



Health & Safety Policy

Adopted: 23 May 2022

Revision: 22 May 2023

1. GENERAL STATEMENT

- 1.1. West Swindon Parish Council recognises and accepts its responsibilities as an employer for providing a safe and healthy working environment for all its employees, contractors, voluntary helpers and others who may be affected by the activities of the Council.
- 1.2. The Council will meet its responsibilities under the Health and Safety at Work Act 1974, and will provide, as far as is reasonably practicable, the resources necessary to fulfil this commitment.
- 1.3. The Council will seek, as and when appropriate, expert technical advice on Health and Safety to assist the Clerk in fulfilling the Council's responsibilities for ensuring safe working conditions.

2. AIMS OF THE HEALTH AND SAFETY POLICY

To provide as far as is reasonably practicable,

- 2.1 A safe place of work and a safe working environment.
- 2.2 Arrangements for considering, reporting and reviewing matters of Health and Safety at work, including regular risk assessments of working activities.
- 2.3 Systems of work that are safe and without risks to health.
- 2.4 Obtaining specialist technical advice and assistance on matters of Health and Safety when necessary.
- 2.5 Sufficient information, instruction and training for employees, contractors and voluntary helpers to carry out their work safely.
- 2.6 Care and attention to the health, safety and welfare of employees, contractors, voluntary helpers and members of the public who may be affected by the council's activities.

3. ARRANGEMENTS AND RESPONSIBILITIES FOR CARRYING OUT THE HEALTH AND SAFETY POLICY

As the Council's Safety Officer, the Operations Supervisor will:

- 3.1 Keep informed of relevant health and safety legislation.
- 3.2 Advise the Council on the resources and arrangements necessary to fulfil the Council's responsibilities under the Health and Safety Policy.
- 3.3 Make effective arrangements to implement the Health and Safety Policy including:
 - a. Plant, equipment and systems of work that are safe.
 - b. Safe arrangements for the use, handling, storage and transport of articles and substances.
 - c. Sufficient information, instruction, training and supervision to enable all employees to identify and avoid hazards and also to be able to contribute positively to their own safety and health at work, and that of others.
- 3.4 Ensure that matters of health and safety are regularly discussed at meetings of the Parish Council.
- 3.5 Ensure that regular risk assessments are carried out of working practices and facilities, with subsequent consideration and review of any necessary corrective/protective measures.
- 3.6 Maintain a file of risk assessments, summarised in the minutes.
- 3.7 Make effective arrangements to ensure those contractors or voluntary helpers working for the Council comply with all reasonable health and safety requirements. All contractors will be required to abide by the terms of the contractors' service level agreement and specified scope of work and will be given a copy of the Council's Health & Safety Policy.
- 3.8 Ensure that work activities by the Council do not unreasonably jeopardise the health and safety of members of the public.
- 3.9 Maintain a central record of notified accidents.

- 3.10 When an accident or hazardous incident occurs, take immediate action to prevent a recurrence or further accident and to complete the necessary accident reporting procedure.
- 3.11 Act as the contact and liaison point for the Health and Safety Executive.
- 3.12 It shall be the duty of every parish council employee while at work:-
 - a. To take reasonable care for the health and safety of him/herself and of other persons who may be affected by his acts or omissions at work.
 - b. To ensure Council equipment in their charge is properly maintained and correctly used.
 - c. To report promptly to the Clerk all accidents, damage and dangerous occurrences in which they are involved and any illness, physical disability or other impairment of their health which may effect, either permanently or temporarily, their ability to perform their normal work

All employees, contractors and voluntary helpers will:

- 3.13 Cooperate fully with the aims and requirements of the Council's Service Agreement for Contractors and Health and Safety Policy.
- 3.14 Comply with Codes of Practice or work instructions for health and safety.
- 3.15 Take reasonable care for their own health and safety, to use appropriate personal protective clothing and, where appropriate, ensure that appropriate first aid materials are available.
- 3.16 Take reasonable care for the health and safety of other people who may be affected by their activities.
- 3.17 Not intentionally interfere with or remove safety guards, safety devices or other equipment provided for health and safety.
- 3.18 Not misuse any plant, equipment tools or materials.
- 3.19 Report any accidents or hazardous incidents to the Clerk.
- 3.20 Contractors are expected to have their own Health & Safety policy and to carry out a risk assessment prior to the commencement of work



Training and Development Policy

Review date: 22-05-2023

Training and Development Policy

1. Introduction

West Swindon Parish Council is committed to ensuring its councillors and staff are trained to the highest standard and kept up to date with all new legislation. To support this, funds are allocated to a training budget each year to enable staff and councillors to attend training and conferences relevant to their office.

For 2023/24 £6,000 of funds have been made available for training and development.

In this document training and development are defined as follows:

- **Training** is a form of development to specifically address the acquisition and development of new knowledge and skills, or fills gaps in existing knowledge and skills
- **Development** involves a wide range of learning activities (including training) all of which are aimed at improving and sustaining individual and collective performance in terms of knowledge, skills and behaviours.

2. Policy Statement

The West Swindon Parish Council is committed to ensuring that it continues to fulfil its duties and responsibilities to residents. To that end the Council's intention is that councillors, the Clerk and volunteers are suitably equipped with knowledge and skills to carry out their roles and maintain effective working practices. The Council will procure or provide such training and development opportunities as it deems necessary and relevant.

3. Training and Development Activity

The Parish Council comprises fifteen councillors and employs an seventeen members of staff in a number of full and part-time roles. On occasion volunteers provide invaluable support to the Council. Training and development for each of these groups will be regularly reviewed.

4. Training and Development for Councillors

- a) Attendance induction sessions for new councillors;

- b) Provide a Parish Information Pack including copies of the Standing orders, Financial Regulations, Code of Conduct, policies of the Council and other helpful information;
- c) Participate in relevant courses including those held by the Wiltshire Association of Local Councils (WALC);
- d) Parish clerk will circulate briefings, notices and updates

5. Training and Development for the Parish Employees

- a) Induction session explaining the roles of the employees e.g. Clerk and the role of Councillors
- b) Staff Handbook to include copies of the Standing orders, Financial Regulations, Code of Conduct, policies of the Council and other helpful information;
- c) Clerk to gain the Certificate in Local Council Administration (CiLCA) within 12 months of appointment (if not already achieved);
- e) Any other training relevant to the proficient discharge of their duties such as IT, Health and Safety, legal powers, finance and understanding the planning system, identified through regular training needs assessments;
- f) Agreement to attend relevant local meetings of bodies such as the National Association of Local Councils (NALC) and briefings by WALC;
- g) Subscription to relevant publications and advice services £200 in the budget;
- h) Participation in the local Clerks forum and regular liaison with other Clerks in neighbouring parishes, and;
- i) Taking responsibility for personal and professional development based on feedback through staff appraisal.

6. Training and Development for Volunteers

- a) Briefings on relevant health and safety matters and the scope of their work prior to starting will be mandatory;
- b) Staff to assess any additional training or information or supervision needs necessary to safely and appropriately complete the task in hand;
- c) Briefing on the safe use of any equipment provided by the Council, and;
- d) Training for volunteers will not be beyond that which is deemed necessary for their role.

7. Identification of Training Needs

- a) Training requirements for councillors and staff will usually be identified by themselves, the Chair and Clerk. Opportunities to attend courses will be investigated by the Clerk and brought to the attention of Council;
- b) The Council will formally review this policy and the training needs at the Annual Meeting of the Parish Council;
- c) The Clerk is expected to keep up-to-date with developments in the sector and highlight to the Council any training required with cross reference to the Councils policies, powers and risk assessments.

8. Training Resources

- a) Annually, an allocation will be made in the budget each year as required to enable reasonable training and development. The amount will be reviewed at the meeting where the Council sets a budget, usually January as part of the precept preparation.;
- b) The Council will make an allocation in the budget for the payment of relevant subscriptions to support information updates, and training courses and conferences, and;
- c) The purchase of relevant resources such as publications will be considered on an ongoing basis.

9. Review

- a) Training will be reviewed in the light of changes to legislation or any quality systems relevant to the Council; new qualifications; new equipment; new service delivery, complaints received or incidents which highlight training needs and requests from Councillors, the employees or volunteers of the Council, and;
- b) The Clerk will maintain a record of training that the Parish Team, councillors and volunteers attend.

10. Linking with Other Council Policies

It is also acknowledged that undertaking training and development is a clear indication of continuing professional development particularly in respect of significant changes to public services and changes in legislation.

This training and development policy links to the following policies and documents of Council:

- a) Code of Conduct;
- b) Action Plan;
- c) Standing Orders;
- d) Written Contract of Employment;
- e) Health and Safety Policy;
- f) Risk Assessments
- g) Equalities Policy;

Grievance Policy and Procedure

Policy Statement

For the purposes of this policy, the Parish Manager will report to the Staffing Working Party in the first instance, any other members of staff will report to the Parish Manager in the first instance.

The Council recognises that employees may experience problems, have complaints or concerns on a variety of issues, such as

- terms & conditions of employment
- health & safety
- work relations
- working environment & conditions
- workload
- harassment or bullying.

This policy and supporting procedure provides a mechanism for such complaints to be dealt with fairly, speedily and consistently.

Complaints of harassment or bullying by a member of the public or service user during the course of an employee's work should be raised with their line manager, who will advise on the appropriate course of action.

For clarity, this policy does not apply in the following circumstances. Please refer to the appropriate policy or process to deal with those particular issues.

Salary & Grading issues	Through re-evaluation and job evaluation appeal process.
Redundancy, Capability, Disciplinary and Whistle blowing issues	Through the relevant policy & procedure for the issue.
Concerns expressed by a group of employees via the Trade Unions	This is a collective grievance and is dealt with by management directly with the Trade Unions.

Principles

The following core principles underpin how the Council will act when dealing with grievances:

The Council will:

- Investigate the facts fairly and consistently and handle grievances with due respect, sensitivity and confidentiality for the rights of all parties involved.
- Conduct each step and action of this procedure without unreasonable delay.
- Allow employees to be accompanied at grievance meetings.
- Allow employees to explain their case at grievance meetings.
- Give employees the opportunity to exercise their right of appeal.
- Not discriminate on the grounds of sex, disability, age, race, marital status, religion, colour, nationality, ethnic or national origin, or because of their sexuality or sexual orientation, trade union membership or activity or any other characteristics contained within the Equality Act 2010.

West Swindon Parish Council

GRIEVANCE PROCEDURE

Grievance Procedure

1. Receiving a complaint

- 1.1 West Swindon Parish Council is committed to resolving employee complaints, problems, and concerns promptly through effective communication. Complaints raised by an employee should in the first instance be resolved through informal discussions between the employee and the Parish Manager or a representative from The Staffing Working Party.
- 1.2 If the Line Manager is the subject of the employee's complaint then the employee should raise the complaint with the Staffing Working Party.
- 1.3 Complaints can be raised by making a complaint in writing to their Line Manager. The employee should ensure that the grievance clearly details the basis for their complaint. The complaint must also contain details of what outcome the employee is looking for.
- 1.4 The employee should discuss their complaint in a constructive way, making practical and reasonable suggestions about how to put things right. This approach prevents undue delay, minimises anxiety to the employee and fosters good working relations. In some circumstances a meeting may be suggested to try and resolve the matter without a full investigation. However, if after the initial meeting the issue has not been resolved, the Parish Manager or the Staffing Working Party will investigate the matter formally and inform the employee of their findings and recommendations.
- 1.5 The aim of discussing the issues is to settle grievances as quickly and as close to the issue as possible.
- 1.6 Employees are advised to raise complaints as soon as possible after the event that triggered the grievance so that the memory of the event is fresh and the matter can be dealt with fairly and quickly.

2 Grievance Investigation

- 2.1 If after the initial meeting the issue has not been resolved, the Parish Manager or the Staffing Working Party representative will investigate and gather sufficient information and try to seek a workable solution.
- 2.2 The investigation may include interviewing witnesses and gathering other information.
- 2.3 Sufficient notes will need to be taken during the investigation to support their findings and come to a conclusion.
- 2.4 In most cases a report will be produced containing findings and recommendations, which will be sent to the employee in advance of the grievance meeting.
- 2.5 If the investigation becomes a disciplinary issue then the case will follow the disciplinary procedure.

3 Grievance Meeting

- 3.1 Following the investigation, a grievance meeting will be arranged where the Parish Manager or the Staffing Working Party will hear the grievance and make a decision on the outcome. The employee has the right to be accompanied at the grievance meeting.
- 3.2 The grievance meeting should take place as soon as the investigation has been completed and collate the information and findings in a report. A copy of the report and any supplementary evidence that has been gathered should be made available to whoever is holding the grievance meeting.
- 3.3 A copy of the grievance report will be sent to the employee at least five working days prior to the grievance meeting.
- 3.4 The aim of the grievance meeting is for the Parish Manager or the Staffing Working Party and employee and/or companion to openly discuss the matter with a view to achieving a satisfactory resolution and to make a decision on the outcome.

The grievance meeting must allow for:

- The employee's right to be accompanied.
- The employee to explain their grievance and propose solutions that the employee believes would satisfactorily address their grievance.
- The Parish Manager or the Staffing Working Party representative to be given the opportunity to explain the findings of the investigation into the grievance.

- The Parish Manager or the Staffing Working Party to make a decision and explain the employee's right of appeal.
 - The Parish Manager or the Staffing Working Party representative to inform the employee of who the appeal officer will be, which can be either the Staffing Working Party or the Chair of the Parish Council.
- 3.5 At the grievance meeting the Parish Manager or the Staffing Working Party will decide on one of the following:
- The grievance is not upheld.
 - The grievance is upheld in part and an appropriate resolution is provided.
 - The grievance is upheld in full and an appropriate resolution is provided.
- 3.6 The Parish Manager or the Staffing Working Party must confirm their decision in writing, within five working days of when the decision has been made. This should contain a brief outline of the findings of the investigation, the reason for the decision taken, the employee's right of appeal and right to be accompanied at an appeal hearing.

4 Appeal Hearing

- 4.1 If the employee wishes to appeal against the decision taken at the grievance meeting, they must put in writing that they wish to appeal to the Staffing Working Party or the Chair of the Parish Council and give details of their grounds for appeal within ten working days from the receipt of the letter confirming the decision of the grievance meeting.
- 4.2 The appeal will be heard by either the Staffing Working Party (excluding the representative involved in the investigation) or the Chair of the Parish Council.
- 4.3 The employee has a right of appeal on the grounds that:
- The decision taken at the grievance meeting was unfair.
 - There were serious procedural irregularities resulting in an unfair grievance meeting.
 - New evidence has come to light.
- 4.4 The Appeal Hearing must ensure that:
- Documents are exchanged:
 - The employee provides the Staffing Working Party or the Chair of the Parish Council with their case submission at least 10 working days before the date of the appeal hearing setting out the grounds and detail of the appeal.

- The Management side provides the Staffing Working Party or the Chair of the Parish Council with their response to the employee's appeal submission at least 5 working days before the appeal.
 - The Staffing Working Party or the Chair of the Parish Council will send out the submissions to relevant parties at least 3 working days before the appeal hearing.
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- The employee has the right to be accompanied.
 - The employee explains the grounds for their appeal.
 - The Staffing Working Party or the Chair of the Parish Council explains the reasons for the decision taken at the grievance meeting and may be accompanied by who investigated the complaint.
 - The Staffing Working Party or the Chair of the Parish Council will make a decision and will inform the employee of that decision within five working days from when the decision is made.
 - The Appeal Hearing concludes the employee's right of appeal.

An Employee's Right to be Accompanied

- 5.1 Employees have a right to be accompanied at a grievance meeting. This right also extends to any meetings held after an employee has left council employment.
- 5.2 West Swindon Parish Council may also afford employees the right to be accompanied during the informal stage provided it does not delay the process unduly.
- 5.3 West Swindon Parish Council will recognise a companion as:
- A fellow employee
 - An official employed by a trade union, or a lay trade union official
 - Determined on a case-by-case basis, and by agreement by all parties concerned, a companion who is neither a fellow employee, nor trade union official. (E.g. equalities related issues).
- 5.4 Before the grievance meeting takes place the employee should tell the Parish Manager, Staffing Working Party or the Chair of the Parish Council whom they have chosen as a companion. This is to ensure that employee doesn't choose a companion whose presence would prejudice the meeting or who might have a conflict of interest.

Roles & Responsibilities

- 6.1 Employees will:**
- Use this procedure to try to resolve their complaints/grievances and are encouraged to try to resolve such complaints informally with their line manager in the first instance.
 - Give details of a suggested solution to resolve the issue.
 - Notify the Parish Manager, Staffing Working Party or the Chair of the Parish Council of whom their companion is and endeavour to be available for meetings to reduce time delays.
- 6.2 The Parish Manager, Staffing Working Party or the Chair of the Parish Council will:**
- Investigate all grievances raised by their employees, initially through the informal route and if not resolved, through the formal route.
 - Organise witness interviews relating to the investigation into the grievance.
 - Take sufficient notes of investigatory interviews relating to the grievance during the grievance process.
 - Write standard letters to the aggrieved employee (see model letters on intranet).
 - Present findings of the investigation at the grievance meeting.
 - Attend the appeal hearing if necessary.

6.3 The Companion:

A companion can be a fellow colleague or a friend. If the employee's companion is unable to attend an investigatory interview or grievance meeting then the employee may suggest another date so long as it is reasonable and is not more than five working days after the date originally proposed.

A companion can at interview, grievance meeting and appeal hearing:

- Address the hearing to put the employee's case forward on their behalf.
- Sum up the employee's case.
- Respond on the employee's behalf to any view expressed at the hearing.
- Request an adjournment to confer with the employee during the hearing.
- Not respond to questions on behalf of the employee.

The Parish Manager, Staffing Working Party or the Chair of the Parish Council will ensure that no persons will be involved in the grievance procedure who may prejudice the process or who may have a conflict of interest. This includes an employee's companion.

Dealing with Special Situations

7.1 Employee Well-being

There may be a certain amount of anxiety for the parties involved when dealing with a grievance case. Managers and employees are advised to be mindful of their own and of colleagues' well-being during the grievance process.

7.2 Sickness Absence During the Grievance Process

If any employee involved in the grievance falls sick during the grievance process, they should follow the normal sickness reporting procedures. The employee will then be deemed to be on sick leave pending their return to work. If, during the course of the investigation the employee goes off sick, the investigation is not put on hold. But in principle, the Council expects them to attend investigatory interviews and meetings.

7.3 Grievances from Ex-employees

Grievances from an ex-employee will be dealt with in the following way:

Once a grievance has been received from an ex-employee, the Parish Manager, Staffing Working Party representative or the Chair of the Parish Council should hold a meeting with the ex-employee to ascertain the details and the desired outcome.

The decision on the grievance is then communicated to the ex-employee in writing and a right of appeal is offered. Any appeal received will be a paper based appeal, again without an appeal hearing being convened. It will be the next level of management or another appropriate officer who will make the

decision on the appeal, which will be communicated in writing to the ex-employee.



Formal Complaints Procedure

Adopted: 23 May 2022

Revised:

For the benefit of good local administration, it is recommended that Councils adopt a standard and formal procedure for considering complaints either made by complainants direct or which have been referred back to the Council from other bodies. Such a procedure is needed to ensure that complainants can feel satisfied that their complaint or grievance has been properly and fully considered.

1. Introduction

- 1.1 All formal complaints against the parish council, a parish councillor or officer must be communicated in writing. This can be letter or email or via a complaints form. The complainant must state at the outset if he/she wants the complaint to be treated confidentially. The Parish Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.

2. Complaints Procedure

- 2.1 Any complaint should be submitted in writing, to the Parish Manager at West Swindon Parish Council, Unit 25 Westmead Ind Estate, Bridgemead Close, Swindon, SN5 7YT or by email to: clerk@westswindon-pc.gov.uk
- 2.2 If a complaint concerns the Clerk or Parish Manager, the letter should be sent to the Chair of the Parish Council - [xxxxx](#)
- 2.3 Upon receipt of a written complaint, the Parish Manager (or Chair in the case of 2.2 above) will acknowledge receipt of the complaint within seven calendar days and will confirm to the complainant whether the matter will be treated as confidential, and confirm the next steps in the complaints procedure.
- 2.4 On receipt of a written complaint the Clerk or Chair, will investigate the facts and collate relevant evidence. A complaint against the Clerk or any of the Councillors will be notified to that person giving them an opportunity to comment. All written complaints will be reported to the next meeting of the Parish Council.
- 2.5 Where the Clerk or Chair receives a written complaint about their own actions, they will refer the complaint to the Parish Council.
- 2.6 Wherever possible complaints will be dealt with by communication in writing that is agreed between the Clerk/Parish Manager and the Chair.
- 2.7 If helpful, the complainant will be invited to a meeting with the Clerk/Parish Manager or the Chair to discuss their complaint in an attempt to settle the matter. The procedure for that meeting will be explained.

- 2.8 At the meeting the Clerk/Parish Manager will explain the council's position and questions may be asked by the complainant. Both parties will be given an opportunity to explain their respective positions.
- 2.9 The complainant will be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

3. Complaints Panel

- 3.1 Depending on the complexity or sensitivity of a complaint being lodged with the Council, it may wish to establish a Panel to deal with such a complaint. This avoids the need for full Council having to assemble and also makes the process less daunting for a complainant if he or she chooses to attend a meeting in person. If a panel is formed, it should report its conclusions to the next Council meeting. Any Councillor can be called upon to act on such a Complaints Panel which will comprise the Chair or Vice Chair of the Council. No Councillor so nominated should be connected in any way with the matter which has led to the complaint.

Before the Complaints Panel meeting:

- 3.2 The Clerk/Parish Manager shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the panel established for the purposes of hearing complaints.
- 3.3 The complainant shall be invited to attend the relevant meeting and to bring with him or her such representative as he or she wishes.
- 3.4 Seven clear calendar days prior to the meeting, the complainant shall provide the Panel with copies of any documentation or other evidence, which he or she wishes to refer to at the meeting. The Panel shall similarly provide the complainant with copies of any documentation upon which it wishes to rely on at the meeting.

At the Complaints Panel Meeting

- 3.5 The Complaints Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
- 3.6 The Chair will introduce everyone and explain the procedure to be followed.
- 3.7 The Complainant (or representative) will outline his or her grounds for complaint.
- 3.8 Councillors will ask any question of the complainant.
- 3.9 If relevant, the Clerk/Parish Manager will explain the Council's position.
- 3.10 Councillors will ask any question of the Clerk/Parish Manager.
- 3.11 The Clerk/Parish Manager, if appropriate, and the complainant, will be offered the opportunity of last word (in this order).

- 3.12. The Clerk/Parish Manager, if appropriate, and the complainant will be asked to leave the room while Members decide whether or not grounds for the complaint have been made. (If a point of clarification is necessary, both parties will be invited back).
- 3.13 The Clerk/Parish Manager and the complainant will return to hear the decision or formal recommendation to be made to the Council and to be advised when a decision will be made by the Council.

After the Complaints Panel Meeting

- 3.14 Once a decision has been taken by the Council, this should be confirmed in writing within seven calendar days together with details of any action to be taken.
- 3.15 The Council shall defer dealing with any written complaint only if it is of the opinion that issues arise on which advice is necessary from sources of legal advice. The complaint will be dealt with at the next meeting after the advice has been received.

4. Swindon Borough Council Standards Committee

- 4.1 In the event of a complaint about the behaviour of a Councillor, which involves an alleged breach of the Code of Conduct, complainants should be reminded that they may complain to the Standards committee of Swindon Borough Council.
- 4.2 The Standards Committee (England) Regulations 2008 direct that parish and town councils must be notified if a complaint about one of their members is being assessed by the District Council, and must be informed of subsequent significant steps taken in dealing with the complaint.
- 4.3 Swindon Borough Council's Director of Law and Legal Services will be informed that the Parish Council's Proper Officer is the person to whom all information concerning a complaint made against one of its members should be directed, unless the Proper Officer is the person making the complaint.
- 4.3 The Parish Council will appoint two Councillors to be consulted on receipt of information about a complaint.
- 4.4 On receipt of information, the Proper Officer will consult the two members who are not involved in the complaint. The Proper Officer and the two members will consider what action, if any, needs to be taken, bearing in mind the need to keep the fact of the complaint, and its nature, confidential, until the district council standards committee has published its findings.

Such action may include

- Making arrangements for securing and providing evidence

- Where the complainant is an employee of the Council, making appropriate arrangements between the employee and the subject member
- Notifying members of the Council by confidential memorandum
- Reporting to the Council or a committee if the nature of the information received necessitates a Council or committee decision. **If such a report is required:**

4.5 The Agenda for the meeting should not identify the subject and nature of the complaint. The item should be considered in confidential session. The minutes of the meeting should be written in such a way as to preserve confidentiality.



Recording and Reporting on Council Meetings Policy

Adopted 23 May 2022 Review 22 May 2023

Introduction

This policy applies to Full Council Meetings and meetings of any Committee of the Parish Council.

West Swindon Parish Council supports the principles of openness and transparency and encourages public interest and engagement in decision making.

This sets out the criteria for the recording or reporting of Council Meetings.

Audio and Visual Recording – Your Obligations

Any member of the public or of the media wishing to photograph and/or audio or visually record a meeting must agree to the following:

- a) Any photography or audio/visual recording must take place from a fixed position in the meeting room approved by the Chair so as to minimise disruption to the proceedings;
- b) The use of flash photography or additional lighting will only be permitted for a limited period during the meeting at a point in the proceedings agreed in advance with the Chair, so as to minimise disruption to the proceedings;
- c) If the Chair feels that any photography, audio or visual recording is disrupting the meeting in any way then the operator of the equipment will be required to stop;
- d) If during the meeting a motion is passed to exclude the press and public, because confidential or exempt information is likely to be disclosed, then all rights to record the meeting are removed and the operator of the equipment will be required to stop recording and /or photography;
- e) If the Chair adjourns the meeting, then the operator of the equipment should stop any recording or photography at the point at which the meeting is adjourned;
- f) Those making audio or visual recordings must comply with any request made by the Chair regarding respecting the public's right to privacy;
- g) People seated in the public seating area should not be photographed, filmed or recorded without the consent of the individuals concerned. This also applies to those individuals who may ask a public question, present a petition or make a representation at a Council meeting open to the public and who are seated in a "public seating area";

- h) Use must not be made of an image or recording if consent is refused by an individual;
- i) Photographs, audio, and visual recordings should not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being recorded in a way that may ridicule or show lack of respect.

It should be noted that failure to comply with this Protocol may lead to the refusal of any future requests to photograph or audio or visually record any future Council meetings in view of the risk of future disruption to proceedings.

If a request has been received to take photographs or to audio or visually record a particular meeting, notices to this effect may be displayed in the relevant meeting room. To assist the public, the Chair will make an announcement that the meeting will be photographed and/or recorded or filmed. The Council may, on occasion, audio record meetings for minuting purposes only. The Chair will make an announcement to this effect and these recordings will not be made available to anyone outside the Council.

Audio and Visual Recording – Your Rights

If as a member of the public you do not wish to be photographed, filmed or recorded please inform the Clerk or Chair before the start of the meeting.

Procedure Prior to the Meeting for Recording or Photographing a Meeting

Requests to take photographs or undertake audio or visual recordings of meetings open to the public, either by members of the public or by the media should wherever possible be made to the Clerk at least two working days before the meeting.

The request should include the following information as this will assist the Council in making preparations for the meeting to avoid any disruption to the proceedings:

- a) to which meeting this request refers;
- b) the name, organisation (if applicable) and contact details of the person making the request;
- c) what equipment it is intended will be used (e.g. camera/audio recorder/video camera);
- d) what the photographs, or audio/visual recording will be used for and/or where the information is to be published.

Procedure at the Meeting

Equipment must be set up before the meeting starts. The use of flash photography of additional lighting will only be permitted for a limited period during the meeting at a point in the proceedings agreed in advance with the Chair. This will be communicated to all relevant parties. This is to minimise disruption to the proceedings. If the Chair feels the photography/audio/visual recording is disrupting the proceedings the operator of the equipment will be required to stop. If use continues the Chair will ask the person to leave the meeting. If the person refuses to leave then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.

Anyone asked to leave a meeting because they have refused to comply with the Chair's requests may be refused permission to photograph, record or film at future Parish Council meetings that are open to the public so as to minimise the risk of future disruption to the proceedings.

Social Media

There are no restrictions placed on anyone at the meeting using Twitter, blogs, Facebook or similar "social media" provided that the Chair does not consider their actions are disrupting the proceedings of the meeting. Any person can provide a written commentary during a meeting, as well as an oral commentary outside or after the meeting. If the Chair feels the use of social media is at the time disrupting the proceedings the Councillor, member of the public or media representative may be required to stop. If use continues, the Chair will ask the person to leave the meeting. If the person refuses to leave then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption. Councillors and members of the public are reminded that the law of the land applies to social media use – including the law of defamation and the law on public order offences.

The Council allows the filming or recording of meetings only in accordance with its legal obligations and takes no responsibility for, nor accepts any liability for filming or recording material made by persons or its subsequent use or publication.



Data Protection Policy 2023

Table of Contents

- 1 The purpose of this policy**
 - 1.1 The policy**
- 2 Employees**
 - 2.1 Your rights as an employee**
 - 2.2 How to access your data – a Subject Access Request**
 - 2.3 Your Privacy Notice**
- 3 Customers and Contacts**
 - 3.1 Your rights as a customer or contact**
 - 3.2 How to access your data – a Subject Access Request**
 - 3.3 Your Privacy Notice**
- 4 Suppliers, Consultants and Sub-contractors**
 - 4.1 Your rights as a supplier, consultant or sub-contractor**
 - 4.2 How to access your data – a Subject Access Request**
 - 4.3 Your Privacy Notice**
 - 4.4 Processing of information by contractors or suppliers**
- 5 Rectification, Erasure and Restriction**
 - 5.1 Rectification**
 - 5.2 Erasure**
 - 5.3 Restriction**
- 6 Objections, Complaints and Appeals**
 - 6.1 Objections**
 - 6.2 Complaints and appeals**
 - 6.3 Manifestly unfounded or excessive requests**
- 7 Data Breaches**
 - 7.1 Detecting and investigating data breaches**
 - 7.2 Notification of data breaches**
- 8 Training and Awareness**
 - 8.1 Training and awareness**
- 9 Appendix (extracts from the Regulations)**
 - 9.1 The six categories of lawful processing**
 - 9.2 Consent guidelines**
 - 9.3 Approved By (Signature):**

1 The purpose of this policy

The purpose of this policy is to detail the West Swindon Parish Council's commitment to data protection throughout the organisation. This policy is appropriate to the West Swindon Parish Council's activities and is available to all staff and stakeholders.

It sets objectives and is subject to periodic review and improvement.

1.1 The policy

The West Swindon Parish Council will comply with all applicable data protection legislation and good practice.

- 1.1.1 The West Swindon Parish Council will only process personal information where strictly necessary for operational, legal or regulatory purposes.
- 1.1.2 Only the minimum amount of personal information required for these purposes will be processed. This personal information will be relevant and adequate. The West Swindon Parish Council will keep the information accurate and up to date.
- 1.1.3 The West Swindon Parish Council will provide clear documented details to persons on how their personal information can be used and by whom.
- 1.1.4 Special documented safeguards must be in place if information is gathered directly from children however there are no circumstances where this is proposed at the current time.
- 1.1.5 The West Swindon Parish Council will collect and process information fairly and lawfully.
- 1.1.6 A documented inventory will be maintained of the categories of personal information processed by the West Swindon Parish Council. The purpose of each category will also be documented including explicitly high-risk categories of personal information.
- 1.1.7 Personal information will be accurate and where necessary up to date.
- 1.1.8 The West Swindon Parish Council operates a data retention policy.
- 1.1.9 The West Swindon Parish Council respects persons rights in relation to their personal information and will maintain easily accessible records of privacy information provided to individuals and consents received before the collection of the data.
- 1.1.10 All personal information will be kept secure and will not be transferred outside of the UK. Any data sharing will be covered by a written agreement or contract between both parties documenting the responsibilities of both parties.

Individuals have the right to data portability and data will be transferred to them or their nominees free of charge.

- 1.1.11 Employees with specific roles, responsibility and accountability for data protection will be identified.
- 1.1.12 Interested parties are identified in the interested party document.
- 1.1.13 The West Swindon Parish Council has a procedure for addressing data protection breaches see 7.0.

2 Employees

2.1 Your rights as an employee

- 2.1.1 All employees will be made aware of the nature of information stored about them, its source, how it will be used and who it will be disclosed to.
- 2.1.2 Employee consent may be required to collect some sensitive data.

2.2 How to access your data – a Subject Access Request

- 2.2.1 Employees have a right to gain access to information about them held by the West Swindon Parish Council, by means of an access request.
- 2.2.2 The West Swindon Parish Council will process the requests and respond promptly in any case within 1 month, this may be extended in the case of complex requests.

2.3 Your Privacy Notice

- 2.3.1 The West Swindon Parish Council will only collect and process the personal information about employees that it requires to run its business within the law. All information will be handled properly and stored and processed securely. The privacy notice will contain the lawful basis and the intended purposes of processing the data.

3 Customers and Contacts

3.1 Your rights as a customer or contact

- 3.1.1 All customers and contacts will be made aware of the nature of information stored about them, its source, how it will be used and who it will be disclosed to.

- 3.1.2 Consent may be required to collect some sensitive data although the majority of data held by the Parish Council relates to places rather than people.
- 3.1.3 Consent requests will be prominent, concise, easy to understand and separate from any other information such as general terms and conditions. Consent may be withdrawn at any time.

3.2 How to access your data – a Subject Access Request

- 3.2.1 Customers and contacts have a right to gain access to information about them held by the West Swindon Parish Council, by means of an access request.
- 3.2.2 The West Swindon Parish Council will process the requests and respond promptly in any case within 1 month, this may be extended in the case of complex requests.

3.3 Your Privacy Notice

- 3.3.1 The West Swindon Parish Council will only collect and process the personal information about customers and contacts that it requires to run its business within the law. All information will be handled properly and stored and processed securely. The privacy notice will contain the lawful basis and the intended purposes of processing the data.

4 Suppliers, Consultants and Sub-contractors

4.1 Your rights as a supplier, consultant or sub-contractor

- 4.1.1 All suppliers, consultants and sub-contractors will be made aware of the nature of information stored about them, its source, how it will be used and who it will be disclosed to.
- 4.1.2 Consent may be required to collect some sensitive data
- 4.1.3 Consent requests will be prominent, concise, easy to understand and separate from any other information such as general terms and conditions. Consent may be withdrawn at any time

4.2 How to access your data – a Subject Access Request

- 4.2.1 Suppliers, consultants and sub-contractors have a right to gain access to information about them held by the West Swindon Parish Council, by means of an access request.
- 4.2.2 The West Swindon Parish Council will process the requests and respond promptly in any case within 1 month, this may be extended in the case of

complex requests.

4.3 Your Privacy Notice

4.3.1 The West Swindon Parish Council will only collect and process the personal information about suppliers, consultants and sub-contractors that it requires to run its business within the law. All information will be handled properly and stored and processed securely.

4.4 Processing of information by contractors or suppliers.

4.4.1 The West Swindon Parish Council will ensure where personal data is processed on its behalf by a contractor, the contractor will be pre-audited to ensure they can provide the required level of security. Once selected a contract will be put in place governing the relationship.

5 Rectification, Erasure and Restriction

5.1 Rectification

5.1.1 Once made aware of an error the West Swindon Parish Council will without undue delay rectify any incorrect or incomplete information about a natural person.

5.2 Erasure

5.2.1 The West Swindon Parish Council will ensure that right to erasure requests from natural persons are promptly and appropriately handled without undue delay.

5.2.2 The West Swindon Parish Council will erase the data if it falls within the categories defined within the act.

5.2.3 Where the information has been made public the West Swindon Parish Council will take measures to inform other companies who may be processing the information that an erasure request has been made.

5.3 Restriction

5.3.1 The West Swindon Parish Council will ensure individuals have the right to restrict information processing when applicable.

5.3.2 The requester will be informed if a restriction is to be lifted.

6 Objections, Complaints and Appeals

6.1 Objections

6.1.1 The West Swindon Parish Council will consider and respond to requests from individuals who object to information processing.

6.1.2 If the request is an objection to processing for direct marketing purposes the West Swindon Parish Council will ensure processing ceases.

6.2 Complaints and appeals

6.2.1 The West Swindon Parish Council will ensure complaints about the processing of personal information are handled correctly, this will include appeals to the objections procedure.

6.3 Unfounded or excessive requests

6.3.1 Unfounded or excessive requests can be charged for or refused. When making a subject access request you should consider carefully what information you require and why to ensure that your request can be dealt with quickly and effectively. Submit your request to the Parish Council setting out the grounds for your request. Your request will be acknowledged and you will be advised when you can expect to receive the information you requested and any other information relevant to processing your request.

7 Data Breaches

7.1 Detecting and investigating data breaches

7.1.1 The West Swindon Parish Council will monitor for data breaches and in the event of detecting a breach investigate the cause of the breach and its potential impact on individuals.

7.2 Notification of data breaches

7.2.1 In the event that a breach is likely to result in a risk to the rights and freedoms of individuals, the ICO will be notified within 72 hours.

7.2.2 In the event that a breach is likely to result in a high risk to the rights and freedoms of individuals, they will be notified individually without undue delay.

8 Training and Awareness

8.1 Training and awareness

8.1.1 The West Swindon Parish Council will ensure that all employees and contractors are aware of their responsibilities when processing personal information.

8.1.2 The West Swindon Parish Council will ensure the training and awareness maintains and improves information protection requirements and practice.

9 Appendix (extracts from the Regulations)

9.1 The six categories of lawful processing

Processing shall be lawful only if and to the extent that at least one of the following applies:

- (a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- (e) 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;
- (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks

9.2 Consent guidelines

The GDPR sets a high standard for consent.

- Doing consent well should put individuals in control, build customer trust and engagement, and enhance your reputation.

- Check your consent practices and your existing consents. Refresh consents if they don't meet the GDPR standard.
- Consent means offering individuals genuine choice and control.
- Consent requires a positive opt-in. Don't use pre-ticked boxes or any other method of consent by default.
- Explicit consent requires a very clear and specific statement of consent.
- Keep your consent requests separate from other terms and conditions.
- Be specific and granular. Vague or blanket consent is not enough.
- Be clear and concise.
- Name any third parties who will rely on the consent.
- Make it easy for people to withdraw consent and tell them how.
- Keep evidence of consent – who, when, how, and what you told people.
- Keep consent under review and refresh it if anything changes.
- Avoid making consent a precondition of a service.
- Public authorities and employers will find using consent difficult.
- Remember – you don't always need consent. If consent is too difficult, look at whether another lawful basis is more appropriate.

9.3 Approved By (Signature):



Freedom of Information Scheme 2023

West Swindon Parish Council

Freedom of Information Scheme 2023 (Draft)

West Swindon Parish Council serves the residents of West Swindon.

Anyone can ask the Parish Council for information at any time and normally this can be done quickly and simply by telephone or e-mail. More formal requests for the provision of information under the Freedom of Information Act 2000 should be made in writing by letter or e-mail. The request should be made to the Parish Clerk and must include details of the applicant's address and the information sought. The applicant has the right:

1. To be told whether the information requested is held by the Parish Council.
2. To receive the information as a copy or summary, unless the information is of a confidential or sensitive nature or its disclosure is otherwise deemed to be not in the public interest or prohibited by law.

The Parish Council will respond within 20 working days of a request, subject to any requisite fee being paid before the disclosure of the information.

Charges

The availability of information regarding West Swindon Parish Council is set out in the table *Publication Scheme* below. Where information is listed as being available on the website, it is publicly available and may be downloaded free of charge. If you cannot see it on the website, please contact the Parish Office who will aim to either direct you or email you a copy.

Hard copies to view will be available at the West Swindon Parish Council office. If you require your own copy it may be subject to a small charge to cover the costs of production and printing as set out in the table at the end of this document.

Under the Freedom of Information Act 2000:

West Swindon Parish Council commits to

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.

- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

Who we are and what we do

West Swindon Parish Council covers the parish of West Swindon. Details of the services provided by the Council and the area it serves are available on the Council's website www.westswindon-pc.gov.uk.

What we spend and how we spend it

The public have a legal right to inspect, ask questions and challenge items in the Council's accounts. For information about how to do this please contact the West Swindon Parish Council or review the Guide produced by the National Audit Office: <https://www.nao.org.uk/code-audit-practice/wp-content/uploads/sites/29/2015/03/Council-accounts-a-guide-to-your-rights.pdf>

Key documents and policies:

There are a number of key documents which set out the rules, policies and procedures for the West Swindon Parish. These include Standing Orders, Financial Regulations, Equalities Policy, Health and Safety Policy and Complaints Procedure. These are available on the website under 'Core Documents'.

Lists and registers

The Council holds an asset register relating to the assets of the West Swindon Parish. The only land asset currently is Blagrove Allotments.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, please contact the West Swindon Parish Office. An appointment to view the information will be arranged within 10 working days.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

Additional Information

Information will be available unless the West Swindon Parish Council:

- it does not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
- the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

WEST SWINDON PARISH PUBLICATION SCHEME

Additional Information Available	How the information can be obtained	Cost
1 - Who we are and what we do	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet
The West Swindon Parish Councillors Who's who on any committees: Contact details Staff arrangements, structure, job descriptions	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet

<p>2 – What we spend and how we spend it Financial information relating to projected and actual income and expenditure and financial audit reports.</p> <p>Current and previous financial year as a minimum (available for West Swindon Parish from April 2017).</p>	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet
Precept	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet
Annual Return Form		
Auditor’s annual report		
<p>3 – What our priorities are and how we are doing Strategies and plans, audits, inspections and reviews</p> <p>As a new parish council, these will evolve over the year.</p>	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet
<p>4 – How we make decisions Decision making processes and records of decisions as set out in the Standing Orders and Financial regulations.</p>	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet
Agendas of meetings (Parish Meeting and Committee Meetings)	hard copy, website or arrangements to view in the office	Personal hard copy £0.10 Per sheet
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.		

<p>5 – Our policies and procedures Current written protocols, policies and procedures for delivering our services and responsibilities Policies and procedures for the conduct of business by the Parish Meeting: Standing orders Financial regulations Health and Safety Policy Equalities Policy Complaints Procedure</p>	<p>hard copy, website or arrangements to view in the office</p>	<p>Personal hard copy £0.10 Per sheet</p>
<p>Schedule of charges (for publication of information)</p>	<p>hard copy, website or arrangements to view in the office</p>	<p>Personal hard copy £0.10 Per sheet</p>
<p>6 – Lists and Registers Currently maintained lists and registers only – Assets Register</p>	<p>hard copy, website or arrangements to view in the office</p>	<p>Personal hard copy £0.10 Per sheet</p>
<p>7 – The services we offer Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses</p>	<p>hard copy, website or arrangements to view in the office</p>	<p>Personal hard copy £0.10 Per sheet</p>
<p>Details of services provided by the Parish Meeting</p>	<p>hard copy, website or arrangements to view in the office</p>	<p>Personal hard copy £0.10 Per sheet</p>
<p>Services for which the parish is entitled to recover a fee, together with those fees</p>	<p>Allotments Further information available.</p>	<p>Personal hard copy £0.10 Per sheet</p>

West Swindon Parish Council Contact details:

West Swindon Parish Council
Unit 25 Westmead Ind Estate
Bridgemoor Close
Swindon
SN5 7YT

WWW.WESTSWINDON-PC.GOV.UK

01793 299399

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 0.10p per sheet (black & white)	Actual cost for paper, printing and staff time*
	Photocopying @ 0.10p per sheet (colour)	Actual cost for paper, printing and staff time
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee		In accordance with the relevant legislation (quote the actual statute)