillors not to disclose information referred to in paragraph 5 above and not to misrepresent the Council's position, councillors are free to communicate their position and views.

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

Policy for the Effective Management of Recordings at Council Meetings

The Right to Record

The right to record, film and to broadcast meetings of Maltby Town Council, its committees, sub committees and any joint committees is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

Maltby Town Council is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording. Such recording is permitted under the lawful direction of the Town Council.

Maltby Town Council understands that some members of the public attending its meetings may not wish to be recorded and the Chairman of the meeting will facilitate this by ensuring that any such request will be respected by those making a recording. Any member of the public who does not wish to be recorded should make this known to the Town Clerk or the Chairman prior to the commencement of the meeting.

The rules that Maltby Town Council will apply are:

1. The Town Council will display requirements as to filming, recording and broadcasting at its meeting venues and on its website and on notice boards in the town and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

2. A copy of these rules will be provided to members of the public in attendance at a meeting of Maltby Town Council, whether they wish to film or not at the meeting. The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules must be observed when this is planned or taking place.

3. Any person wishing to record a meeting in any format whatsoever must contact, the Town Clerk prior to the start of the meeting. The Town Clerk’s details are set out in the public notice and agenda of the meeting; in his/her absence, the contact will be the Chairman of the Town Council.

4. Maltby Town Council will define an area from which recording may be carried out and, if given advance notice, will strive to ensure that reasonable facilities are made available to any person wishing to record, eg provision of a table. However the Town Council should point out that the physical layout of a room may restrict the Town Council’s ability to make any provision.

5. Maltby Town Council prefers that all visual recording will be undertaken from a static point to avoid disruption at the meeting.

6. A person or persons recording the Town Council meeting are reminded that the “Public Participation” period may not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period.

7. Where the press and public are excluded from a meeting or part of a meeting owing to the confidential nature of the business to be transacted, recording of that meeting or that part of the meeting will not be permitted.

8. Any children or young people under the age of 18 who are present at the meeting are not to be filmed unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults, whereby the consent of a responsible adult is required for recording, ie a medical professional, carer or legal guardian.

9. All those recording a meeting are requested to focus only on recording councillors, officers, and those members of the public who have not requested anonymity or have not been identified as under the age of 18 or a vulnerable adult.

10. The Town Council may, at its own discretion, require members of the public who do not consent to being recorded to sit separately from those who are content to be recorded.

11. All recording must be overt (ie clearly visible to anyone at the meeting).

12. Members of the pubic are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed as long as this type of recording is carried out in a non-disruptive way and only to the extent that it does not interfere with any person's ability, even where he or she has a disability, to follow the debate.

13. A person or persons making a recording has no right to interrupt a Town Council meeting by asking questions or making comments. The person recording has no right to ask councillors, officers or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.

14. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.

15. Persons who are recording must strive not to leave equipment unattended.

16. The recording and reporting on meetings of the Town Council meeting, its committees and sub-committees is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Town Councils values or in a way that ridicules or shows a lack of respect for those in the recording. The Town Council would expect any recording in breach of these rules to be removed from public view. The Town Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

17. The Town Clerk should be contacted in advance of the meeting if the recording device being used involves equipment which is larger than a smart phone, tablet or compact camera or if the person recording has other special requirements eg to move around the room to record or film from different angles (note the council's preference for static recording). The use of lighting for filming/flash photography will usually be allowed if it is arranged via the Town Clerk prior to the meeting but the Town Council will have regard to the impact of such lighting on the ability of others present to view the meeting, or for reasons of health, and may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting must not cause any other form of disruption.

18. The Town Council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies. Where a council proposes to record all of its own meetings it will be bound by this policy.

19. Where a Town Council proposes to record all of its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The Town Council will include such recordings within its Publication Scheme.

20. The Town Council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.

21. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

GDPR: Data Security Breach Recording Form

A data security breach can happen for a number of reasons: Loss or theft of data or equipment on which data is Stored, Inappropriate access controls allowing unauthorised use, Equipment failure, Human error, Unforeseen circumstances such as a fire or flood, Hacking attack, 'Blagging' offences where information is obtained by deceiving the organisation who holds it. Use this form to report such breaches.

Example: Reportable Theft or loss of an unencrypted laptop computer or other unencrypted portable electronic/digital media holding names, addresses, dates of birth and National Insurance Numbers of individuals. A manual paper-based filing system (or unencrypted digital media) holding the personal data relating to named individuals and their financial records etc. More information can be found using the below link:

https://ico.org.uk/for-organisations/accountability-framework/breach-response-and-monitoring/

Breach Containment and Recovery

Article 2(2) of the Notification Regulation states:

The provider shall notify the personal data breach to the competent national authority no later than 24 hours after the detection of the personal data breach, where feasible. The provider shall include in its notification to the competent national authority the information set out in Annex I. The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR) provide rules about sending marketing and advertising by electronic means, such as by telephone, fax, email, text and picture or video message, or by using an automated calling system. PECR also include other rules relating to cookies, telephone directories, traffic data, location data and security breaches. Detection of a personal data breach shall be deemed to have taken place when the provider has acquired sufficient awareness that a security incident has occurred that led to personal data being compromised, in order to make a meaningful notification as required under this Regulation.

Date and time of Notification of Breach	
Notification of Breach to whom Name Contact Details	
Details of Breach	
Nature and content of Data Involved	

Number of individuals affected:	
Name of person investigating breach Name Job Title Contact details Email Phone number Address	
Information Commissioner informed Time and method of contact https://report.ico.org.uk/security-breach/	
Police Informed if relevant Time and method of contact Name of person contacted Contact details	
Individuals contacted How many individuals contacted? Method of contact used to contact? Does the breach affect individuals in other EU member states? What are the potential consequences and adverse effects on those individuals? Confirm that details of the nature of the risk to the individuals affected: any measures they can take to safeguard against it; and the likely cost to them of taking those measures is relayed to the individuals involved.	

Staff briefed	
Assessment of ongoing risk	
Containment Actions: technical and organisational security measures have you applied (or were to be applied) to the affected personal data	
Recovery Plan	
Evaluation and response	

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

GDPR: Consent to Hold Contact Information for Councillors

I agree that I have read and understand the Councils Privacy Notice. I agree by signing below that the Council may process my personal information for providing information and corresponding with me.

I agree that Maltby Town Council can keep my contact information data for an undisclosed time or until I request its removal. I have the right to request modification on the information that you keep on record. I have the right to withdraw my consent and request that my details are removed from your database.

Contact Information on the Town Council website

Please indicate your consent to the options set out below:

☐ In my capacity as a Parish Councillor, I consent to having my personal address to be advertised on the website to enable residents to contact me.

☐ In my capacity as a Parish Councillor, I consent to having my telephone number(s) to be advertised on the website to enable residents to contact me.

☐ In my capacity as a Parish Councillor, I do not consent to having my personal address to be advertised on the parish council website.

☐ In my capacity as a Parish Councillor, I do not consent to having my telephone number to be advertised on the parish council website.

☐ I consent to my photo to be advertised on the Parish Council website and other council promotional materials.

Name	
Address	
Telephone No.	
Email Address	
Facebook	
Twitter	

Signature	
Date	

For office use only:

Guidance Notes Data Sharing Checklist – systematic data sharing

Scenario: You want to enter into an agreement to share personal data on an ongoing basis is this form relevant and the sharing justified? Read the below:

Key points to consider:

What is the sharing meant to achieve?
Have you assessed the potential benefits and risks to individuals and/or society of sharing or not sharing?

- Is the sharing proportionate to the issue you are addressing?
- Could the objective be achieved without sharing personal data?

Do you have the power to share?

Key points to consider:

- The type of organisation you work for.
- Any relevant functions or powers of your organisation.
- The nature of the information you have been asked to share (for example was it given in confidence?).
- Any legal obligation to share information (for example a statutory requirement or a court order).

If you decide to share

It is good practice to have a data sharing agreement in place.
As well as considering the key points above, your data sharing agreement should cover the following issues:

- What information needs to be shared?
- •The organisations that will be involved.
- What you need to tell people about the data sharing and how you will communicate that information.
- Measures to ensure adequate security is in place to protect the data.
- What arrangements need to be in place to provide individuals with access to their personal data if they request it?
- Agreed common retention periods for the data.
- Processes to ensure secure deletion takes place.

Date Data received	Date consent received and approved for data to be held	Data received as Phone, email, hard copy or other	Data approved to be shared with the below	Removal of consent received	Date data disposed of and method of disposal actioned

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

MALTBY TOWN COUNCIL

Edward Dunn Memorial Hall,
Tickhill Road,
Maltby, S66 7NQ

Tel: 01709 814060
Email: admin@maltbytowncouncil.co.uk
Website: www.maltbytowncouncil.co.uk

General Data Protection Regulations (Service)
Consent to hold Contact Information

I agree that I have read and understand Maltby Town Councils Privacy Notice. I agree by signing below that the Council may process my personal information for providing information and corresponding with me. I agree that Maltby Town Council can keep my contact information data for an undisclosed time or until I request its removal. I have the right to request modification on the information that you keep on record. I have the right to withdraw my consent and request that my details are removed from your database.

Name	
Date of birth if under 18	
Parental/Guardian Consent for any data processing activity	
Address	
Telephone No.	
Email Address	
Facebook	
Twitter	
Signature	
Date	

For office use only:

Guidance Notes Data Sharing Checklist – systematic data sharing
Scenario: You want to enter into an agreement to share personal data on an ongoing basis is this form relevant and the sharing justified? Read the below:

Key points to consider:
What is the sharing meant to achieve?
Have you assessed the potential benefits and risks to individuals and/or society of sharing or

not sharing?
• Is the sharing proportionate to the issue you are addressing?
• Could the objective be achieved without sharing personal data?

Do you have the power to share?
Key points to consider:
• The type of organisation you work for.
• Any relevant functions or powers of your organisation.
• The nature of the information you have been asked to share (for example was it given in confidence?).
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• •The organisations that will be involved.
• What you need to tell people about the data sharing and how you will communicate that information.
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Date Data received	Date consent received and approved for data to be held	Data received as Phone, email, hard copy or other	Data approved to be shared with the below	Removal of consent received	Date data disposed of and method of disposal actioned

MALTBY TOWN COUNCIL

Edward Dunn Memorial Hall,
Tickhill Road,
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Tel: 01709 814060
Email: admin@maltbytowncouncil.co.uk
Website: www.maltbytowncouncil.co.uk

General Data Protection Regulations (Service)
Consent to hold Contact Information

Allotment Tenants Privacy Notice

To be signed and returned with your Allotment Tenancy Agreement: Consent to hold Contact Information.

I agree that I have read and understand Maltby Town Councils Privacy Notice.

I agree by signing below that the Council may process my personal information for providing information and corresponding with me.

I agree that Maltby Town Council can keep my contact information data for an undisclosed time or until I request its removal.

I have the right to request modification on the information that you keep on record.

I have the right to withdraw my consent and request that my details are removed from your database.

Name	
Date of birth if under 18	
Parental/Guardian Consent for any data processing activity	
Address	
Telephone No.	
Email Address	
Facebook	
Twitter	
Signature	
Date	

For office use only:

Guidance Notes Data Sharing Checklist – systematic data sharing
Scenario: You want to enter into an agreement to share personal data on an ongoing basis is this form relevant and the sharing justified? Read the below:

Key points to consider:
What is the sharing meant to achieve?
Have you assessed the potential benefits and risks to individuals and/or society of sharing or not sharing?
• Is the sharing proportionate to the issue you are addressing?
• Could the objective be achieved without sharing personal data?

Do you have the power to share?
Key points to consider:
• The type of organisation you work for.
• Any relevant functions or powers of your organisation.
• The nature of the information you have been asked to share (for example was it given in confidence?).
• Any legal obligation to share information (for example a statutory requirement or a court order).

If you decide to share
It is good practice to have a data sharing agreement in place.
As well as considering the key points above, your data sharing agreement should cover the following issues:
• What information needs to be shared?
• •The organisations that will be involved.
• What you need to tell people about the data sharing and how you will communicate that information.
• Measures to ensure adequate security is in place to protect the data.
• What arrangements need to be in place to provide individuals with access to their personal data if they request it?
• Agreed common retention periods for the data.
• Processes to ensure secure deletion takes place

Date Data received	Date consent received and approved for data to be held	Data received as Phone, email, hard copy or other	Data approved to be shared with the below	Removal of consent received	Date data disposed of and method of disposal actioned

MALTBY TOWN COUNCIL

Edward Dunn Memorial Hall,
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Tel: 01709 814060
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Website: www.maltbytowncouncil.co.uk

GENERAL PRIVACY NOTICE

Your personal data – what is it?

"Personal data" is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a list a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the "GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by the Maltby Town Council which is the data controller for your data.

Other data controllers the council works with:

- [e.g. other data controllers, such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Credit reference agencies]

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be "joint data controllers" which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
  - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
  - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
  - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where we need to carry out our legal obligations.
  - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading “Other data controllers the council works with”;

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;

- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1) The right to access personal data we hold on you

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) The right to correct and update the personal data we hold on you

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3) The right to have your personal data erased

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4) The right to object to processing of your personal data or to restrict it to certain purposes only

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5) The right to data portability

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7) The right to lodge a complaint with the Information Commissioner's Office.

- You can contact the Information Commissioners Office on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.maltbytowncouncil.co.uk. This Notice was last updated in February 2018.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, [Maltby Town Council] Email: admin@maltbytowncouncil.co.uk

GDPR: Information and Data Protection Policy

Introduction
In order to conduct its business, services and duties, Maltby Town Council processes a wide range of data, relating to its own operations and some which it handles on behalf of partners.

In broad terms, this data can be classified as:
• Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
• Confidential information and data not yet in the public arena such as ideas or policies that are being worked up.
• Confidential information about other organisations because of commercial sensitivity.
• Personal data concerning its current, past and potential employees, Councillors, and volunteers.
• Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

Maltby Town Council will adopt procedures and manage responsibly, all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations it works with and members of the public. In some cases, it will have contractual obligations towards confidential data, but in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

The Town Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. Therefore, in the case of all information which is not personal or confidential, it will be prepared to make it available to partners and members of the Town's communities. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

Protecting Confidential or Sensitive Information
Maltby Town Council recognizes it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

The General Data Protection Regulation (GDPR) which become law will like the Data Protection Act 1998 before them, seek to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Town Council with legitimate reasons for using personal information.

The policy is based on the premise that Personal Data must be:
• Processed fairly, lawfully and in a transparent manner in relation to the data subject.
• Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
• Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
• Accurate and, where necessary, kept up to date.

• Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
• Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

Data Protection Terminology

Data subject - means the person whose personal data is being processed.
That may be an employee, prospective employee, associate or prospective associate of BTC or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person. It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. Town Council, employer, council) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:
• organising, adapting or altering it
• retrieving, consulting or using the information or data
• disclosing the information or data by transmission, dissemination or otherwise making it available
• aligning, combining, blocking, erasing or destroying the information or data. regardless of the Technology used.

Maltby Town Council processes personal data in order to:
• fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law.

• pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law.

• monitor its activities including the equality and diversity of its activities

• fulfil its duties in operating the business premises including security

• assist regulatory and law enforcement agencies

• process information including the recording and updating details about its Councillors, employees, partners and volunteers.

• process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint.

• undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council.

• undertake research, audit and quality improvement work to fulfil its objects and purposes.
• carry out Council administration.

Where appropriate and governed by necessary safeguards we will carry out the above processing jointly with other appropriate bodies from time to time.

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:
• The individual has consented to the processing
• Processing is necessary for the performance of a contract or agreement with the individual
• Processing is required under a legal obligation
• Processing is necessary to protect the vital interests of the individual
• Processing is necessary to carry out public functions
• Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any sensitive personal information and the Town Council will ensure that at least one of the following conditions is met:
• Explicit consent of the individual
• Required by law to process the data for employment purposes
• A requirement in order to protect the vital interests of the individual or another person

Who is responsible for protecting a person's personal data?
The Town Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation.

Diversity Monitoring
Maltby Town Council monitors the diversity of its employees, and Councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council will always give guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice and ensure that individuals on whom personal information is

kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against Unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal data shall not be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Information provided to us
The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with Maltby Town Council individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy, however where ever possible specific written consent will be sought. It is the responsibility of those individuals to ensure that the Town Council is able to keep their personal data accurate and up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

The Councils Right to Process Information
General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)
Processing is with consent of the data subject, or
Processing is necessary for compliance with a legal obligation.
Processing is necessary for the legitimate interests of the Council.

Information Security
The Town Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted.

Children
We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Rights of a Data Subject

Access to Information: an individual has the right to request access to the information we have on them. They can do this by contacting our Town Clerk or Data Protection Officer:
Information Correction: If they believe that the information we have about them is incorrect, they may contact us so that we can update it and keep their data accurate. Please contact: Town Clerk.
Information Deletion: If the individual wishes the Town Council to delete the information about them, they can do so by contacting the Town Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Town Clerk.
The Town Council does not use automated decision making or profiling of individual personal data.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Town Clerk or the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will always give guidance on personnel data to employees through the Employee handbook.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Making Information Available

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish. It is supplemented with an Information Guide which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

All formal meetings of Council and its committees are subject to statutory notice being given on notice boards, the Website and sent to the local media. The Council publishes an annual programme in May each year. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation and has a public participation session on each Council and committee meeting. Details can be seen in the Council's Standing Orders, which are available on its Website or at its Offices.

Occasionally, Council or committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions such as giving instructions to the workforce or paying an invoice approved by Council, but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

The 2014 Regulations also amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting.

The Council will be pleased to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

Disclosure Information
The Council will as necessary undertake checks on both staff and Members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information. It will include an appropriate operating procedure in its integrated quality management system.

Data Transparency
The Council has resolved to act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information.

"Public data" means the objective, factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery.

The Code will therefore underpin the Council's decisions on the release of public data and ensure it is proactive in pursuing higher standards and responding to best practice as it develops.

The principles of the Code are:
Demand led: new technologies and publication of data should support transparency and accountability

Open: the provision of public data will be integral to the Council's engagement with residents so that it drives accountability to them.

Timely: data will be published as soon as possible following production.
Government has also issued a further Code of Recommended Practice on Transparency, compliance of which is compulsory for parish councils with turnover (gross income or gross expenditure) not exceeding £25,000 per annum. These councils will be exempt from the requirement to have an external audit from April 2017. Maltby Town Council exceeds this turnover but will never the less ensure the following information is published on its Website for ease of access:
• All transactions above £500.
• End of year accounts
• Annual Governance Statements
• Internal Audit Reports
• List of Councillor or Member responsibilities
• Details of public land and building assets
• Draft minutes of Council and committees within one month
• Agendas and associated papers no later than three clear days before the meeting

GDPR: Subject Access Request Form

Process to Action		
Name of requester (Method of communication) Email Address Phone number Postal Address		
Date Subject Access Request made		
Is the request made under the Data Protection Legislation	Yes	No
Date Subject Access Request action to be completed by (One month after receipt time limit)		
Extension to the date of reply requested (An extension of another two months is permissible provided it is communicated to the subject within the one month period)	Yes	No
Extension date advised to the Subject Requester and method of contact		
Identification must be proven from the below list: Current UK/EEA Passport UK Photo card Driving Licence (Full or Provisional) EEA National Identity Card Full UK Paper Driving Licence State Benefits Entitlement Document State Pension Entitlement Document HMRC Tax Credit Document Local Authority Benefit Document State/Local Authority Educational Grant Document HMRC Tax Notification Document Disabled Driver's Pass Financial Statement issued by bank, building society or credit card company Utility bill for supply of gas, electric, water or telephone landline A recent Mortgage Statement A recent council Tax Bill/Demand or Statement Tenancy Agreement Building Society Passbook which shows a transaction in the last 3 months and their address		
Verification sought that the Subject Access request is substantiated	Yes	No
Verification received	Yes	No
Verification if the Council cannot provide the information requested	Yes	No
Is the request excessive or unfounded?	Yes	No
Request to be actioned	Yes	No
Fee to be charged (Subject Access requests must be undertaken free of charge to a requester unless the legislation permits a reasonable charge)	Yes	No
If the request is to be refused, action to be taken and by whom.		

Changes requested to data/ or removal	
Complaint Process (Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint)	
Completion date of request	
Date complaint received by requested and details of the complaint	
Date complaint completed and outcome	

Categories of Data to Check

Data	Filing Cabinet	Laptop	Checked	Corrected/Deleted	Actioned by
HR					
Democracy					
Statutory Function					
legal					
Business					
Legal requirement					
General Data					
Consultation Data					

GDPR: Email Contact Privacy Notice

When you contact us
The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Councils Right to Process Information
General Data Protection Regulations Article 6 (1) (a) (b) and (e)
Processing is with consent of the data subject or
Processing is necessary for compliance with a legal obligation or
Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Information Security
Maltby Town Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested. We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. (You many request the deletion of your data held by (Maltby Town Council at any time).

Children
We will not process any data relating to a child (under 13) without the express parental/guardian consent of the child concerned.

Access to Information
You have the right to request access to the information we have on you. You can do this by contacting the Town Council office.

Information Correction
If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact the Town Council office to request this.

Information Deletion
If you wish Maltby Town Council to delete the information about you please contact the Maltby Town Council office to request this.

Right to Object
If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact the Maltby Town Council office to object.

Rights Related to Automated Decision Making and Profiling
Maltby Town Council does not use any form of automated decision making or the profiling of individual personal data.

Complaints
If you have a complaint regarding the way your personal data has been processed you may make a complaint to the Town Clerk at Maltby Town Council and the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113

Summary: In accordance with the law, Maltby Town Council only collect a limited amount of information about you that is necessary for correspondence, information and service provision.

Maltby Town Council do not use profiling, we do not sell or pass your data to third parties.

Maltby Town Council do not use your data for purposes other than those specified.

Maltby Town Council make sure your data is stored securely.

Maltby Town Council delete all information deemed to be no longer necessary.

Maltby Town Council constantly review our Privacy Policies to keep it up to date in protecting your data. Copies of our policies are available on the town council website www.maltbytowncouncil.co.uk

Policy Details / Version History

Date First Adopted: Document Status: DRAFT

Review Period: Annual [To be reviewed annually at the Annual Meeting of the Council in May]

Version: 01 **Disposal Period:**

AGENDA ITEM 20

MALTBY TOWN COUNCIL

STANDING ORDERS

Version: Adopted from the Model Standing Orders 2018 (England) updated April 2022

These Standing Orders must be read together with the Councils Financial Regulations,

Scheme of Delegation and adopted Policies and Procedures.

Version History

Date First adopted by Full Council: TBC **Document Status:** Draft
Date of review: May 2023 (To be reviewed annually and re-adopted at the Annual Council Meeting)

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INTRODUCTION

This is version two of Model Standing Orders 2018 (England) updated on April 2022. Update to Model Standing Order 18 only.

How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '( )' requires information to be inserted by a council. A model standing order that includes brackets like this '[ ]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. RULES OF DEBATE AT MEETINGS

a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.

b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.

d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.

g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.

h A councillor may move an amendment to his/her/their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.

j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.

k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.

l A councillor may not move more than one amendment to an original or substantive motion.

m The mover of an amendment has no right of reply at the end of debate on it.

n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:

i. to speak on an amendment moved by another councillor;

ii. to move or speak on another amendment if the motion has been amended since

he/she/they last spoke;

iii. to make a point of order;

iv. to give a personal explanation; or

v. to exercise a right of reply.

p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.

q A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.

r When a motion is under debate, no other motion shall be moved except:

i. to amend the motion;

ii. to proceed to the next business;

iii. to adjourn the debate;

iv. to put the motion to a vote;

v. to ask a person to be no longer heard or to leave the meeting;

vi. to refer a motion to a committee or sub-committee for consideration;

vii. to exclude the public and press;

viii. to adjourn the meeting; or

ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

s Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her/their right of reply.

t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the chair of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made under standing order 2(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

● a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**

● b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

● c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**

● d **Meetings shall be open to the public unless their presence is prejudicial to the public**
● **interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed (15) minutes unless directed by the chair of the meeting.

g Subject to standing order 3(f), a member of the public shall not speak for more than (3) minutes.

h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.

i A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.

j A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.

k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**

p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

r **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her/their vote for or against that question.** Such a request shall be made before moving on to the next item

of business on the agenda.

t The minutes of a meeting shall include an accurate record of the following:

i. the time and place of the meeting;

ii. the names of councillors who are present and the names of councillors who are absent;

iii. interests that have been declared by councillors and non-councillors with voting rights;

iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;

v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her/their right to participate and vote on that matter.**

v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

x A meeting shall not exceed a period of (2) hours.

y The Chair and Vice-Chair of the Council will be a full member of each standing committee in their capacity as Ex-officio but only one voting right will be exercised on each committee. The Ex-Officios are entitled to being summoned to attend committee meetings, receiving agendas and background papers and speaking at meetings. These terms are set out in the Scheme of Delegation incorporating the committee terms of reference which are subject to review by full council.

4. COMMITTEES AND SUB-COMMITTEES

a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

d The Council may appoint standing committees or other committees as may be necessary, and:

i. shall determine their terms of reference;

ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;

iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;

iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;

v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (3) days before the meeting that they are unable to attend;

vi. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;

vii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;

viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;

ix. shall determine if the public may participate at a meeting of a committee;

x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;

xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and

xii. may dissolve a committee or a sub-committee.

5. ORDINARY COUNCIL MEETINGS

a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**

b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**

c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**

d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**

e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**

f **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**

g **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**

i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**

j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:

i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;**

ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;

iii. Receipt of the minutes of the last meeting of a committee;

iv. Consideration of the recommendations made by a committee;

v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;

vi. Review of the terms of reference for committees;

vii. Appointment of members to existing committees;

viii. Appointment of any new committees in accordance with standing order 4;

ix. Review and adoption of appropriate standing orders and financial regulations;

x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.

xi. Review of representation on or work with external bodies and arrangements for reporting back;

xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;

xiii. Review of inventory of land and other assets including buildings and office equipment;

xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;

xv. Review of the Council's and/or staff subscriptions to other bodies;

xvi. Review of the Council's complaints procedure;

xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);

xviii. Review of the Council's policy for dealing with the press/media;

xix. Review of the Council's employment policies and procedures;

xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**

b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

c The chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.

d If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within (5) days of having been requested to do so by (2) members of the committee [or the sub-committee], any (2) members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. PREVIOUS RESOLUTIONS

a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (12) councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ( ) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.

d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least (7) clear days before the meeting.

e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

g Motions received shall be recorded and numbered in the order that they are received.

h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

a The following motions may be moved at a meeting without written notice to the Proper Officer:

i. to correct an inaccuracy in the draft minutes of a meeting;

ii. to move to a vote;

iii. to defer consideration of a motion;

iv. to refer a motion to a particular committee or sub-committee;

v. to appoint a person to preside at a meeting;

vi. to change the order of business on the agenda;

vii. to proceed to the next business on the agenda;

viii. to require a written report;

ix. to appoint a committee or sub-committee and their members;

x. to extend the time limits for speaking;

xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;

xii. to not hear further from a councillor or a member of the public;

xiii. to exclude a councillor or member of the public for disorderly conduct;

xiv. to temporarily suspend the meeting;

xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);

xvi. to adjourn the meeting; or

xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**

b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**

c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. DRAFT MINUTES

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).

c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:

> "The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

● ● ● e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

b Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which

he/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.

c Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.

d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required] and that decision is final.

f A dispensation request shall confirm:

i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and

iv. an explanation as to why the dispensation is sought.

g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] following guidance from the Councils dispensation policy.

h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:

i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;

ii. granting the dispensation is in the interests of persons living in the Council's area; or

iii. it is otherwise appropriate to grant a dispensation.

14. CODE OF CONDUCT COMPLAINTS

a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.

b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

c The Council may:

i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;

ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

b The Proper Officer shall:

i. **at least three clear days before a meeting of the council, a committee** or a sub-committee**,**

- **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least (7) days before the meeting confirming his/her/their withdrawal of it;

iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**

iv. **facilitate inspection of the minute book by local government electors;**

v. **receive and retain copies of byelaws made by other local authorities;**

vi. hold acceptance of office forms from councillors;

vii. hold a copy of every councillor's register of interests;

viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;

ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);

x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

xii. arrange for legal deeds to be executed;
(*see also standing order 23);*

xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;

xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;

xv. refer a planning application received by the Council to the [Chair or in his/her/their absence the Vice-Chair (if there is one) of the Council] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council]

xvi. manage access to information about the Council via the publication scheme; and

xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(*see also standing order 23).*

16. RESPONSIBLE FINANCIAL OFFICER

a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".

b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

i. the Council's receipts and payments (or income and expenditure) for each quarter;

ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;

iii. the balances held at the end of the quarter being reported and

which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and

ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

i. the keeping of accounting records and systems of internal controls;

ii. the assessment and management of financial risks faced by the Council;

iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;

iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and

v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.

b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**

d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

i. a specification for the goods, materials, services or the execution of works shall be drawn up;

ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. HANDLING STAFF MATTERS

a A matter personal to a member of staff that is being considered by a meeting of [Council] OR the Finance and Staffing committee or sub-committees/panels is subject to standing order 11.

b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of the council or, if he/she/they is not available, the vice-chair (if there is one) of the council of absence occasioned by illness or other reason and that person shall report such absence to the Finance and Staffing committee at its next meeting.

c The chair of the council or in his/her/their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk, Proper Officer and RFO. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Finance and Staffing committee.

d Subject to the Council's policy regarding the handling of grievance matters, the Council's

most senior member of staff (or other members of staff) shall contact the chair of the council or in his/her/their absence, the vice-chair of the council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Finance and Staffing committee.

e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by [the member of staff's job title] relates to the chair or vice-chair of the council this shall be communicated to another member of the council which shall be reported back and progressed by resolution of the Finance and Staffing committee.

f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

b. [*If gross annual income or expenditure (whichever is the higher) exceeds £200,000*] **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015**.

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

a The Council may appoint a Data Protection Officer however Section 7(3) of the DPA 2018 references that the parish council is not a public authority for the purposes of the UK GDPR and is not required to appoint a Data Protection Officer.

b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.**

c **The Council shall have a written policy in place for responding to and managing a personal data breach.**

d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**

e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**

f **The Council shall maintain a written record of its processing activities.**

22. RELATIONS WITH THE PRESS/MEDIA

a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

23. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xii) and (xvii).

a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

b **[Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

The above is applicable to a Council with a common seal.

OR

[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

The above is applicable to a Council without a common seal.

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Rotherham Metropolitan Borough Council representing the area of the Council.

b Unless the Council determines otherwise, a copy of each letter sent to Rotherham Metropolitan Borough Council shall be sent to the ward councillor(s) representing the area of the Council.

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

a. Unless duly authorised no councillor shall:

i. inspect any land and/or premises which the Council has a right or duty to inspect; or

ii. issue orders, instructions or directions.

26. STANDING ORDERS GENERALLY

a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (12) councillors to be given to the Proper Officer in accordance with standing order 9.

c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.

d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

Standing Orders - Appendix A

Committee Structure and Appointment of Committees

1. Committees, Sub-committees and Working Groups

a) The Council shall at the Annual Meeting appoint Standing Committees and may at any time appoint other such committees as are necessary but subject to the provisions set out in Standing Orders.

b) The terms of reference, frequency of meetings, membership and quorum for each committee shall be set out in the Scheme of Delegation and subject to the provisions set out in the Standing Orders.

c) Appointment of councillors (or non-councillors) to committees and working groups shall continue on an annual basis until the next annual council meeting held in May.

The Standing Committees shall be:

1) Events

2) Finance and Staffing

3) General Purposes

4) Maltby Miners Sports Ground

The procedure for the selection of committee is set out in the Scheme of Delegation incorporating the committee terms of reference.

Standing Orders - Appendix B

List of Current Adopted Policies and Procedures

*Appendix B will be updated each time the council makes any changes to their policies and procedures or adopts new policies.

GOVERNANCE AND SERVICE RELATED POLICIES
Code of Conduct
Complaints Policy
Councillor-Officer Protocol
Dispensation Policy
Free Letting Policy
Freedom of Information - Model Publication Scheme
Freedom of Information Policy
Freedom of Information Vexatious Requests/Complaints Policy
GDPR - Privacy Notice
Public Session Policy
Training and Development Policy

FINANCE POLICIES
Asset Register and Disposal Policy
Risk Assesment Policy
Risk Management and Internal Controls Policy
Maltby Town Council Reserves Policy

EMPLOYMENT POLICIES
Annual Leave Policy
Anti-Bullying and Harrasment Policy
Dependents Emergency Leave Policy
Disciplinary Procedure
Equality and Diversity
Expenses Policy

Flexible Working Policy
Grievance Procedure
Home Working Policy
Maternity Leave and Pay Policy
Paternity Leave Policy
Training and Development Policy - Staff
Whistle Blowing Policy

AGENDA ITEM 22

GUIDANCE FOR PARISH COUNCILS IN RECEIPT AND USE OF CIL FUNDS

Summary

The 2010 Community Infrastructure Levy (CIL) Regulation (Amended 2019) requires the Council to pass a proportion of CIL receipts collected from developments in their areas directly to parish councils to be spent on infrastructure or anything else that is concerned with addressing the demands that development places on an area.

The Council will pass accumulated funds to the parish every 6 months, and the parish council will be required to report on receipts and expenditure each year.

Introduction

Amended Regulations require charging authorities (the Council) to pass a proportion of CIL receipts to parish councils from developments that take place in their (parish) areas. Councils will be required to pass 15% of CIL receipts to relevant Parish Councils arising from developments in their areas. This rises to 25% in areas with an adopted Neighbourhood Development Plan.

To prevent excessive amounts being passed on, the payments to areas without a Neighbourhood Development Plan in place will be capped to £100 per council tax dwelling per year. This means that a parish with 500 dwellings cannot receive over £50,000 of CIL receipts per year.

In areas with a Neighbourhood Development Plan the amount to be passed over will be 25% with no cap.

Please note CIL payments to a parish are only triggered when a site has commenced, and funds have been received by the Council in line with the applied instalment policy for the permission in question. Please see https://www.rotherham.gov.uk/downloads/file/386/rotherham-community-infrastructure-levy-instalments-policy for Rotherham's instalment policy

How the funds must be spent

The amended Regulations state that this proportion of funds must be used 'to support the development of the local area by funding

(a) the provision, improvement, replacement, operation or maintenance of infrastructure; or

(b) anything else that is concerned with addressing the demands that development places on an area.'

This is a wider definition of what the Council can use CIL funds (restricted to infrastructure to support the development of the area). These wider spending

powers allow the local community to decide what they need to help mitigate the impacts of development.

If a parish council has failed to spend CIL funds passed to it within 5 years of receipt, or has applied the funds not in accordance with the Regulations then the Council can serve a notice on the parish council requiring it to repay some or all of the receipts passed. The Council will be required to spend any recovered funds in the parish council's area.

Payment periods

The Council will make payment in respect of CIL it receives from 1st April to 30th September in any financial year to the parish council by 28th October of that financial year and pay the CIL received from 1st October to 31st March in any financial year by the 28th April of the following financial year.

Reporting

To ensure transparency parish councils must publish each year their total CIL receipts; total expenditure; a summary of what the CIL was spent on; and the total amount of receipts retained at the end of the reported year from that year and previous years.

Reports can be combined with reports already produced by parish council and should be placed on their websites and a copy of the report should be sent to the Council

Additional Information and Guidance is available from the following websites:

https://www.gov.uk/guidance/community-infrastructure-levy#spending-the-levy

http://www.legislation.gov.uk/uksi/2010/948/made

http://www.legislation.gov.uk/ukdsi/2019/9780111187449/contents

https://www.rotherham.gov.uk/downloads/download/50/cil-documents

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If you have any queries please email CIL@rotherham.gov.uk

Be aware that as part of the CIL requirements for Parishes there is a requirement to submit to the Council and/or publish annual financial Neighbourhood/Parish CIL reports as recipient Parishes of CIL payments. The report should be submitted before the end of each calendar year for the balances held on the previous financial year end, in this case a report for 2021/22 financial year should have been submitted before 31 December 2022.

CIL receipts must be used to support the development of the area by funding the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on the area. CIL can only be spent on capital projects, although associated revenue spending to maintain those capital items is also permissible. Further guidance is available here https://www.gov.uk/guidance/community-infrastructure-levy#spending-the-levy

Town and Parish Councils are encouraged to work with Rotherham Council's Elected Members and the Neighbourhoods Team when considering how to allocate the Local CIL income they receive. This would provide the opportunity to tackle agreed local priorities and pool resources as well as engage with the wider community and promote how the CIL has been allocated.

Contact details for the Neighbourhoods team are attached. Alternatively you can email neighbourhoods@rotherham.gov.uk

Maltby Town Council Draft Budget 2023/24

Prepared by the Locum RFO - See attached budget breakdown

*Note this is a draft budget working document

Precept Calculation	Agreed	Proposed
Financial Year	**2022/23**	**2023/24**
Income Less Precept	£27,278	£27,278
Expenditure	£284,592	£298,697
Net Expenditure Over Income	£257,314	£271,419
Cont to General Reserves	£0	£0
Cont from General Reserves	£12,253	£25,474
Budget (precept)	£245,061	£245,945
Total Budget Requirement	£257,314	£271,419
Precept Calculated	£245,222	£245,945
Increase £	-£161	£0
Increase %	-0.07%	0.00%

2023/24 - Indictive Council Tax Base is 4174.22					
Financial Year	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**Cash Diff**
Council Tax Base	**4207.50**	**4156.59**	**4159.13**	**4174.22**	
Council Precept Band A	£38.83	£39.30	£39.28	£39.28	**£0.00**
Council Precept Band B	£45.30	£45.86	£45.83	£45.83	**£0.00**
Council Precept Band C	£51.77	£52.41	£52.37	£52.37	**£0.00**
Council Precept Band D	£58.24	£58.96	£58.92	£58.92	**£0.00**
Council Precept Band E	£71.19	£72.06	£72.01	£72.01	**£0.00**
Council Precept Band F	£84.13	£85.16	£85.11	£85.11	**£0.00**
Council Precept Band G	£97.07	£98.26	£98.20	£98.20	**£0.00**
Council Precept Band H	£116.49	£117.91	£117.84	£117.84	**£0.00**
Approx £2,459 of expenditure = 1% on the council tax for 2023/24					

Opening Cash Book Balances 01 April 2022					
Opening Cash Book Balance 01 April 2022 (Box 7 AGAR -carry forward 31.03.22)				**£570,429**	
Represented by					
General Reserves			**£90,429**	(A)	
Earmarked Reserves					
EMR New Community Facility		£300,000			
EMR Amenities & Recreation		£100,000			
EMR Maltby Main		£25,000			
Anti-Social Behaviour		£20,000			
Feasibility Study		£5,000			
EMR - Elections		£5,000			
EMR - Memorial Gardens		£5,000			
EMR - Coronation Park		£20,000			
			£480,000	(B)	
Total General + Earmarked Reserves				**£570,429**	(A) + (B)

Precept Analysis	
Financial Year	**Precept**
2020/21	£245,061.00
2021/22	£245,061.00
2022/23	£245,061.00
*2023/24	£245,945.04

*Precept calculated on 0% cash increase

Projected Balances 31st March 2023					
Opening Cash Book Balances				£570,429	
Plus Precept received				£245,061	
					£815,490
Projected Income (excluding precept)				£35,656	
Projected Expenditure				£294,502	
Projected Net Expenditure over income					£258,846
Projected General + Earmarked Reserves					**£556,644**
Represented by					
320	EMR New Community Facility			£300,000	
321	EMR Amenities & Recreation			£100,000	
324	EMR Maltby Main			£25,000	
328	Anti-Social Behaviour			£20,000	
329	Feasibility Study			£6,150	
330	EMR - Elections			£5,000	
331	EMR - Memorial Gardens			£0	
332	EMR - Coronation Park			£0	
333	EMR - CIL Monies Received			£8,078	
	Total Earmarked Reserves			**£464,228**	
	Contribution to 2023/24 budget			**£25,474**	
	General Reserves			**£66,942**	

Precept 2023/24 + Projected Opening Balances 01/04/2023	
Opening Balance 01/04/2023	**£556,644**
EM Reserves	**£469,228**
Total General Reserves	**£87,416**
Less Contribution to Budget 2023/24	**£25,474**
General Reserves	**£61,942**
Plus income (excluding precept)	**£27,278**
Less Expenditure	**£298,697**
Plus Cont from General Reserves	**£25,474**
Deficit - to be raised via precept	**-£245,945**

Earmarked Reserves - Projections to 31 March 2023 and Proposed EM Reserves from 01 April 2023									
Code	**Account**	**Opening Balance**	**Net Transfers**	**Revised EM Balance 01/04/22**	**Net Transfers (to/from)**	**Actual YTD (month 7)**	**Commited /Transfers**	**Projected Closing Balance**	**Proposed 2023/24**
320	EMR New Community Facility	£300,000	£0	£300,000	£0	£300,000	£0	£300,000	£300,000
321	EMR Amenities & Recreation	£100,000	£0	£100,000	£0	£100,000	£0	£100,000	£100,000
324	EMR Maltby Main	£25,000	£15,279.67	£40,279.67	£3,709.71	£36,569.96	£11,570	£25,000	£25,000
328	Anti-Social Behaviour	£20,000	£0	£20,000.00	£0	£20,000.00	£0	£20,000	£20,000
329	Feasibility Study	£5,000	£1,150	£6,150.00	£0	£6,150.00	£0	£6,150	£6,150
330	EMR - Elections	£5,000	£0	£5,000.00	£0	£5,000.00	£0	£5,000	£10,000
331	EMR - Memorial Gardens	£5,000	£0	£5,000.00	£0	£5,000.00	£5,000	£0	£0
332	EMR - Coronation Park	£20,000	£0	£20,000.00	£0	£20,000.00	£20,000	£0	£0
333	EMR - CIL Monies Received	£0	£0	£0.00	£8,078	£8,077.60	£0	£8,078	£8,078
	Total EM Reserves	**£480,000**	**£16,430**	**£496,429.67**	**£11,787**	**£500,797.56**	**£36,570**	**£464,228**	**£469,228**

*EMR 331 + 332 returned to general funds at 31 March 2023

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
Finance and Staffing Committe										
101	**Administration**									
1176	Precept	245,061	245,061	245,061	245,061	245,061	0	245,945	0	0
1190	Bank Interest Received	1,000	817	2,800	2,016	2,800	0	2,800	0	0
1220	Covid related income	0	357	0	0	0	0	0	0	0
1922	Neighbouhood Plan Grant	0	2,000	0	0	0	0	0	0	0
	Total Income	246,061	248,235	247,861	247,077	247,861	0	248,745	0	0
4050	Staff Training	1,500	380	0	0	0	0	0	0	0
4051	Members Training/Conferences	1,500	1,715	0	0	0	0	0	0	0
4052	Health & Safety	788	250	0	0	0	0	0	0	0
4053	Staff Travelling Expenses	735	0	0	0	0	0	0	0	0
4054	Members' Travelling Expenses	200	0	0	0	0	0	200	0	0
4055	Chairman's Allowance	250	115	200	100	200	0	200	0	0
4060	Election Costs	18,500	740	0	0	11,000	0	10,000	0	0
4065	Public Notices & Advertising	1,500	1,075	0	0	0	0	0	0	0
4066	Website	600	540	600	577	1,350	0	400	0	0
4110	Insurances	4,000	3,716	0	0	0	0	0	0	0
4111	Printing & Stationery	1,050	265	500	199	341	0	500	0	0
4112	Photocopying	2,625	2,630	2,625	1,191	2,041	0	2,625	0	0
4113	Refreshments	50	0	0	0	0	0	0	0	0
4114	Newsletter	1,000	0	1,000	0	0	0	1,000	0	0
4115	Advertising	0	0	0	360	360	0	500	0	0
4120	Telephones & Internet	2,500	2,435	1,000	1,022	1,600	0	1,800	0	0
4121	Postages	450	193	200	48	100	0	200	0	0

Continued on next page

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
4122	Subscriptions	2,600	3,473	0	0	0	0	0	0	0
4123	Music Licences	525	826	0	0	0	0	0	0	0
4124	Audit Fees	1,050	1,643	0	0	0	0	0	0	0
4125	Legal & HR Support Fees	2,000	4,273	0	0	0	0	0	0	0
4126	Payroll Service	315	369	0	0	0	0	0	0	0
4127	Freedom of Information Costs	1,250	0	0	0	0	0	0	0	0
4130	Bank Charges	0	165	200	97	170	0	200	0	0
4140	Office Equipment	525	215	500	128	250	0	500	0	0
4145	Repairs & Renewals - Office	735	0	500	0	250	0	500	0	0
4146	Neighbourhood Plan	1,000	2,000	0	0	0	0	0	0	0
4147	Disaster Emergency Fund	5,000	0	5,000	360	500	0	5,000	0	0
4149	Microsoft Subscription	1,600	1,272	1,100	636	1,090	0	1,100	0	0
4151	Democracy Fund	0	0	0	0	0	0	500	0	0
4233	Staff clothing / uniforms	0	0	100	0	0	0	100	0	0
4599	Miscellaneous Expenses	500	290	250	83	150	0	250	0	0
	Overhead Expenditure	54,348	28,579	13,775	4,802	19,402	0	25,575	0	0
	Movement to/(from) Gen Reserve	191,713	219,656	234,086	242,275	228,459		223,170		
103	**Training and Travel Expenses**									
4050	Staff Training	0	0	1,000	50	600	0	1,000	0	0
4051	Members Training/Conferences	0	0	1,000	425	1,000	0	1,000	0	0
	Overhead Expenditure	0	0	2,000	475	1,600	0	2,000	0	0
	Movement to/(from) Gen Reserve	0	0	(2,000)	(475)	(1,600)		(2,000)		
105	**Employment Costs**									

Continued on next page

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
4000	Salaries (inc Tax + NI)	90,000	74,482	106,348	53,379	80,000	0	86,348	0	0
4002	Non-Taxable Exp via Payroll	0	0	0	1,748	3,248	0	0	0	0
4007	National Insurance-DO NOT USE	7,500	11,585	0	0	0	0	0	0	0
4008	Pension Contributions	8,500	5,777	9,000	2,015	5,000	0	8,000	0	0
	Overhead Expenditure	106,000	91,845	115,348	57,143	88,248	0	94,348	0	0
	Movement to/(from) Gen Reserve	(106,000	(91,845)	(115,348	(57,143)	(88,248)		(94,348)		
108	**Professional Fees**									
4052	Health & Safety	0	0	2,000	0	1,000	0	2,000	0	0
4110	Insurances	0	0	7,000	5,357	6,000	0	6,000	0	0
4122	Subscriptions	0	0	3,000	2,570	2,800	0	3,000	0	0
4124	Audit Fees	0	0	1,200	0	1,200	0	1,200	0	0
4125	Legal & HR Support Fees	0	0	2,000	1,811	2,000	0	2,000	0	0
4126	Payroll Service	0	0	315	258	400	0	400	0	0
	Overhead Expenditure	0	0	15,515	9,995	13,400	0	14,600	0	0
	Movement to/(from) Gen Reserve	0	0	(15,515)	(9,995)	(13,400)		(14,600)		
109	**Council Funded Projects**									
4316	One Stop Advice Service Ltd	0	0	7,200	4,200	7,200	0	7,200	0	0
4327	Holiday Prog & evening Prog	0	0	5,000	7,520	7,520	0	5,000	0	0
4369	Maltby Craggs	0	0	600	500	500	0	600	0	0
4376	Mental Health Wellbeing Costs	0	0	0	207	0	0	0	0	0
	Overhead Expenditure	0	0	12,800	12,427	15,220	0	12,800	0	0
	Movement to/(from) Gen Reserve	0	0	(12,800)	(12,427)	(15,220)		(12,800)		
140	**Grants & Donations**									

Continued on next page

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
4400	Grants Section 137	2,100	0	2,000	3,244	3,350	0	2,000	0	0
4401	Grants Paid Out	3,150	3,472	3,000	1,838	4,838	0	3,000	0	0
	Overhead Expenditure	5,250	3,472	5,000	5,082	8,188	0	5,000	0	0
	Movement to/(from) Gen Reserve	(5,250)	(3,472)	(5,000)	(5,082)	(8,188)		(5,000)		
195	**CIL (Comm Infrastructure Levy)**									
1178	CIL Monies from RMBC	0	0	0	8,078	0	0	0	0	0
	Total Income	0	0	0	8,078	0	0	0	0	0
6001	less Transfer to EMR	0	0	0	8,078	0	0	0	0	0
	Movement to/(from) Gen Reserve	0	0	0	0	0		0		
	Finance and Staffing Committe - Income	246,061	248,235	247,861	255,155	247,861	0	248,745	0	0
	Expenditure	165,598	123,896	164,438	89,924	146,058	0	154,323	0	0
	Net Income over Expenditure	80,463	124,340	83,423	165,231	101,803	0	94,422	0	0
	less Transfer to EMR	0	0	0	8,078	0	0	0	0	0
	Movement to/(from) Gen Reserve	80,463	124,340	83,423	157,153	101,803		94,422		
Events Committe										
180	**Events**									
1140	Queens Jubilee Grants	0	0	0	5,500	5,500	0	0	0	0
1205	Horti Show entry fees	25	160	25	0	0	0	25	0	0
1900	Miscellaneous Income	0	2,180	0	689	689	0	0	0	0
1920	Christmas stalls	0	190	200	0	110	0	200	0	0
1921	Christmas switch-on sponsors	1,050	0	1,000	0	0	0	1,000	0	0

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Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
1923	OAP Christmas lunches	210	0	210	0	205	0	210	0	0
1925	Christmas appeal	500	2,175	1,000	0	1,000	0	1,000	0	0
	Total Income	1,785	4,705	2,435	6,189	7,504	0	2,435	0	0
4300	Bonfire/Fireworks	8,500	0	10,000	1,740	10,000	0	10,000	0	0
4301	Christmas Illuminations	6,000	8,987	0	0	0	0	0	0	0
4302	Christmas Lights Switch On	2,600	5,020	5,000	0	5,000	0	5,000	0	0
4303	Christmas Appeal	0	1,519	0	0	0	0	0	0	0
4305	Horticultural Show	1,500	4,494	1,500	0	1,500	0	1,500	0	0
4311	Remembrance Day	525	2,505	5,000	0	4,000	0	5,000	0	0
4315	Queens Jubilee-King Coronation	0	0	5,000	12,148	12,148	0	5,000	0	0
4322	SNT Community events	1,050	0	0	0	0	0	0	0	0
4335	Easter Egg Hunt	525	0	500	225	500	0	500	0	0
4337	Awards Ceremony	0	0	1,000	0	0	0	1,000	0	0
4339	Brass Bands	0	900	1,000	0	1,000	0	1,000	0	0
4340	Armed Forces Day	150	0	0	0	0	0	0	0	0
4342	Santa Letter	105	0	0	0	0	0	0	0	0
4343	OAP Christmas lunches	2,000	0	2,000	448	2,000	0	2,000	0	0
4346	London Bridge	250	0	0	0	0	0	0	0	0
4357	Events Misc	0	120	0	0	0	0	0	0	0
4598	Events Contingency	1,000	180	1,000	0	1,000	0	1,000	0	0
	Overhead Expenditure	24,205	23,725	32,000	14,561	37,148	0	32,000	0	0
	Movement to/(from) Gen Reserve	(22,420)	(19,020)	(29,565)	(8,372)	(29,644)		(29,565)		

Continued on next page

Maltby Town Council

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

	Last Year		Current Year				Proposed 2022/23		
	Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
Events Committe - Income	1,785	4,705	2,435	6,189	7,504	0	2,435	0	0
Expenditure	24,205	23,725	32,000	14,561	37,148	0	32,000	0	0
Movement to/(from) Gen Reserve	(22,420)	(19,020)	(29,565)	(8,372)	(29,644)		(29,565)		

Continued on next page

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
General Purposes Committee										
110	**Edward Dunn Memorial Hall**									
1100	Room Hire	1,000	8,483	8,484	5,306	8,484	0	8,484	0	0
1103	Pods rental income	109	0	109	0	0	0	109	0	0
1104	Sports Ground Income	0	1,179	0	0	0	0	0	0	0
1202	Solar Panels Feed-in tarrif	1,050	1,288	1,050	0	1,050	0	1,050	0	0
	Total Income	2,159	10,949	9,643	5,306	9,534	0	9,643	0	0
4113	Refreshments	50	0	0	0	0	0	0	0	0
4123	Music Licences	0	0	900	849	849	0	900	0	0
4200	Business Rates	500	0	500	128	128	0	500	0	0
4201	Gas	525	339	525	499	900	0	962	0	0
4202	Electricity	5,250	3,848	3,500	1,136	3,500	0	3,962	0	0
4203	Water & Sewerage Charges	700	531	700	385	660	0	700	0	0
4210	Waste Disposal	1,000	1,666	1,500	1,008	1,728	0	1,500	0	0
4211	Cleaning Materials	1,000	1,238	1,000	196	500	0	1,000	0	0
4220	Maintenance Contracts	0	300	0	2,502	2,502	0	600	0	0
4221	Building Repairs & Renewals	1,575	11,772	1,500	151	1,000	0	900	0	0
4230	Security	525	230	0	0	0	0	0	0	0
4231	CCTV	500	233	0	0	0	0	0	0	0
4232	Land at Walters Rd	0	18	0	0	0	0	0	0	0
4233	Staff clothing / uniforms	750	53	0	0	0	0	0	0	0
4234	Equipment and supplies	1,050	989	1,000	711	1,000	0	1,000	0	0
4242	Bar - Staff costs	0	0	0	60	60	0	0	0	0
4250	Edward Dunn Hall Consultation	0	39	0	0	0	0	0	0	0

Continued on next page

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
4327	Holiday Prog & evening Prog	0	4,000	0	0	0	0	0	0	0
4599	Miscellaneous Expenses	525	1,066	500	230	300	0	500	0	0
	Overhead Expenditure	13,950	26,322	11,625	7,855	13,127	0	12,524	0	0
	Movement to/(from) Gen Reserve	(11,791)	(15,372)	(1,982)	(2,549)	(3,593)		(2,881)		
120	**General Purposes**									
1201	Tennis receipts	0	295	0	0	0	0	0	0	0
1908	Maltby Main Income	10,000	2,764	0	0	0	0	0	0	0
	Total Income	10,000	3,059	0	0	0	0	0	0	0
4150	Roll of Honour	0	0	0	567	567	0	500	0	0
4301	Christmas Illuminations	0	0	17,000	34	8,000	0	17,000	0	0
4316	One Stop Advice Service Ltd	7,500	6,600	0	0	0	0	0	0	0
4318	Winter conditions	500	125	200	0	200	0	1,000	0	0
4319	Maltby Pride (Streetscene)	15,000	13,715	14,000	4,575	8,700	0	14,000	0	0
4327	Holiday Prog & evening Prog	6,500	0	0	0	0	0	0	0	0
4333	Notice Board	1,000	0	0	0	0	0	0	0	0
4350	Floral Decorations	8,500	0	5,000	0	7,000	0	5,000	0	0
4352	Winter Planting	1,000	0	1,000	0	1,000	0	1,000	0	0
4353	Bowling Greens	250	660	0	0	0	0	0	0	0
4360	Cenotaph Maintenance	263	424	979	0	500	0	2,000	0	0
4361	Tennis courts	0	550	0	0	0	0	0	0	0
4362	Anti-Social Behaviour	21,000	0	0	0	0	0	0	0	0
4369	Maltby Craggs	525	500	0	0	0	0	0	0	0
4370	Hanging Basket Scheme	0	7,915	0	0	0	0	0	0	0

Continued on next page

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
4372	Maltby Miners Welfare Ground	25,000	11,600	0	0	0	0	0	0	0
4373	Coronation Park	20,000	0	0	0	0	0	0	0	0
4374	Memorial Gardens & Beacon	5,000	2,704	0	0	0	0	0	0	0
4599	Miscellaneous Expenses	525	589	0	374	374	0	0	0	0
	Overhead Expenditure	112,563	45,382	38,179	5,550	26,341	0	40,500	0	0
	Movement to/(from) Gen Reserve	(102,563	(42,323)	(38,179)	(5,550)	(26,341)		(40,500)		
150	**Allotments**									
1150	Allotment Rents	2,100	1,836	2,100	1,924	1,924	0	2,100	0	0
	Total Income	2,100	1,836	2,100	1,924	1,924	0	2,100	0	0
4390	Allotments Maintenance	2,100	11,463	2,100	1,316	2,100	0	2,100	0	0
4391	Allotments special projects	5,250	4,290	5,000	900	5,000	0	5,000	0	0
	Overhead Expenditure	7,350	15,753	7,100	2,216	7,100	0	7,100	0	0
	Movement to/(from) Gen Reserve	(5,250)	(13,917)	(5,000)	(292)	(5,176)		(5,000)		
160	**Parks and Recreational**									
1201	Tennis receipts	0	0	300	0	0	0	300	0	0
	Total Income	0	0	300	0	0	0	300	0	0
4353	Bowling Greens	0	0	250	0	0	0	250	0	0
4361	Tennis courts	0	0	1,000	0	0	0	1,000	0	0
4373	Coronation Park	0	0	10,000	98	3,000	0	5,000	0	0
4374	Memorial Gardens & Beacon	0	0	0	448	448	0	1,000	0	0
	Overhead Expenditure	0	0	11,250	546	3,448	0	7,250	0	0

Continued on next page

	Last Year		Current Year				Proposed 2022/23		
	Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
Movement to/(from) Gen Reserve	0	0	(10,950)	(546)	(3,448)		(6,950)		
General Purposes Committee - Income	14,259	15,844	12,043	7,230	11,458	0	12,043	0	0
Expenditure	133,863	87,456	68,154	16,167	50,016	0	67,374	0	0
Movement to/(from) Gen Reserve	(119,604	(71,613)	(56,111)	(8,937)	(38,558)		(55,331)		

Continued on next page

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

		Last Year		Current Year				Proposed 2022/23		
		Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
Maltby Miners Sports Ground										
185	**Maltby Miners Rec Ground**									
1104	Sports Ground Income	0	0	0	10,984	13,894	0	10,000	0	0
1908	Maltby Main Income	0	0	10,000	0	0	0	0	0	0
	Total Income	0	0	10,000	10,984	13,894	0	10,000	0	0
4372	Maltby Miners Welfare Ground	0	0	20,000	23,710	35,280	0	20,000	0	0
4375	Salaries, Tax+NI-Sports Ground	0	0	0	15,301	26,000	0	25,000	0	0
	Overhead Expenditure	0	0	20,000	39,011	61,280	0	45,000	0	0
	185 Net Income over Expenditure	0	0	-10,000	-28,027	-47,386	0	-35,000	0	0
6000	plus Transfer from EMR	0	0	0	3,710	0	0	0	0	0
	Movement to/(from) Gen Reserve	0	0	(10,000)	(24,317)	(47,386)		(35,000)		
	Maltby Miners Sports Ground - Income	0	0	10,000	10,984	13,894	0	10,000	0	0
	Expenditure	0	0	20,000	39,011	61,280	0	45,000	0	0
	Net Income over Expenditure	0	0	-10,000	-28,027	-47,386	0	-35,000	0	0
	plus Transfer from EMR	0	0	0	3,710	0	0	0	0	0
	Movement to/(from) Gen Reserve	0	0	(10,000)	(24,317)	(47,386)		(35,000)		
	Total Budget Income	262,105	268,784	272,339	279,558	280,717	0	273,223	0	0
	Expenditure	323,666	235,077	284,592	159,663	294,502	0	298,697	0	0
	Net Income over Expenditure	-61,561	33,707	-12,253	119,895	-13,785	0	-25,474	0	0
	plus Transfer from EMR	0	0	0	3,710	0	0	0	0	0

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Maltby Town Council

Annual Budget - By Committee (Actual YTD Month 7)

Note: Draft Budget 2023/24 (Calculated at month 7 of the financial year)

	Last Year		Current Year				Proposed 2022/23		
	Budget	Actual	Total	Actual	Projecte	Committ	Agreed	EMR	Carried
less Transfer to EMR	0	0	0	8,078	0	0	0	0	0
Movement to/(from) Gen Reserve	(61,561)	33,707	(12,253)	115,527	(13,785)		(25,474)		

MALTBY TOWN COUNCIL

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AGENDA ITEM 27

Report to Council Members

TO:	Members of the full town council
MEETING DATE:	Thursday 05th January 2023
SUBJECT:	Locum Clerk Correspondence Report
REPORT AUTHOR:	Ms Safia Kauser – Locum Town Clerk/RFO

AGENDA ITEM: 27
To consider any correspondence or communication brought forward by the Locum Clerk not otherwise specifically relating to items being considered by the town council committees (report enclosed).

Purpose of the Report: To provide an update on the subject matters identified as per agenda item that are to be noted or require a decision from council.

1. **Flagpole (communication from Cllr Ball)**
   Email correspondence received from Cllr Ball on the 23 September 2022.
   Dear Clerk, Now that proceedings have finished with the sad passing of the Monarch I was wondering if the council would consider making the flag pole a permanent fixture in the memorial garden. This flag sits proudly in the memorial garden and looks superb when you are passing it and would be a great addition for this fine town.

2. **Meeting with RMBC Officers**
   This took place in October and the officers have extended their support to the Locum Clerk and the new Town Clerk/RFO during these challenging times for the town council. The support contact names and numbers have been made available if required.

3. **Electronic Summons and GDPR Forms**
   Please could these be completed and returned by councillors as soon as possible.

4. **Coronation of King Charles III –** To consider what the Town Council would like to do to mark the event and also to consider a budget. This item is due to be considered by the Events committee.

5. **Letter Update**
   Update on letter sent by Maltby Town Council, on behalf of the people of Maltby, to the Mayor for the South Yorkshire Mayoral Combined Authority, Oliver Coppard, who has responsibility for public transport, to request the bus service which linked Maltby with Rotherham Hospital is reinstated. (As resolved at Full Town Council 6th October 2022 minute ref:2022/127.)

6. **Committee Vacancy – Finance and Staffing Committee**
   The council need to appoint a member to fill in the vacancy on the Finance and Staffing committee following the resignation from Cllr Carl Crossland received on the 01st December 2022.

   Action: Council to appoint a member

7. **GDPR Policy – For Councillors, Employees and Role Handlers**
   Copy enclosed.

   Recommendation: That the policy be adopted.

8. **Legal Power to Make Payments**
   YLCA were requested to provide advice to confirm if the council had the power to make donations to the Church. The council resolved:
   1) That a donation of £150.00 be made payable to Saint Bartholomew's Church.
   2) That a donation of £150.00 be made payable to Farther Naylor subject to the Clerk checking with YLCA the legal power being relied upon

   The response from YLCA is set out below:
   - *There are some circumstances where a local council can make a donation to a church. In order for us to give definitive advice we need to know what the two proposed donations are for, ie what will they be applied to by the Church and Father Naylor? Also, with regard to the donation to Father Naylor, will this be to him directly as an individual? Final question, do these donations comply with the Council's policy process for grant applications?*
     Thanks Safia, we look forward to hearing from you.
     I'm sure that you have seen NALC Briefing LO1-18 in the past but I have attached it for information.

   Action: Council to confirm what the payment is to be used for.
   Attached: NALC legal briefing note

9. **Meeting with YLCA**
   In consultation with the Chairman a meeting has been arranged with Sheena Spence the Chief Officer at YLCA at the town council premises to meet with Chairs and Vice-Chairs of committees and the Chair and Vice-Chair of the Council and the new Town Clerk. The purpose of the meeting is to discuss the issues within the council, how to manage difficult situations and the public participation sessions. The Locum Clerk will be in attendance with the newly appointed Town Clerk/RFO.

   Date Agreed with YLCA: 16th January 2023 at 5.00pm

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PRIVACY NOTICE

For staff*, councillors and Role Holders**

*"Staff" means employees, workers, agency staff and those retained on a temporary or permanent basis
**Includes, volunteers, contractors, agents, and other role holders within the council including former staff*and former councillors. This also includes applicants or candidates for any of these roles.

Your personal data – what is it?

"Personal data" is any information about a living individual which allows them to be identified from that data (for example a name, photograph, video, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a list a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the "GDPR") and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Maltby Town Council which is the data controller for your data.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be "joint data controllers". This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

What data do we process?

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, and email addresses.
- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, employment details, hobbies, family composition, and dependants.
- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
- Next of kin and emergency contact information
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral))
- Location of employment or workplace.
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
- CCTV footage and other information obtained through electronic means such as swipecard records.
- Information about your use of our information and communications systems.

We use your personal data for some or all of the following purposes : -

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.

- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.

Our processing may also include the use of CCTV systems for monitoring purposes.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

How we use sensitive personal data

- We may process sensitive personal data relating to staff, councillors and role holders including, as appropriate:
  - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
  - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
  - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as "Special categories of data" and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where we need to carry out our legal obligations.
  - Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our pension scheme.
  - Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.
- You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

- We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

- [Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.]

What is the legal basis for processing your personal data?

Some of our processing is necessary for compliance with a legal obligation.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

Sharing your personal data

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR/ payroll functions , or to maintain our database software;
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Your rights in connection with personal data

You have the following rights with respect to your personal data: -

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1. The right to access personal data we hold on you

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data may be subject to an administrative fee.

2. The right to correct and update the personal data we hold on you

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3. The right to have your personal data erased

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4. The right to object to processing of your personal data or to restrict it to certain purposes only

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5. The right to data portability

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7. The right to lodge a complaint with the Information Commissioner's Office.

- You can contact the Information Commissioners Office on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas].

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing, if we start to use your personal data for a purpose not mentioned in this notice.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page www.maltbytowncouncil.co.uk This Notice was last updated in February 2018.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, Maltby Town Council, Edward Dunn Memorial Hall, Tickhill Road, Maltby, S66 7NQ

Email: admin@maltbytowncouncil.co.uk

You can contact the Information Commissioners Office on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

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31 JANUARY 2018

L01-18 | FINANCIAL ASSISTANCE TO THE CHURCH

Introduction

The purpose of this briefing is to consider whether a parish council or, in Wales, a community council may provide financial assistance to the church (or other religious bodies).

Relevant legislation

s.6(1) (a) of the Local Government Act 1894 ("1894 Act") transferred powers from the Vestry and Churchwardens to the newly formed parish councils **"except so far as relates to the affairs of the church or to ecclesiastical charities."** s.6(1) (c) of the 1894 Act confirms the powers, duties and liabilities conferred on parish councils include "the holding and management of parish property **"not being property relating to affairs of the church or held for an ecclesiastical charity".**

S.8 of the 1894 Act gives parish councils further powers including the power "to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of the powers in s.6 , **"not being property relating to affairs of the church or held for an ecclesiastical charity"** and further "to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council to do or contribute towards the expense of doing any of the things above mentioned". It should be noted that the prohibition relates to the nature of the property concerned not to the use to which that any funding will be put. Thus funding to make a church hall suitable for meetings of the guides and scouts is still prohibited because the building is church property.

Despite references in the above provisions to parish councils, the 1894 Act applies to both England and Wales.

The powers in the 1894 Act prohibit councils' involvement in property relating to the affairs of the church e.g. the maintenance or improvement of buildings or land or contributing to the costs. The question often asked is whether that prohibition still applies or is it overridden by legislation made after the 1894 Act. Examples of such legislation are:

- s.214(6) of the Local Government Act 1972 ("the 1972 Act") which provides that councils which are burial authorities may contribute to another

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person's expenses (e.g. the PCC or synagogue) in providing a cemetery in which residents in the council's area may be buried.
- s.215 of the 1972 Act permits a council to maintain a closed churchyard.
- s.137 of the 1972 Act which allows a council to incur expenditure for any purpose except one which is subject to a statutory prohibition, restriction or limitation.
- s.138B of the 1972 Act empowers a parish council to support or facilitate a religious event.
- The General Power of Competence in s.1 of the Localism Act 2011 ("the 2011 Act") is available to eligible parish councils that satisfy the conditions in Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012/965.

NALC's views

There is an accepted legal principle, applied by the courts, which is that in interpreting what an Act of Parliament means, a specific provision overrides one of a general nature. In other words, if two statutory provisions are in conflict or overlap, the detailed provision will prevail over the more general one. In applying this principle, NALC's views are as summarised below.

Ss.137 and 138B of the 1972 Act and s.1 of the 2011 Act constitute general provisions and do not override the specific prohibitions in s.8 of the 1894 Act. S.137 expressly provides that expenditure cannot be incurred purposes which are subject to a statutory prohibition, restriction or limitation.

S.2 of the 2011 Act confirms that the general power of competence does not allow an eligible parish council to get round any statutory prohibition, restriction and limitation which existed before the general power was introduced.

S.214(6) of the 1972 Act which permits a council as a burial authority to contribute to the expenses of anyone else providing a cemetery, appears to overlap with the specific provision in s.8 of the 1894 Act which prevents a council from contributing to the affairs of the church and, in NALC's view, the specific provision would prevail.

S.215 of the 1972 Act is a specific provision in respect of the responsibilities of a council (whether or not a burial authority) to maintain a closed churchyard which, in NALC's opinion, thus overrides the prohibitions in ss. 6 and 8 of the 1894 Act.

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Summary

There is no current case law to resolve the question of whether or not the 1894 Act restrictions override the provisions in later Acts of Parliament and ultimately it would be for the courts to determine the extent of any prohibition from the 1894 Act. Any court action started so as to resolve this point is likely to be expensive and time consuming.

It would, of course, be possible for Parliament to clarify the point with a specific provision in new legislation, however, the Government's current view on the legal issues is that there is no need for any further legislation as they believe the 1894 Act restrictions do not override the provisions in later Acts of Parliament.

Whilst there is no consensus on this issue, a council that considers making a payment in these circumstances needs to consider whether it is prudent to take a course of action that it cannot be certain is legally valid.

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