



## Chard Town Council

The Guildhall, Fore Street, Chard, Somerset TA20 1PP

01460 239567 [www.chard.gov.uk](http://www.chard.gov.uk)

**Mayor: Cllr Jason Baker Locum Clerk: Paul Russell**

# COUNCIL AGENDA

## All Council Meetings are open to the Public and Press

Tuesday 4<sup>th</sup> May 2021

**TO:** Cllr Baker (Mayor), Cllr Kenton (Deputy Mayor), Cllr Mrs Bates, Cllr Bulmer, Cllr Carnell, Cllr Mrs Kenton, Cllr Morrison, Cllr Mrs O'Brien, Cllr Mrs Orchard, Cllr Shortland, Cllr Williams, Cllr Mrs Whittaker-Mather, Cllr Mrs. Wootton and Cllr Mrs Young. Plus newly elected Councillor to be elected on Thursday 6<sup>th</sup> May 2021.

### NOTICE OF MEETING

You are hereby summoned to attend The Annual Town Council Meeting of Chard Town Council to be held on Monday 10<sup>th</sup> May 2021, commencing at 19:00 hours at Manor Court School, Duck Lane Chard TA20 2ES.

*Paul Russell*

Paul Russell, Locum Town Clerk

#### PUBLIC PARTICIPATION

Before the meeting there will be a public session to enable the people of Chard to ask questions of, and make comments, regarding the Town Council. Questions not answered at this meeting will be answered in writing to the person asking the question, or may appear as an agenda item for the next meeting. Members of the Public are asked to restrict their comments, and/or questions to three minutes.

**Covid19 Pandemic – Whilst these are difficult times, the Town Council still values the public's contribution to our virtual consultative meetings. Any members of the public wishing to address the virtual consultative meeting during Public Question Time need to email the Town Clerk [townclerk@chard.gov.uk](mailto:townclerk@chard.gov.uk) by 4.30pm on Friday 7<sup>th</sup> May 2021. An email link will then be sent to you to on the Monday 10<sup>th</sup> May 2021. When you have registered the Chairman will invite you to speak during the public session.**

#### Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the public session, the Chairman will un-mute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.

**7.00pm      Chaplain's 'Thought for the Day'**

**Public Participation Time**

This section (at the Chairman's discretion may last up to 15 minutes) is not part of the formal meeting of the Council.

**Reports from County and District Councillors**

Written reports received from the District and County Councillors on matters affecting Chard have been distributed.

**Police Report**

The police may attend, when available, to provide information on policing in Chard.

## **AGENDA**

**2021/01    ELECTION OF MAYOR**

To invite nominations and elect the Town Mayor and Chairperson of the Council, and to receive the Acceptance of Office.

**MAYORS APPOINTMENTS:**

- Chaplain
- Consort

**2021/02    MAYORS ANNOUNCEMENTS**

**2021/03    APOLOGIES FOR ABSENCE**

Schedule 12 of the Local Government Act 1972 requires a record be kept of the members present and that this record form part of the minutes of the meeting. Members who cannot attend a meeting should tender apologies to the Town Clerk as it is usual for the grounds upon which apologies are tendered also to be recorded. Under Section 85(1) of the Local Government Act 1972, members present must decide whether the reason(s) for a member's absence are acceptable.

**2021/04    DECLARATIONS OF INTEREST**

Under the Localism Act 2011 (sections 26-37 and Schedule 4) and in accordance with the Council's Code of Conduct, members are required to declare any interests which are not currently entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.

**2021/05    TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC**

As certain items are expected to include the consideration of exempt information Full Council is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

**2021/06 ELECTION OF DEPUTY MAYOR**

To invite nominations and elect the Deputy Mayor of the Council, and to receive the Acceptance of Office.

**2021/07 COUNCIL MEETING MINUTES**

To confirm and sign the minutes of the Full Town Council meeting held on the 27<sup>th</sup> April 2021 (attached).

**2021/08 COMMITTEE MEETINGS**

- (a) **Committee Meeting Minutes** – To receive the following Committee meeting minutes and to ratify any decisions and consider any recommendations (Standing Order 5 (iii) & (iv)).

- Policy & Resources Committee – Monday 26<sup>th</sup> April 2021

**2021/09 STANDING COMMITTEES**

To consider and adopt the revised Committee structure below in accordance with Standing Order 4. Council resolved on 27<sup>th</sup> April 2021 to adopt a revised Committee structure as follows:

- Finance & Audit Committee (4 meetings per annum),
- Amenities and Events Committee (4 meetings per annum)
- Personnel & HR Committee (2 meetings per annum)
- Planning & Highways Committee (12-17 meetings per annum)
- Full Council 6 meetings plus the Annual Town Council meeting

**2021/10 SCHEME OF DELEGATION**

To consider and adopt the revised Scheme of Delegation for the new Committee Structure and to review delegation arrangements to committees, sub-committees, employees and other local authorities (Standing Order 5(v)) (Officer delegation report to follow).

**2021/11 SCHEDULE OF MEETINGS**

Please see the attached proposed Schedule of Meetings for 2021/22.

**2021/12 APPOINTMENT OF CHAIRS TO STANDING COMMITTEES**

To appoint Chairs to the following Committees:

- Finance & Audit Committee;
- Amenities and Events Committee;
- Personnel & HR Committee;
- Planning & Highways Committee.

**2021/13 APPOINTMENT MEMBERS TO STANDING COMMITTEES**

To appoint Members to the following Committees:

- Finance & Audit Committee;
- Amenities and Events Committee;
- Personnel & HR Committee;
- Planning & Highways Committee.

**2021/14 APPOINTMENT OF MEMBERS TO COMMITTEES AND WORKING GROUPS**

Current Working Groups and Members are as follows:

- Community Building (Cllrs Morrison & Wootton)
- Armistice Working Party (Cllr J Kenton and the Community Liaison Officer)
- Guildhall Working Group (Cllrs Baker, Carnell, Mrs Kenton, Morrison & Orchard)
- Parks & Play Areas (Cllrs Baker, Shortland, Bates, Carnell, Mrs Kenton, Orchard, Bulmer, Morrison)
- Saturday Market (Cllrs Bulmer, Morrison & Shortland)
- Skate Park Improvement (Cllrs Baker, Morrison, O'Brien, Shortland & Orchard)
- Strategic Plan (Cllrs Wootton, Baker, Mrs Kenton, Williams & Whittaker-Mather)
- Street Cleaning (Cllrs Baker, A Kenton, Morrison & Bulmer)

**2021/14 STANDING ORDERS AND FINANCIAL REGULATIONS**

To review and adopt Standing Orders and Financial Regulations. (Copies attached separately)

**2021/15 ARRANGEMENTS AND CONTRIBUTIONS TO OTHER LOCAL AUTHORITIES**

To review of arrangements, (including legal agreements) with other local authorities and review of contributions made to expenditure incurred by other local authorities.

**2021/16 REPRESENTATIVES ON EXTERNAL BODIES**

To review Council representatives on external bodies:

<b>Organisation</b>	<b>No</b>	<b>Representative</b>
Chard Museum	2	Cllr Mrs Wootton, Cllr Mrs Young Cllr Williams
Chard Young People's Centre	2	Cllr Williams Cllr Mrs Wootton
Market Towns Investment Group	2	Cllr Bulmer Cllr Mrs. Morrison Cllr Mrs Bates
S.A.L.C.	1	Cllr Carnell
SSDC Countryside Steering Group	1	Cllr Shortland Cllr Mrs Wootton
Town Team	2	Cllr Baker Cllr Shortland Cllr Mrs Bates
Clare House	1	Cllr G Shortland Cllr Whittaker-Mather

**2021/17 ASSET REGISTER**

To review the Council's Asset Register. (report to follow)

**2021/18 CONFIRMATION OF ARRANGEMENTS FOR INSURANCE COVER IN RESPECT OF ALL INSURED RISKS**

To review the Council's insurance cover and agreement.

**2021/19 SUBSCRIPTIONS**

To review the Council's subscriptions to other bodies, including NALC and SLCC.

**2021/20 REVIEW OF THE COUNCIL'S COMPLAINTS PROCEDURE**

To review the council's complaints procedure.

**2021/21 FREEDOM OF INFORMATION AND DATA PROTECTION POLICY**

To review the Council's policies, procedures and practices in respect of its obligations under Freedom of Information and Data Protection policies.

**2021/22 COMMUNICATIONS/PRESS/MEDIA POLICY**

To review and adopt the Communications Policy.

**2021/23 EMPLOYMENT POLICIES AND PROCEDURES**

To consider reviewing the Council's employment policies and procedures.

**2021/24 REVIEW OF THE COUNCIL'S EXPENDITURE INCURRED UNDER THE GENERAL POWER OF COMPETENCE**

**2021/25 DATE OF NEXT MEETING**

The next Full Chard Town Council meeting will be held on Monday 14<sup>th</sup> June 2021.  
The venue will be confirmed at the time of the publication of the agenda.



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**Mayor: Cllr Jason Baker Locum Clerk: Paul Russell**

# COUNCIL MINUTES

Minutes of the Chard Town Council meeting held remotely via zoom technology on Tuesday 27<sup>th</sup> April 2021 commencing at 7:00pm.

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**PRESENT:** Cllr Baker (Mayor), Cllr Mrs Bates (7.45pm), Cllr Mrs Kenton (7.30pm), Cllr Morrison, Cllr Mrs O'Brien, Cllr Mrs Orchard, Cllr Shortland (7.51pm), Cllr Williams, Cllr Mrs Whittaker-Mather and Cllr Mrs. Wootton.

**ALSO PRESENT:** Rev. Georgina Vye, Mayor's Chaplain, Cllr G Verdon, Paul Russell, Locum Town Clerk, Tracy Lamb (Deputy Clerk & RFO), Liz Johnson-Idan (Community Liaison Officer) and one member of the public.

The Mayor informed Members that voting would be by a named vote.

### CHAPLAIN'S 'THOUGHT FOR THE DAY'

The Chaplain read two poems reflecting on St Georges Day from an English and Scottish viewpoint published by English Heritage.

### PUBLIC PARTICIPATION TIME

There was one member of the public present. It was agreed to consider Planning Application 20/02261/HOU after item 2020/298. No other matters were raised.

### 2020/294 APOLOGIES FOR ABSENCE

The following apologies for absence were received and accepted:

- Cllr Bulmer (meeting clash)
- Cllr Kenton (personal)
- Cllr Carnell (work)
- Cllr Mrs Young (work)

### 2020/295 MAYOR'S ANNOUNCEMENTS

The Mayor informed members that he had had an interesting walk round Chard with the Community Liaison Officer and a representative from Somerset Art Works as part of the HSHAZ Cultural programme. He also extended his thanks to the Mayor's Chaplain and Councillors who attended the Church Service to commemorate the Duke of Edinburgh.

### 2020/296 DECLARATIONS OF INTEREST

The following Declaration of Interest was made:

- Cllr Mrs O'Brien: Personal interest: Planning Application 21/00343/FUL & 21/00344/LBC.

**2020/297 TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC**

Proposed: Cllr Mrs Wootton

Seconded: Cllr Mrs O'Brien

Unanimous

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed under agenda item 2020/275, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**2020/298 COUNCIL MEETING MINUTES**

Proposed: Cllr Mrs Morrison

Seconded: Cllr Mrs Wootton

For: Cllr Baker, Cllr Morrison, Cllr Mrs O'Brien, Cllr Mrs Orchard, Cllr Williams and Cllr Mrs. Wootton.

Abstention: Cllr Whittaker-Mather (8<sup>th</sup> March 2021 – not in attendance)

**RESOLVED** that the minutes of the Full Town Council meeting held on the 8<sup>th</sup> March and 14<sup>th</sup> April 2021 be agreed and signed as a correct record.

The Mayor then suspended the meeting to receive representations regarding Planning Application 20/02261/HOU. The concerns raised by the resident were duly noted.

Council then agreed to go back into session.

It was agreed to bring agenda item 2020/304 forward for discussion:

Proposed: Cllr Mrs O'Brien

Seconded: Cllr Whittaker-Mather

For: Cllr Mrs O'Brien, Cllr Mrs Orchard, Cllr Whittaker-Mather, Cllr Williams and Cllr Mrs. Wootton.

Abstentions: Cllr Baker and Cllr Morrison.

**RESOLVED** to object to this planning application on the grounds that the Heritage Wall was part of the neighbouring property and would be significantly impacted, maintenance access would be blocked to the heritage wall and the proposal was out of keeping with the neighbourhood.

Council agreed to formally ratify the other responses submitted to SSDC in the previous month under delegated authority.

**2020/299 TOWN CLERK'S REPORT**

Members noted the following report from the Locum Clerk:

- The Locum Clerk would be on holiday from 17<sup>th</sup> to 21<sup>st</sup> May 2021;

- 22<sup>nd</sup> May 2021 would see the last of the food parcels that had been distributed in Chard;
- Council noted that the Somerset Waste Partnership had decided two years ago to cease any payments for fly tips as the figures had stabilised following the changes to the waste service. However, all hazardous waste reports would be dealt with directly between the SWP and the contractor;
- The Youth Club SLA had been formally approved and adopted at the Policy & Resources meeting held on Monday 26<sup>th</sup> April 2021;
- The Play Area Task & Finish Group had met on 22<sup>nd</sup> April and the final report would be submitted to the appropriate Committee for approval;
- The cleaning of the Guildhall frontage had commenced;
- The Funfair would be in Chard from 9<sup>th</sup> to 12<sup>th</sup> June 2021.

## 2020/300 CORONAVIRUS

Council noted the update on the current Covid pandemic including the phased return to work of office staff that was being developed.

## 2020/301 FINANCE

- (a) **Budget Analysis Report** – Council noted the Income and Expenditure Balance Sheet for the year to date.
- (b) **Budget Virements** – Council reviewed the budget virements that accord with the requirements of the Council's Financial Regulations:

Proposed: Cllr Mrs Wootton  
Unanimous

Seconded: Cllr Mrs Orchard

**RESOLVED** to adopt the budget virements as outlined in the report presented.

- (c) **Direct Debit, BACS and Manual Payments** – Council **RESOLVED** to note the Schedule of Payments for April 2021 amounting to £39,669.99.

(Cllr Mrs Kenton entered the meeting at 7.30pm).

- (f) **Accounts for Payment** – Council reviewed the expenditure for Month 12 as outlined in the report presented.

Proposed: Cllr Mrs Morrison  
Unanimous.

Seconded: Cllr Mrs Wootton

**RESOLVED** to pay all outstanding accounts amounting to £27,969.75

- (e) **Internal Audit Report** – Following consideration and review, Council noted the interim internal audit report undertaken in March 2021. Part of the banking discrepancy had now been resolved and the money refunded by the Co-operative Bank. Recommendations R1-R6 would be reviewed by the appropriate Committee in due course.



- (f) **Earmarked Reserves** – Council noted the revised Earmarked Reserve allocations presented. Amounts would be finalised following the end of year closedown of the accounts.

The Civic Regalia EMR would be reviewed and a plan to replace, upgrade and maintain the civic regalia would be drawn up in due course. This would include an updated valuation of the Regalia.

(Cllr Mrs Bates entered the meeting at 7.45pm).

Cllr Shortland entered the meeting at 7.51pm).

- (g) **Mayoral Allowance** – Council considered the report presented:

Proposed: Cllr Mrs Morrison                      Seconded: Cllr Mrs O'Brien

For: Cllr Mrs Bates, Cllr Mrs Kenton, Cllr Morrison, Cllr Mrs O'Brien, Cllr Mrs Orchard, Cllr Shortland, Cllr Whittaker-Mather, Cllr Williams and Cllr Mrs. Wootton.

Abstentions: Cllr Baker.

**RESOLVED** that the sum of £2,195 from the 2019/20 Mayoral Allowance be donated to the Mayor's Charity account as a one-off donation from the Town Council and that the Mayoral allowance surplus from 2020/21 be rolled over into the 2021/22 civic year.

## 2020/302 COMMITTEE MEETING

- (a) **Committee Meeting Minutes** – Following consideration, Council agreed to adopt the Committee meeting minutes below and to ratify any decisions and recommendations contained therein.

- Personnel & HR Committee – Tuesday 23<sup>rd</sup> March 2021
- Property & Services Committee – Tuesday 30<sup>th</sup> March 2021

- (b) **SSDC Play Days Request** – Council considered the request to support the Play Days being organised by SSDC.

Proposed: Cllr Mrs Morrison                      Seconded: Cllr Mrs O'Brien  
Unanimous

### **RESOLVED:**

- To support the request in kind by donating the hire of the land where the play days would take place;
- To request that two days take place in Chard at Jocelyn Park and Lower Henson;
- That any additional infrastructure such as toilets would be investigated in due course.

**2020/303 COMMUNITY**

- (a) **Community Liaison Report & Grant Support** – Council considered and noted the Community Liaison Officer's report presented.
- (b) **Freeman/Freewoman Appointment Report** – Council considered the report presented.

Proposed: Cllr Mrs Kenton  
Unanimous

Seconded: Cllr Mrs Wootton

**RESOLVED** to amend the award title from Alderman to Honorary Freemen and Honorary Freewomen and to delegate authority to Council Officers to finalise the criteria for the award.

- (c) **Heritage Action Zone** – Council noted the verbal update on the progress of the Culturally Chard programme. The Consortium would be meeting on 4<sup>th</sup> May 2021 to finalise the programme for 2021.
- (d) **Task & Finish/Working Group Reports** – Council noted this item.
  - (d.i) **Guildhall Working Party** – Council agreed to defer this report until the revised organisational structure had been agreed. The report would be delegate to the appropriate Committee for consideration and adoption.

**2020/304 PLANNING & HIGHWAYS**

- (a) **Outstanding Planning Applications** – This agenda item had already been considered under 2020/298.

**2020/305 COUNCIL GOVERNANCE AND POLICY**

- (a) **Project Delivery Update** – Council noted the progress report of the projects currently being developed and delivered.

**2020/306 DATE OF NEXT MEETINGS**

Proposed: Cllr Baker  
Unanimous

Seconded: Cllr Mrs Wootton

**RESOLVED** to hold the Annual Town Council Meeting on Monday 10<sup>th</sup> May 2021, commencing at 7:00pm. The meeting would be held at Manor Court School.

It was agreed to delay holding the Annual Town Meeting until after the lockdown restrictions had been lifted, which would hopefully be on 21<sup>st</sup> June 2021.

**2020/307 CONFIDENTIAL MATTERS**

As certain items to be discussed included the consideration of exempt information it was **RESOLVED** under Item 2020/297 that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the

grounds that they would involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

- (a) **Organisational & Staffing Structure Review Recommendations** – Council considered the recommendations from the Task & Finish Group meeting held on Wednesday 21<sup>st</sup> April 2021.

Proposed: Cllr Mrs Bates

Seconded: Cllr Mrs Morrison

Amendment: Cllr Baker

For: Cllr Baker, Cllr Mrs Bates, Cllr Mrs Kenton, Cllr Morrison, Cllr Mrs O'Brien, Cllr Mrs Orchard, Cllr Shortland, Cllr Williams and Cllr Mrs. Wootton.

Abstentions: Cllr Whittaker-Mather.

**RESOLVED:**

- That all the recommendations submitted by the Task & Finish Group be agreed and adopted without amendment;
- That a revised Scheme of Delegation be drawn up ready for adoption at the meeting to be held on 10<sup>th</sup> May 2021;
- That a Task & Finish Group be held as soon as possible to consider any amendments to the draft Scheme of Delegation and revised Standing Orders/Financial Regulations;
- That the amended documentation be presented to Council at its meeting on 10<sup>th</sup> May for formal adoption.

There being no other business the Mayor thanked Members for their attendance and closed the meeting at 8:47pm.

\_\_\_\_\_  
**MAYOR:**

\_\_\_\_\_  
**DATE:**



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Mayor: Cllr Jason Baker Locum Clerk: Paul Russell

## POLICY & RESOURCES COMMITTEE

Minutes of the Policy & Resources Committee meeting held on Monday 26<sup>th</sup> April 2021, commencing at 19:00 hours via the Zoom.

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**PRESENT:** Cllr Carnell (Chair), Cllr Baker, Cllr Bulmer, Cllr A Kenton, Cllr Mrs O'Brien, Cllr Williams and Cllr Wootton.

**OFFICERS PRESENT:** Locum Town Clerk.

### Public Participation Time

There were no members of the public present. No matters were raised.

### 2020/32 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllr Mrs J Kenton (meeting clashes)

### 2020/33 DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

- Cllr O'Brien: (Prejudicial): Youth Club Area Committee – Agenda Item 2020/40(a);
- Cllr Wootton: (Prejudicial): Youth Club Area Committee – Agenda Item 2020/40(a).

### 2020/34 TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC

Proposed: Cllr Baker                      Seconded: Cllr O'Brien  
Unanimous

Committee **RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed under agenda item 2020/40, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### 2020/35 COMMITTEE MEETING MINUTES

Proposed: Cllr A Kenton                      Seconded: Cllr Baker

For: Cllr Carnell, Cllr Baker, Cllr A Kenton, Cllr Mrs O'Brien, Cllr Williams and Cllr Wootton.

Abstention: Cllr Bulmer.

**RESOLVED** that the minutes of the Policy and Resources Committee meeting held on Tuesday 23<sup>rd</sup> February 2021 be agreed and signed as a correct record.

**2020/36 TOWN CLERK'S REPORT**

The Clerk had nothing to report.

**2020/37 COMMITTEE MATTERS**

- (a) **Work Plan Update Report** – Committee noted the update provided relating to the work plan report previously distributed. A revised Strategic Plan was being developed so the Plan would be amended in due course.
- (b) **Heritage Action Zone** – Committee noted that a grant of £80,000 had been secured to deliver a cultural programme for Chard, which would be completed by 31<sup>st</sup> March 2024. An initial meeting had been held and the first Consortium Group meeting was being scheduled for Tuesday 4<sup>th</sup> May 2021.

**2020/38 GRANTS**

- (a) **Grant Applications** – Committee noted that no grants had been submitted for consideration.
- (b) **Market Towns Investment Group** – Committee noted the verbal update on the progress of the MTIG projects. Five projects were currently under development including the replacement of the Victorian columns in Fore Street, the resurfacing of Howards Row, new signage and recycling bins and additional CCTV and festive lights infrastructure.

It was confirmed that the MTIG funding was available to all the market towns in South Somerset only.

**2020/39 DATE OF NEXT MEETING**

Committee noted that the next meeting of the Policy & Resources Committee would potentially be held on Tuesday 29<sup>th</sup> June 2021 commencing at 7pm, subject to the adoption of the Organisational Review and any Committee restructuring agreed at the Annual Town Council Meeting.

**2020/40 CONFIDENTIAL MATTERS**

As certain items to be discussed included the consideration of exempt information it was **RESOLVED** under Item 2020/34 that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they would involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

- (a) **Youth Club Draft SLA** – Committee considered the final draft Service Level Agreement presented for consideration and adoption.

Proposed: Cllr Baker                      Seconded: Cllr Williams

For: Cllr Carnell, Cllr Baker, Cllr Bulmer, Cllr A Kenton and Cllr Williams.

Abstention: Cllr Mrs O'Brien and Cllr Wootton.

**RESOLVED** that the Youth Club SLA be formally adopted.

There being no other business the Chair thanked Members for their attendance and closed the meeting at 7:24pm.

\_\_\_\_\_  
**CHAIR:**

\_\_\_\_\_  
**DATE:**



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# Scheme of Delegation

The Council scheme of delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would have to be taken by the Full Council. Decision making powers are given to both Committees and Officers to enable the Council to react to circumstances and operate effectively.

Powers cannot be legally delegated to individual Councillors or Working Parties, including Task & Finish Groups. Working parties and Task & Finish Groups are ordinarily established to investigate and or review a particular matter then report back to the relevant committee or Council with its findings which may include recommendations.

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, Standing Committees and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.

## 1. Council

1.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.

- 1.1.1 Approval of the Annual Budget and setting the Precept.
- 1.1.2 Approval of the Annual Return and Audit of Accounts.
- 1.1.3 Borrowing money.
- 1.1.4 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- 1.1.5 Making, amending or revoking By-laws.
- 1.1.6 Making of Orders under any Statutory powers.
- 1.1.7 Appointment of Standing Committees.
- 1.1.8 Appointment of Members to Standing Committees.
- 1.1.9 Appointment of Chairs to Standing Committees.
- 1.1.10 Appoint the Appeals Committee (4 Members required).
- 1.1.11 Matters of principle or policy.
- 1.1.12 Civic & Ceremonial activities/Local Democracy.
- 1.1.13 Electoral matters/Co-options

- 1.1.14 Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings).
- 1.1.15 Any proposed new undertakings.
- 1.1.16 Prosecution or defence in a court of law.
- 1.1.17 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.
- 1.1.18 Confirming eligibility to exercise the General Power of Competence.

## **2. Delegation to Committees**

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. Committees are delegated plenary decision making powers in respect of matters delegated. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.

### **2.1 All Committees**

- 2.1.1 Creation and Appointment to Working Groups and Task & Finish Groups.
- 2.1.2 Appointment of non-Councillor members to Working Groups where they bring additional expertise or knowledge, subject to confidentiality arrangements consistent with those required of Councillors.

### **2.2 Finance & Audit Committee**

**All matters (except for creating Council Policy) relating to:**

- 2.2.1 Monitor of budget position on a quarterly basis.
- 2.2.2 Consideration of annual budget requests of all standing Committees for recommendation to Council.
- 2.2.3 Approval and award of grants and donations.
- 2.2.4 Considering and agreeing action to all Internal Audit reports.
- 2.2.5 Approval of Risk Management Strategy.
- 2.2.6 General Administration.
- 2.2.7 Community Safety including CCTV.
- 2.2.8 Write off of debts up to £3,000 (subject to requirements of Bad Debt Policy).
- 2.2.9 Review of all Council policies and submit recommendations to Council for approval.
- 2.2.10 Ability to arrange additional meetings as required.



2.2.11 Any other matter which may be delegated to it by the Council from time to time.

## **2.3 Amenities & Events Committee**

**All matters (except for creating Council Policy) relating to:**

2.3.1 All play areas, playing fields, amenity spaces and open spaces owned, managed and maintained by the Town Council.

2.3.2 Allotments.

2.3.3 Cemetery.

2.3.4 Sporting facilities

2.3.5 Maintenance and repair of all the buildings owned by the Council

2.3.6 Environmental Matters

2.3.7 Markets and Craft Fairs

2.3.8 Events

2.3.9 Town floral displays

2.3.10 Tourist Information Point

2.3.11 Bus Shelters, Street Furniture, Seating, Dog & Litter Bins.

2.3.12 Maintenance and upkeep of all vehicles and equipment used for grounds maintenance purposes.

2.3.13 Ability to arrange additional meetings as required.

**The following matters are reserved to the Council for decision but the Committee may make recommendations:**

2.3.14 Recommendation of the Committee's budget each financial year.

2.3.15 Any funding required outside of the set budget in any given financial year.

2.3.16 Any other matter which may be delegated to it by the Council from time to time.

## **2.4 Planning & Highways Committee**

**All matters (except for creating Council Policy) relating to:**

2.4.1 Planning applications.

2.4.2 Tree works applications.

2.4.3 Highways & traffic matters.

2.4.4 Local and regional plans.

2.4.5 Recommendation of Street Names.

2.4.6 All other planning or highway matters the Town Council is consulted on.

## **2.5 Personnel & HR Committee**

**All matters (except for creating Council Policy) relating to:**

2.5.1 All personnel matters not delegated to officers or Sub-Committees.

2.5.2 Authorise or not of all incremental pay rises following staff appraisals.

2.5.3 Amending staff structure to reflect the Council's performance needs so long as within budget. Any changes requiring additional budget requires Council approval.

2.5.4 Authorise permission for the Executive Officer to accept secondary employment.

2.5.5 Authorise adjustments to employees Terms & Conditions of employment.

2.5.6 To make arrangements to carry out the Executive Officer's annual appraisal.

2.5.7 Ability to arrange additional meetings as required.

2.5.8 Consider and resolve all staff grievances unable to be dealt with by Officers in accordance with Grievance Policy.

2.5.9 Agree financial resolutions of grievances within budget or if it is higher or an unbudgeted expenditure, this will have to be authorised by Full Council.

2.5.10 Consider and deal with all staff disciplinary matters unable to be dealt with by Officers in accordance with Disciplinary policy.

2.5.11 Consider and deal with all potential disciplinary matters relating to the Executive Officer including the commissioning of external advisors and/or investigation in accordance with the provisions of the Council's complaints and disciplinary procedures.

## **2.6 Appeals Committee**

**Note: the committee cannot consider an appeal against a decision taken by the Full Council.**

**Members of this Committee must be different from those who consider Grievance/Disciplinary matters. Appointees to this Committee are not able to sit on the Personnel & HR Committee.**

**All matters (except for creating Council Policy or matters felt to be relevant for Full Council)) relating to:**

- 2.6.1 Consider and resolve all staff appeals concerning grievance or disciplinary matters.
- 2.6.2 Consider and resolve all Freedom of Information Act appeals.
- 2.6.3 Consider and resolve appeals to decisions relating to a complaint, where this is unable to be dealt with by Officers.
- 2.6.4 Consider all appeals against decisions where this is available within a policy.

# CHARD TOWN COUNCIL

## DRAFT MEETING SCHEDULE 2021/22

MEETING	Day	Time	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Full Council	Monday	7.00pm	10 <sup>th</sup> ATCM	14 <sup>th</sup>	12 <sup>th</sup>		13 <sup>th</sup>		8 <sup>th</sup>		10 <sup>th</sup>		14 <sup>th</sup>	
Finance & Audit Committee	Tuesday	7.00pm	25 <sup>th</sup>				28 <sup>th</sup>			14 <sup>th</sup>			29 <sup>th</sup>	
Amenities & Events Committee	Tuesday	7.00pm		27 <sup>th</sup>				26 <sup>th</sup>			25 <sup>th</sup>			26 <sup>th</sup>
Planning & Highways Committee	Monday Tuesday	6.30pm	25 <sup>th</sup>	14 <sup>th</sup> 29 <sup>th</sup>	12 <sup>th</sup> 27 <sup>th</sup>		13 <sup>th</sup> 28 <sup>th</sup>	11 <sup>th</sup> 26 <sup>th</sup>	8 <sup>th</sup> 30 <sup>th</sup>		10 <sup>th</sup> 25 <sup>th</sup>	14 <sup>th</sup>	14 <sup>th</sup> 29 <sup>th</sup>	26 <sup>th</sup>
Personnel & HR Committee	Monday	10.30am			12 <sup>th</sup>				8 <sup>th</sup>					

Note: Full Council meetings take place on the second Monday of each month.

Note: The revised Committee structure is made up of Finance & Audit Committee, (4 meetings per annum), Amenities and Events Committee (4 meetings per annum), Personnel & HR Committee (2 meetings per annum), and Planning & Highways Committee (12-17 meetings per annum), Full Council 6 meetings plus AGM per annum.

# CHARD TOWN COUNCIL

## COMPLAINTS PROCEDURE (adopted on 16<sup>th</sup> July 2018)

1. Chard Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There is also the opportunity to raise your concerns in the public participation section of Council meetings.
3. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how the council has dealt with your concerns.
4. This Complaints Procedure does not apply to:
  - 4.1. complaints by one council employee against another council employee, or between the council as employer and a council employee. These matters are dealt with under the council's disciplinary and grievance procedures. If your complaint relates to an individual employee, you may be assured that it will be taken seriously and dealt with appropriately.
  - 4.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Town Council. If a complaint against a councillor is received by the Town Council, it will be referred to the Standards Committee of South Somerset District Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of South Somerset District Council.
5. You may make your complaint about the council's procedures or administration to the Town Clerk (or in the Clerk's absence the Deputy Town Clerk). You may do this in person, by phone, or by writing to or emailing the Town Clerk. The addresses and numbers are set out below.
6. The Town Clerk (or Deputy Town Clerk) will normally try to acknowledge your complaint within five working days. Wherever possible, the Town Clerk (or Deputy Town Clerk) will try to resolve your complaint within a further 10 working days.
7. If you do not wish the Town Clerk (or in the Clerk's absence the Deputy Town Clerk) to deal with your complaint, you may make your complaint directly to the Mayor who will arrange for your complaint to be investigated by another senior officer or, if it is appropriate, will appoint an independent investigating officer.

8. The Town Clerk, Deputy Town Clerk or investigating officer (as appropriate) will investigate each complaint, contacting you to obtain further information as necessary as well as obtaining information from employees or members of the Council.
9. The investigating officer will normally notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. In exceptional cases, the twenty working days timescale may have to be extended. If it is, you will be kept fully informed of the reasons for the delay.
10. If you remain dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Mayor for review. When reviewing the complaint, the Mayor can either respond directly to you with the outcome of the review or convene a Complaints Panel before making a decision.
11. If the Mayor decides to convene a Complaints Panel you will be invited to attend and explain your complaint. The investigating officer will respond and explain the reasons for reaching the decision taken. At the Mayor's discretion, you and the investigating officer may ask questions of each other. At the end, you will have the final word and both parties will be asked to withdraw while the Panel make a decision.
12. A decision will be made by the Complaints Panel and the outcome of the review and of what action (if any) the Council proposes to take as a result of your complaint will be notified to you by the Mayor, either at the conclusion of the Panel meeting or within 7 working days.

In the first instance, all complaints should be directed to the Town Clerk who is the Council's proper officer at the address below.

Chard Town Council  
The Guildhall  
Fore Street  
Chard  
Somerset  
TA20 1PP

Tel: 01460 239567



### Information available from Chard Town Council

under the model publication scheme

Chard Town Council, in common with other public bodies, makes information on its activities available to the public under the terms of the Freedom of Information Act 2000.

In summary, requests for information need to be made in writing and the Council has a period of 20 working days to respond. Those terms continue to apply in general.

In order to simplify the process, the Information Commissioner has approved a Model Publication Scheme which commits an authority to make more routine information available to the public as part of normal business activities. Outlined below is a list of such information identified in the Model Publication Scheme that Chard Town Council has available routinely and can provide access to upon request. This is based on the Model Scheme for Local Councils and reflects the responsibilities of Chard Town Council.

#### Availability of Information

In person: from Chard Town Council, The Guildhall, Fore Street, Chard, TA20 1PP from 9 am – 4 pm Monday to Friday

On the website: [www.chard.gov.uk](http://www.chard.gov.uk)

### SCHEDULE OF CHARGES

The Council will not charge for the inspection of documents or for viewing the information. However, if copies are required the following will apply:

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @10p per sheet (black & white)	Actual Cost
	Photocopying (colour) – not available	N/A
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class

<b>Statutory Fee</b>		In accordance with the relevant legislation

Information to be published	How the information can be obtained?	Cost
		website is free! <a href="http://www.chard.gov.uk">www.chard.gov.uk</a>
<b>Class 1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts) This will be current information only		
<ul style="list-style-type: none"> <li>Who's who on the Council and its Committees</li> </ul>	hard copy and/or website	hard copy 10p p/sheet website free
<ul style="list-style-type: none"> <li>Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address)</li> </ul>	hard copy and/or website	hard copy 10p p/sheet website free
<ul style="list-style-type: none"> <li>Location of main Council office and accessibility details</li> </ul>	hard copy and/or website	hard copy 10p p/sheet website free
<ul style="list-style-type: none"> <li>Staffing structure</li> </ul>	hard copy and/or website	hard copy 10p p/sheet website free

<b>Class 2 – What we spend and how we spend it</b> - Current and previous financial year (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)		
Annual return form and report by auditor	hard copy and/or website	hard copy 10p p/sheet website free ditto
Finalised budget	hard copy and/or website	hard copy 10p p/sheet website free ditto
Precept	hard copy and/or website	hard copy 10p p/sheet website free ditto
Financial Standing Orders and Regulations	hard copy and/or website	hard copy 10p p/sheet website free ditto
Grants given and received	hard copy	hard copy 10p p/sheet



List of current contracts awarded and value of contract	hard copy	hard copy 10p p/sheet
Members' allowances and expenses	hard copy	hard copy 10p p/sheet

<b>Class 3 – What our priorities are and how we are doing</b>		
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	hard copy and/or website	hard copy 10p p/sheet website free
Business Plan	hard copy and/or website	hard copy 10p p/sheet website free

<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	hard copy and/or website	hard copy 10p p/sheet website free
Agendas of meetings (as above)	hard copy and/or website	hard copy 10p p/sheet website free
Minutes of meetings (as above) – NB this will exclude information that is properly regarded as private to the meeting	hard copy and/or website	hard copy 10p p/sheet website free
Reports presented to council meetings – NB this will exclude information that is properly regarded as private to the meeting	hard copy and/or website	hard copy 10p p/sheet website free
Responses to consultation papers	hard copy	hard copy 10p p/sheet
Responses to planning applications	hard copy and/or website	hard copy 10p p/sheet website free

<b>Class 5 – Our policies and procedures</b> <i>(Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only</i>		
Policies and procedures for the conduct of council business: <ul style="list-style-type: none"> <li>• Procedural standing orders</li> <li>• Committee and sub-committee terms of reference</li> <li>• Delegated authority in respect of officers</li> <li>• Code of Conduct</li> <li>• Policy statements</li> </ul>	hard copy and/or website hard copy and/or website hard copy hard copy and/or website hard copy and/or website	hard copy 10p p/sheet website free
Policies and procedures for the provision of services and about the employment of staff: <ul style="list-style-type: none"> <li>• Equality and diversity policy</li> <li>• Health and safety policy</li> <li>• Policies and procedures for handling requests for information</li> <li>• Complaints procedures (including those covering requests for information and operating the publication scheme)</li> </ul>	hard copy and/or website hard copy and/or website hard copy and/or website hard copy and/or website	hard copy 10p p/sheet website free
Records management policies (records retention, destruction and archive)	hard copy	hard copy 10p p/sheet
Data protection policies	hard copy and/or website	hard copy 10p p/sheet website free
Schedule of charges for the publication of information	hard copy and/or website	hard copy 10p p/sheet website free

<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only		
(hard copy or website; some information may only be available by inspection)		
Any publicly available register or list (if any are held this should be publicised; in most circumstances, existing access provisions will suffice)	hard copy and/or website	hard copy 10p p/sheet website free
Assets Register	hard copy	hard copy 10 p/sheet

Disclosure log (indicating the information that has been provided in response to requests)	hard copy	hard copy 10p p/sheet
Register of members' interests	hard copy	hard copy 10p p/sheet
Register of gifts and hospitality	hard copy	hard copy 10p p/sheet

<b>Class 7 – The services we offer</b> - Current information only (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)	(hard copy or website; some information may only be available by inspection)	
○ Allotments	hard copy	hard copy 10p p/sheet
○ Burial grounds and closed churchyards	hard copy	hard copy 10p p/sheet
○ Guildhall and Tourism Information Centre	hard copy	hard copy 10p p/sheet
○ Parks, playing fields and recreational facilities	hard copy	hard copy 10p p/sheet
○ Markets	hard copy	hard copy 10p p/sheet
○ Seating, litter bins, clocks, memorials and lighting	hard copy	hard copy 10p p/sheet
○ Agency agreements	hard copy	hard copy 10p p/sheet
○ A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	hard copy	hard copy 10p p/sheet

### Contact details:

Town Clerk, Chard Town Council,  
The Guildhall, Fore Street, CHARD, Somerset TA20 1PP  
Phone : 01460 239567  
Email : townclerk@chard.gov.uk

If you are unhappy with the way in which Chard Town Council has dealt with your request under the Freedom of Information Act 2000 you should raise the matter in accordance with our usual complaints procedure.

## **CHARD TOWN COUNCIL**

### **DATA PROTECTION POLICY**

#### **1. Introduction**

Chard Town Council has a responsibility under the Data Protection Act 2018 to hold, obtain, record, use and store all personal data relating to an identifiable individual in a secure and confidential manner. This Policy is a statement of what the Town Council does to ensure its compliance with the Act.

The Data Protection Policy applies to all Town Council employees, councillors, volunteers, and contractors. The Policy provides a framework within which the Town Council will ensure compliance with the requirements of the Act and will underpin any operational procedures and activities connected with the implementation of the Act.

#### **2. Background**

The Data Protection Act 2018 governs the handling of personal information that identifies living individuals directly or indirectly and covers both manual and computerised information. It provides a mechanism by which individuals about whom data is held (the “data subjects”) can have a certain amount of control over the way in which it is handled.

Some of the main features of the Act are:

- All data covered by the Act must be handled in accordance with the Six Data Protection Principles (see Appendix 1)
- The person about whom the information is held (the Data Subject) has various rights under the Act including the right to be informed about what personal data is being processed, the right to request access to that information, the right to request that inaccuracies or incomplete data are rectified, and the right to have personal data erased and to prevent or restrict processing in specific circumstances. Individuals also have the right to object to processing based on the performance of a task in the public interest/exercise of official authority (including profiling), direct marketing (including profiling); and processing for the purposes of scientific/historical research and statistics. There are also rights concerning automated decision making (including profiling) and data portability.
- Processing of special categories of data must be done under a lawful basis. This data includes information about race, ethnic origin, political persuasion, religious belief, trade union membership, genetics, biometrics (where used for identification purposes), health, sex life and sexual orientation.
- The Data Protection Act deals with criminal offence data in a similar way to special category data and sets out specific conditions providing lawful authority for processing it.
- There is a principle of accountability of data controllers to implement appropriate technical and organisational measures that include internal data protection policies and procedures, staff training and awareness of the requirements of the Act, internal audits of processing activities, maintaining relevant documentation on processing activities, appointing a data protection officer, and implementing measures that meet the principles of data protection by design and data protection by default, including

data minimisation, transparency, and creating and improving security features on an ongoing basis.

- Data protection impact assessments are carried out where appropriate as part of the design and planning of projects, systems and programmes.
- Data controllers must have written contracts in place with all data processors and ensure that processors are only appointed if they can provide 'sufficient guarantees' that the requirements of the Act will be met and the rights of data subjects protected.
- Data breaches that are likely to result in a risk to the rights and freedoms of individuals must be reported to the Information Commissioner's Office within 72 hours of the council becoming aware of the breach. Where a breach is likely to result in a high risk to the rights and freedoms of individuals, the council will notify those individuals concerned directly.
- The Information Commissioner is responsible for regulation and issue notices to organisations where they are not complying with the requirements of the Act. She also has the ability to prosecute those who commit offences under the Act and to issue fines.

### 3 Policy Statement

The Town Council is committed to ensuring that personal information is handled in a secure and confidential manner in accordance with its obligations under the Data Protection Act 2018 and professional guidelines. The Town Council will use all appropriate and necessary means at its disposal to comply with the Data Protection Act and associated guidance.

### 4 Roles and Responsibilities

#### 4.1 Data Protection Officer

The appointment of a Data Protection Officer is discretionary. If appointed they are responsible for the following tasks, *(In the absence of a DPO, these tasks will be covered by the council directly)*:

- informing and advising the Town council, any processor engaged by the Town council as data controller, and any employee of the Town council who carries out processing of personal data, of that person's obligations under the legislation
- providing advice and monitoring for the carrying out of data protection impact assessments
- co-operating with the Information Commissioner's Office,
- acting as the contact point for the Information Commissioner's Office
- monitoring compliance with policies of the Town council in relation to the protection of personal data
- monitoring compliance by the Town council with the legislation.

In relation to the policies mentioned above, the data protection officer's tasks include—

- (a) assigning responsibilities under those policies,
- (b) raising awareness of those policies,
- (c) training staff involved in processing operations, and

(d) conducting audits required under those policies.

The Town council must provide the Data Protection Officer with the necessary resources and access to personal data and processing operations to enable them to perform the tasks outlined above and to maintain their expert knowledge of data protection law and practice.

#### **4.2 Town Council**

The Town Council will be responsible for ensuring that the organisation complies with its responsibilities under the Data Protection Act through monitoring of activities and incidents via reporting by the Data Protection Officer. The Town Council will also ensure that there are adequate resources to support the work outlined in this policy to ensure compliance with the Data Protection Act.

#### **4.3 All Staff and Councillors**

All staff and councillors will ensure that:-

- Personal information is treated in a confidential manner in accordance with this and any associated policies.
- The rights of data subjects are respected at all times.
- Privacy notices will be made available to inform individuals how their data is being processed.
- Personal information is only used for the stated purpose, unless explicit consent has been given by the Data Subject to use their information for a different purpose.
- Personal information is only disclosed on a strict need to know basis, to recipients who are entitled to that information.
- Personal information held within applications, systems, personal or shared drives is only accessed in order to carry out work responsibilities.
- Personal information is recorded accurately and is kept up to date.
- They refer any subject access requests and/or requests in relation to the rights of individuals to the Data Protection Officer.
- They raise actual or potential breaches of the Data Protection Act to the Data Protection Officer as soon as the breach is discovered.

It is the responsibility of all staff and councillors to ensure that they comply with the requirements of this policy and any associated policies or procedures.

#### **4.9 Contractors and Employment Agencies**

Where contractors are used, the contracts between the Town Council and these third parties should contain mandatory information assurance clauses to ensure that the contract staff are bound by the same code of behaviour as Town council members of staff and councillors in relation to the Data Protection Act.

#### **4.10 Volunteers**

All volunteers are bound by the same code of behaviour as Town council members of staff and councillors in relation to the Data Protection Act.

### **5 Records Management**

Good records management practice plays a pivotal role in ensuring that the Town council is able to meet its obligations to provide information, and to retain it, in a timely and effective manner in order to meet the requirements of the Act. All records should be retained and disposed of in accordance with the Town Council retention schedule.

### **6 Consent**

The Town council will take all reasonable steps to ensure that service users, members of staff, volunteers, and contractors are informed of the reasons the Town council requires information from them, how that information will be used and who it will be shared with. This will enable the data subject to give explicit informed consent to the Town council handling their data where the legal basis for processing is consent.

Should the Town council wish to use personal data for any purpose other than that specified when it was originally obtained, the data subject's explicit consent should be obtained prior to using the data in the new way unless exceptionally such use is in accordance with other provisions of the Act.

Should the Town council wish to share personal data with anyone other than those recipients specified at the time the data was originally obtained, the data subject's explicit consent should be obtained prior to sharing that data, failure to do so could result in a breach of confidentiality.

### **7 Accuracy and Data Quality**

The Town council will ensure that all reasonable steps are taken to confirm the validity of personal information directly with the data subject.

All members of staff and councillors must ensure that service user personal information is checked and kept accurate and up to date on a regular basis, for example, by checking it with the service user when they attend for appointments in order that the information held can be validated.

Where a member of the public exercises their right for their data to be erased, rectified, or restricted, or where a member of the public objects to the processing of their data, the Data Protection Officer must be notified, and the appropriate procedures followed.

### **8 Data Protection Impact Assessments**

A data protection impact assessment is a process which helps to assess privacy risks to individuals in the collection, use and disclosure of information. They must be carried out at the early stages of projects and are embedded in to the Town council's decision-making process.

### **9 Providers**

The Town council must have written contracts in place with all suppliers who process personal data on behalf of the Town council as "data processors". The Town council will

ensure that processors are only appointed if they can provide 'sufficient guarantees' through the procurement process that the requirements of the Act will be met, and the rights of data subjects protected.

## **10 Complaints**

Any expression of dissatisfaction from an applicant with reference to the Town council's handling of personal information will be treated as a complaint and handled under the Town council's complaint's processes. The Data Protection Officer will be involved in responding to the complaint.

Should the complainant remain dissatisfied with the outcome of their complaint to the council, a complaint can be made to the Information Commissioner's Office who will then investigate the complaint and take action where necessary.

## **11 Security and Confidentiality**

All staff and councillors must ensure that information relating to identifiable individuals is kept secure and confidential at all times. The Town council will ensure that its holdings of personal data are properly secured from loss or corruption and that no unauthorised disclosures of personal data are made.

The Town council will ensure that information is not transferred to countries outside the European Economic Area (EEA) unless that country has an adequate level of protection for security and confidentiality of information which has been confirmed by the Information Commissioner.

## **12 Rights of Data Subjects**

Individuals wishing to request their information as a subject access request should contact the Town council, who will arrange for the information to be processed in accordance with the Data Protection Act. Further information on this is available in a separate document, *'How to access your records'*.

Individuals should also make requests in writing to the Town council if they wish to exercise their other rights under the legislation.



## APPENDIX 1

### DATA PROTECTION PRINCIPLES

#### **First Principle**

processed lawfully, fairly and in a transparent manner in relation to individuals;

#### **Second Principle**

collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;

#### **Third Principle**

adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;

#### **Fourth Principle**

accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;

#### **Fifth Principle**

kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;

#### **Sixth Principle**

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.



# Chard Town Council

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## MEDIA COMMUNICATIONS POLICY

If communication is managed effectively, the Council will be able to create and seize opportunities to communicate with stakeholders and the public and build an accurate and positive reputation.

This protocol acts as a simple reference tool for any Councillors or member of staff who engages with the media. It can clarify roles and responsibilities and help manage expectations.

### Introduction

The purpose of this protocol is to clarify the roles and responsibilities of Councillors and staff in dealing with the media, and to provide guidance on how to handle media interest.

The Council recognises the need for openness and this should be reflected in how the media communications are dealt with.

The aim of the protocol is to ensure that the Council is seen to communicate in a professional and objective manner. In all cases, the Council's approach to the media should be: open and honest; proactive; responsive and timely

### The Legal Context

This protocol reflects the guidance contained in the Code of Recommended Practice on Local Authority Publicity 2001 (as amended) and the Council must have regard to it and follow its provisions. The protocol should be read in conjunction with the Councillors Code of Conduct, the Staff Handbook and the Protocol for Councillor/Staff relations. All publicity will be produced in line with the Council's equality and diversity guidelines.

The Publicity Code is grouped into seven principles that publicity by local authorities should follow. It should

- Be lawful
- Be cost-effective
- Be objective

- Be even-handed
- Be appropriate
- Have regard to equality and diversity
- Be issued with care during periods of heightened sensitivity

This protocol will also explain how CTC will help achieve the following objectives:

- Share and celebrate success
- Give information about policies, services and events, and about the democratic process so that people feel more informed about the Council's work
- Handle negative issues clearly and decisively

## **The Media**

Local paid for and free newspapers, regional newspapers, local BBC and independent radio and TV as well as national and occasionally international media have all covered Chard stories in recent years.

In addition, the internet and social media are vital media to disseminate local news.

## **Identifying Newsworthy Items**

It is the responsibility of everyone working within the Council to identify worthy news items as early as possible.

## **Handling Media Enquiries**

The Town Clerk will be responsible for all media enquiries and responses into the town office.

Councillors who are directly approached by the media should respond in accordance with the guidance contained in this protocol.

The Council should not pass comment on leaks, anonymous allegations or allegations about individual Councillors and staff. The Council is open and accountable and should always explain if there is a reason why it cannot answer a specific enquiry.

## **News Releases**

News releases are one of the techniques for publicising Council activities, decisions and achievements.

There are two types of news releases – Official Council News Releases and Councillor News Releases.

Official Council Press Releases - An Official Council release is made on behalf of the Council as a whole; it will be written by a member of staff and issued by the Town Clerk. It is non-party political and will normally include a quote from the relevant Councillor(s). This is usually the Chair of the Council or relevant committee.

Official Council press releases will follow a corporate style appropriate for the media being targeted and a web based record will be maintained. All releases will accurately reflect the corporate view of the Council.

News Releases will not promote the views of specific political groups, publicise the activities of individual Councillors, or persuade the general public to hold a particular view.

It should be borne in mind that a news release is not always the best way to publicise an activity or event and alternative ways of communicating it should be considered e.g. posters, mailings, websites, social media etc.

Councillor News Releases - Councillor news releases are personal and are written and issued by the Councillor responsible. They may or may not be political and should not include the name of any staff member, use the Council crest or the Council telephone number as a point of contact. It would be beneficial for copies of intended releases, to be sent to the Town Clerk.

Councillors seeking advice should contact the Town Clerk

## **Interviews**

Staff should never give their opinion on specific Council policy but must keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the Council's approved and agreed policies.

## **Media Activity Ahead of Meetings**

The media pick up many stories from agendas and reports ahead of meetings. All agendas are sent to the local media and published on the Chard Town Council website.

The media is welcome to attend meetings. During meetings Councillors and staff should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture, rather than relying on the journalist's interpretation of what can be a complex issue or report.

## **Publicity in Election Periods**

The rules governing publicity change when an election has been announced. In the period between the notice of an election and the election itself (Purdah) all proactive publicity about candidates or other politicians is halted. This applies to local, national or European elections. Conversely, Council business and the publicity associated with, can and should continue.

During this period, Council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Councillors or groups of Councillors. This is to make sure that no individual Councillors or political party gains an unfair advantage by appearing in corporate publicity.

In these circumstances, where a quote is required, the relevant member of staff may be quoted, in accordance with the guidelines in this protocol.

### **Non-Council Related Media Activity**

Councillors and staff who have contact with the media in a personal capacity or as members of non-Council related organisations must not refer to their Council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-Council related organisation.

### **Managing Negative Issues**

From time to time the Council has to respond to negative issues. It is important that these situations are managed carefully so as to limit the potential for negative publicity.

Councillors and staff must alert the Town Clerk as soon as a potentially negative issue which may attract media interest comes to light. They should not wait until contact is made by the media.

Councillors and staff will work together to prepare holding statements, other information and carry out research even if no media have contacted the Council about an issue.

### **Correcting Inaccurate Reporting**

Should the media publish something inaccurate about the Council, a quick decision needs to be taken by the Town Clerk on any action necessary to correct it.

This could be a letter, email, a post on social media or news release, or in exceptional circumstances to take legal advice. It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to complain. Each case must be judged individually.

Occasionally the Council will get something wrong. In these cases, damage limitation is the key – this can usually be achieved by accepting responsibility, apologising, and stating how we are going to learn from the error or put it right.

## **Monitoring and Evaluation**

The Council will continually monitor the media coverage and collate it.

## **Freedom of Information and Data Protection**

Councillors are reminded that they must not misuse Council resources for political or other inappropriate purposes. Should the Council receive a request for information under the Freedom of Information Act 2000 on a topic on which there is correspondence (email or written), normally that correspondence would have to be disclosed, unless it was exempt. The fact that the disclosure of the correspondence may prove embarrassing would not, in itself, prevent disclosure.

Chard Town Council has a responsibility under the Data Protection Act 2018 to hold, obtain, record, use and store all personal data relating to an identifiable individual in a secure and confidential manner. This policy supplements, and should be read in conjunction with the Council's Data Protection Policy

## **Internet Acceptable Use Policy**

Internet use covers all websites, social networking sites such as Facebook, Twitter etc., forums and blogs and both Councillors and staff are encouraged to use them.

If the above are used in an official capacity or on Council related business, the guidance in this protocol must be adhered to and they must be used in a responsible and appropriate manner.

Under the consideration of Acceptable Use, when acting in the capacity of Chard Town Council, websites and social media should not:

- contain content that may result in actions for libel, defamation or other claims for damages be used to process personal data other than for the purpose stated at the time of capture promote any political party or used for political campaigning
- promote personal financial interests or commercial ventures
- be used for personal campaigns
- be used in an abusive, hateful or disrespectful manner

If social media is used in an unofficial capacity, Councillors and staff should restrain from making remarks that could be construed as bringing the Council into disrepute.

The above points should provide useful guidance to prevent misinterpretation.

It is best practice on any personal profile for an online social media account to state clearly that the views are those of the individual, and may not represent the views of Chard Town Council. It is also advised that the Council's logo, or any other Council related material is not used on a personal online account, for example, website, blog or social media platform as a profile picture or icon representing that account.

The following dangers could occur with the personal or Council use of social media (please note this is not an exhaustive list):

- Sharing images or personal details could lead to the exploitation of vulnerable people or groups
- Breaching a code of conduct, for example the 7 Principles of Public Life through tactless posting and commenting
- Bullying, instigating or fuelling online persecution or inappropriate debate through thoughtless posting and commenting
- Civil or criminal action taken against account holders relating to breaches of legislation
- Damage to a councillor's reputation or a Council's reputation
- The accidental or intentional release of confidential information
- Virus or malware attacks through online sites or downloads compromising systems or networks relating to Council business

In light of these risks, we should all be mindful and practice safe social media use and ensure that:

- A consistent and considered approach is adopted and maintained in the use of social media by councillors and staff
- Be aware that copyright laws do apply online
- Make sure Council information remains confidential where necessary and is not compromised through the use of social media - including blogging and websites (by individual or group use)
- Councillors adhere to the policies set out by various social media sites they are using, and are up-to-date with relevant legislation
- Councillors and staff should be conscious that they are and will be held personally responsible for content they publish (including 'commenting') on any form of social media – whether during or out of office hours. It should also be noted that an untrue statement or breach of a particular code of conduct may incur a libel action against an individual
- Councillors and staff should remember that social media sites are in the public domain and information published can be readily distributed by others. Even if a post is deleted or taken down it has a life span that someone could have seen and distributed

Councillors and staff must be aware and mindful that when using social media in a personal capacity it is expected they behave appropriately and in line with the Council's values and policies in the constitution. Any inappropriate online activity may result in disciplinary action.

Any Councillor receiving unwelcomed comments, threats, or harassment online should report it to the police. Any staff member should report it to the police and their line manager. If you feel your account is being attacked by someone acting as a 'Troll' it is best practice to ignore this person or persons and report the issue to the social media site on which the problem is occurring. There are also a number of

options in relation to 'blocking' a person if the behaviour is particularly upsetting or abusive.

### **Young People and Publicity**

Guidelines should be followed if commissioning photographs of children (i.e. under 18 years of age) or if planning photography of children at events and using visual media for publicity purposes.