



AGENDA FOR THE COUNCIL MATTERS COMMITTEE
MONDAY 10TH SEPTEMBER 2018 AT THE GUILDHALL TOTNES

You are hereby summoned to attend the Council Matters Committee, which is to be held in the Guildhall, Totnes on **Monday 10th September 2018 at 7pm** for the purpose of transacting the following business:

No	Subject	Comments	Time allocated
1	To receive apologies and to confirm that any absence has the approval of the Council.	Cllr R Adams	2 minutes
<i>The Committee will adjourn for the following item:</i>			
Public Question Time: A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.			15 minutes
<i>The Committee will convene to consider the following items:</i>			
2	To discuss any matters arising from the minutes of: a) Council Matters 9 th July 2018 (already agreed through Full Council)	Enclosures	5 minutes
3	To consider the working framework for the Council Matters committee	Cllr Whitty Enclosure	5 minutes
4	To consider the budget monitor and any virements needed.	Enclosure	10 minutes
5	To receive a report on Town Ranger activities and street scene improvements required	Enclosure	10 minutes
6	To consider a timeline for the Cemetery path tender process	Enclosure	10 minutes
7	To consider how to respond to the Environment Agency regarding Totnes floodgates	Enclosure	10 minutes
8	To consider the risk assessment completed on the Town Council assets in relation to lightning protection	Enclosure to follow	5 minutes
9	To note the delay to the SHDC JLP and the date of the next NP meeting	Town Clerk	5 minutes
10	To consider a draft CCTV Policy	Enclosure	5 minutes
11	To consider draft staffing policies: a) Flexible Working Policy b) Recruitment and Retention Policy c) Office Management in times of leave	Enclosure	5 minutes
13	To note the date of the next meeting: Monday 12th October 2018 at 7pm.		
<i>The Committee will be asked to RESOLVE to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.</i>			
14	To consider and agree the bank and petty cash reconciliations (confidential as contains personal information of payees).	Enclosure to follow	5 minutes
15	To consider alternative options for the Town Council alarm monitoring and maintenance contract	Town Clerk	3 minutes
16	To consider a staffing review and recruitment process following a resignation	Enclosure	15 minutes
17	To confirm the staffing for the Community Arts Workshop and Christmas Light Switch on	Town Clerk	5 minutes
18	To note the overtime and sickness records of staff	Town Clerk	5 minutes

Future meetings agenda items:

- Update Statement of Internal Control
- To review a summary of the required actions resulting from the Risk Assessment programme
- Grants Award Policy - October
- Councillor Allowance Policy
- Investment options for general reserve – October
- Play Parks
- To review various staffing policies – Capability Procedure, Dignity at Work Policy, Equal Opportunities Policy, Grievance Policy, Lone Working Policy, Disciplinary Procedure, Managing Attendance

- To note sick leave and overtime balances
- To note the outcome of the appraisal process

Committee Members – quorum is 5 members

- Cllr Whitty (Chair)
- Cllr Simms (Deputy)
- Cllr M Adams
- Cllr R Adams
- Cllr Sweett
- Cllr Price
- Cllr Westacott MBE
- Cllr Paine
- Cllr Hodgson

Catherine Marlton - Town Clerk

ITEM 2 - Minutes

MINUTES FOR THE COUNCIL MATTERS COMMITTEE
MONDAY 9TH JULY 2018 AT THE GUILDHALL TOTNES

Present: Councillor R Adams, Cllr M Adams, Cllr Simms, Cllr E Price, Cllr J Westacott MBE, Cllr P Paine, Cllr J Hodgson, Cllr Sweett

Apologies: Cllr T Whitty

In Attendance: Catherine Marlton (Town Clerk), Cllr Allen, Cllr Hendriksen, 1 member of the public

No	Subject	Comments
1	To appoint a Deputy Chair of committee (who will chair in Cllr Whitty's absence)	Cllr A Simms was nominated and AGREED as Deputy Chair of the Council Matters Committee. Cllr A Simms chaired the meeting in the absence of Cllr Whitty.
2	To receive apologies and to confirm that any absence has the approval of the Council.	Apologies were received from Cllr T Whitty and these were AGREED .
<i>The Committee will adjourn for the following item:</i>		
Public Question Time: A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.		Concerns were raised by Cllr Allen, Cllr Hodgson and a member of the public regarding the meeting arranged between SHDC and 3 Totnes Town Councillors. They felt strongly that all Councillors and District Councillors should have been invited to attend the meeting. Cllr Westacott explained that the meeting was called by SHDC Leader Cllr Tucker who specified a limited number of representatives. Cllr Westacott explained that she would feedback to a future Full Council meeting in full.
<i>The Committee will convene to consider the following items:</i>		
3	To discuss any matters arising from the minutes of: a) Personnel 25 th June 2018 b) Operations 25 th June 2018	None (already agreed through Full Council).

4	To consider the budget monitor and any virements needed.	The Town Clerk updated that at this time no virements were needed. However she warned that money from reserves and virements would be needed in the 18/19 financial year when accurate costings were ready for remedial and maintenance works coming out of the assets survey. A significant underspend in 2017/18 should cover these additional costs. Further information would be sent to a future Council Matters meeting.
5	To consider air quality testing in the town.	It was AGREED that Cllr Westacott should thank the member of the public for the kind offer of free air quality testing and ask for results to be fed back the Full Council in due course.
6	To note the application to the Great British High Street Awards	The Marketing Manager was congratulated on the application and asked to send the details out to all Councillors.
7	To note the date of the next meeting: Monday 10th September 2018 at 7pm.	Noted.
<i>The Council will be asked to RESOLVE to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.</i>		
8	To consider and agree the bank and petty cash reconciliations (confidential as contains personal information of payees).	These were AGREED .
9	To consider a proposal for expenditure on the Neighbourhood Plan project (commercially sensitive)	<p><i>The committee voted to suspend standing orders to allow non committee members to contribute.</i></p> <p>Cllr R Adams explained the reason the Neighbourhood Planning group felt that the strategy proposed was so essential. Cllr Simms supported this and explained that the strategy would strengthen and support work already done and was required to make the Totnes NP robust enough to be adopted. Cllr Westacott said that the timescale for commencing the work was extremely tight and the contractors needed to be appointed for a September start in order to fit the current JLP timeline. Cllr Hodgson asked whether there was enough in the specification on the ecology side. Cllr R Adams responded to say that she would speak to the provider but that if additional works were required there was still capacity in the NP budget for the current year. The Town Clerk confirmed that approximately £3900 would remain in the NP budget line for the remainder of 18/19 and that the Council Matters committee had delegated authority to authorise expenditure up to £10,000.</p> <p><i>The committee reconvened</i></p> <p>It was RESOLVED to spend £8250 on the Green Infrastructure Strategy as outlined in the Landsmith Associates proposal. 7 Councillors in favour, 1 against.</p>

Catherine Marlton
Town Clerk



Council Matters Working Framework September 2018-May 2019

A reminder of what was agreed in Standing Orders July 2018

1. Authority

The Council Matters Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee's remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council's Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies. Meetings of the Council Matters Committee will be held monthly.

2. Membership

The Committee will consist of no fewer than 8 elected Town Councillors and a maximum of 10, and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee members will be re-elected each year in March/April. A Deputy Chair can be elected by the committee to fulfill the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The *quorum* will be a minimum of 5 elected committee members.

3. Responsibilities

The Council Matters Committee will act as the Scrutiny Committee of the Council, monitoring the operational, civic, administrative, staffing and financial responsibilities as well as the assets of the Council. The day to day management of Council matters rests with the Town Clerk. The Council Matters Committee will be responsible for initiating, developing and monitoring any policies required for the Town Council to carry out its functions.

The Committee will be responsible for all staff appointments; annual appraisal; training and development; the setting of staff salaries, hours of work and all matters relating to their individual contracts; sickness and staff welfare issues; and grievance and disciplinary matters.

The Committee must ensure that matters relating to the personal matters of staff are not published and that all staff records are held securely.

4. Operating Principles

The Council Matters Committee will meet monthly to accept reports, raise issues and act as a conduit to the Full Council on all of its responsibilities.

The Committee will be able to recommend the creation of subcommittees which need to be constituted to aid the work of the Committee. Membership of the subcommittee would come from the membership of the Council Matters Committee. However, it is envisaged that most work will be done by the Committee itself, as it is from the Committee that recommendations to Full Council need to emerge.

The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.

The Council Matters Committee may also recommend establishing Working Groups to undertake specific tasks within the responsibilities of the Committee (or across committee responsibilities) as defined within Standing Orders. Working groups are constituted with fixed terms of reference, and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councilors not on the Council Matters Committee and members of the public, and their membership will be agreed at Full Council. They may be a task and finish group, or have a broader remit e.g. cemetery.

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be 50% of the membership and in no case less than 3.

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may suspend Standing Orders, if appropriate; to enable any interested parties to speak on a particular issue during the meeting.

5. Delegated Powers

The Council Matters Committee may approve the income and expenditure of the Council on behalf of the Council, within the remit of existing agreed Town Council financial regulations. On all other aspects of its activity, the Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

The Council Matters Committee has delegated powers to act on behalf of the Council in all matters relating to staff appraisals, staff appointments, staff grievances, the setting of staff salary scales and staff training.

6. Records of Proceedings

Written minutes will be taken to record the Committee's deliberations and decisions. They will be received at the next Full Council meeting, formally adopted and any matters arising would be brought up at the next Council Matters Committee meeting.

The minutes of any subcommittee will be included into the Council Matters Committee minutes to inform Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Council Matters Committee on completion of their work, and may choose to prepare interim reports if they wish.

Minutes of committees and Full Council will be agreed and signed at the following Full Council meeting.

7. Administrative Support

The Town Clerk will be or will nominate an officer to be responsible for the support and administrative duties of that Committee.

Extracts from Financial Regulations

ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 1.1. The Clerk/RFO shall formulate and submit proposals for the following financial year to the Council not later than the end of December each year. This will include the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered first by the **Council Matters Committee** and then approved by the Full Council.

- 1.2. The Council shall consider the annual budget proposals in relation to the Council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 1.3. The Council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The Clerk/RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 1.4. The approved annual budget shall form the basis of financial control for the ensuing year.

BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 1.5. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the Council for all items over £10,000;
- Council Matters for items over £5,000; or
- the Clerk/RFO for any items below £5,000.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk/RFO, and where necessary also by the appropriate Chair.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

What that actually means for Council Matters

The Agreed Terms of Reference are broad and the meeting time relatively short for such a large remit. In order for us to ensure that the committee pays due diligence to its role the meetings I have suggested some standing items and timed agendas.

Standing items on each agenda in open session

- To agree apologies
- To agree timings for the agenda
- Public question time
- Operational and Civic Briefing
- Personnel Policies [non-confidential]
- Budget monitoring and virements
- Updates from the Arts Working Group and Council Venues Working Group
- Asset management and development

Standing items on each agenda in confidential session

- Bank reconciliations
- Overtime and sickness record update
- Staffing update briefing from the Town Clerk

Operational and Civic:

- A briefing from the Clerk on the day to day running of the Council; focusing in particular on interaction with the public, efficiency of servicing of committees, effectiveness of the service offered by employees not based in the Guildhall. The clerk will be asked to highlight positive achievements and feedback as well as any areas of improvements/development required.
- Draft minutes and reports from related committees, relevant link councillor, working groups and the task and finish group
- Periodic verbal updates from the mayor on how the civic function of the council is being received

Personnel Matters (Non confidential)

- Ensure that the appropriate committees are established to deliver the Council's obligations on grievance and discipline
- At least annually receive from the clerk a clear staffing and pay structure with job descriptions and clear performance indicators so that the appraisal system can work effectively
- Receive from the clerk over the course of the year all relevant personnel policies including equal opportunities, bullying and harassment

Personnel (Confidential)

- All matters which relate to individual members of staff will be dealt with in Part 2 as confidential

Finance Matters

- Receive from the clerk budget monitoring sheets at each meeting for Council main budget, Civic Budget and Paige Adams
- Receive details from the clerk of the timetable and processes for establishing the budget including the participatory community process, as and when necessary

Town Council assets

- Receive from the clerk updates on the state of the TC assets
- Assist the clerk where appropriate in the maintenance and development plan for TC assets

Sub Groups and Working Groups will only be set up in relation to staff grievance and disciplinary in line with personnel policies. All other issues should be covered efficiently in full committee.

Tony Whitty
August 19 2018

BUDGET MONITOR SEPTEMBER 2018		CURRENT YEAR			
Admin	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Salaries and pensions	134062	44992	200315	207000	Salaries amalgamated under Admin.
Staff Training and Travel	2806	1257	1500	1750	Budget nearly spent, likely to be overspent by year end. Includes 2 staff permits as part of existing terms and conditions.
Staff Eye Tests	99	0	300	300	
Staff Recruitment	805	0	1500	750	Reduction due to less staff turnover than anticipated
Utilities	2262	865	2250	2250	
Office Supplies	974	433	2000	2000	
Photocopier	1278	749	2000	2000	
Insurance	5487	5810	6000	5810	
Office Equipment	804	1594	1200	1750	Overspend due to kitting out the TIC but underspent in office supplies
Events Expenditure	1072	3	525	3	
Car Park Permits	1608	0	0	0	
Green Sack Sales	-13	-5	0	0	
Car Permits Income	-833	-80	0	0	
Events and Venues Income	-225	0	0	0	
SUB TOTAL	150186	55618	217590	223613	Overspend due to staff restructure proposed
Civic and Democratic	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Mayoral Allowance and Expenses	934	0	375	375	
Civic and Mayoral Events (expenditure)	5262	1873	5750	5750	
Civic Events (income)	-1342	-848	0	0	
Civic Regalia	109	0	400	400	
Salaries and pensions	724	0	0	0	Salaries amalgamated under Admin
Mayoral Travel and Expenses	352	146	200	350	Small overspend expected depending on use of taxis etc
Councillor Allowances	2876	0	6000	5000	Not expecting all Councillors to claim the allowance as per previous years
Councillor Training and Travel	600	746	750	1000	Budget already spent, will be overspent by year end. Higher budget needed in following years to allow Councillor development
Professional Fees	8646	2123	4500	4500	
Elections	11284	0	6000	6000	
Subscriptions	1868	1928	2000	2000	
Community Outreach work	7274	715	1500	1750	Small increase discussed previously and agreed. £673 requested from Arts Working Group to cover Community Arts Day and Light Switch On (includes tree erection but not purchase or transport) will leave approx £112
Website and IT	892	724	1500	1500	New Website in 2019 proposed
SUB TOTAL	39479	7407	28975	28625	Small underspend expected on Civic and Democratic
Tourism	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Visit Totnes Marketing	4482	415	1000	3400	As previously agreed more money to be spent on marketing projects depending on income received for the Totnes Guide
Pension costs	12636	0	13000	12700	
Salaries and pensions	10157	0	0	0	Salaries amalgamated under Admin
Totnes Guide	19103	570	22000	15614	Previously been through Council Matters/Operation
Totnes Guide and Website Income	-20716	-476	-18500	-15000	
Bank Charges	60	0	0	210	1.4% Paypal for advertisers payments
Other TIC expenditure (Post/Phone/Uniform/Utilities etc)	43	132	0	584	
Other TIC income	-716	0	0	0	
SUB TOTAL	25049	641	17500	17508	Small overspend already agreed
Guildhall	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Cleaning	2437	472	2000	1500	
Building Maintenance	1835	40	4000	25000	Additional funding needed this year for roof repairs, inside Council Chamber plaster and LIGHTENING PROTECTION
Business Rates	5702	2352	5575	5750	
Water	136	24	200	200	
Utilities	544	191	2000	1500	Investigating the drop in utility cost with gas supplier. May be due large bill or down to efficiency of new boiler
Salaries and pensions	1644	0	0	0	Salaries amalgamated under Admin
Equipment Maintenance	1577	1836	2000	2500	Nearly spent due to £1442 CCTV but overspend agreed previously
Wedding Licence renewals and marketing	0	1675	1750	2000	Increased by Council Matters by £250 to allow for £500 marketing costs for weddings and events in the Guildhall
Admissions income	-5210	-1467	-4750	-3000	
Retail Sales	-79	0	0	0	
Hire Income WEDDINGS	-4462	-846	-2750	-1000	Drop off in wedding bookings, now promoting for future years
SUB TOTAL	4124	4277	10025	34450	Overspend expected due to Guildhall remedial works

BUDGET MONITOR SEPTEMBER 2018		CURRENT YEAR			
Civic Hall	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Cleaning (inc supplies)	14057	3118	17000	13000	
Feed in Tariff	1620	1322	2500	2500	
Water	1537	256	2000	2000	
Utilities	4070	1012	4250	4250	
Building Maintenance	4656	566	14000	7000	No urgent works required this year, will be required in 19/20 as part of the major refurbishment of older section
Licences	964	0	2000	2000	
Marketing Civic Hall	176	0	400	400	
Equipment Maintenance	6488	495	4000	3000	
Paige Adams Grant towards Caretaking, Cleaning and Management costs	0	-17000	-33040	-32640	Agreed at April Paige Adams a transfer to cover CH Admin, Caretaker, Caretaker supplies and Devon Cleaning Costs.
Hire Charges	0	0	0	0	
Feed in tariff income	-4696	-1260	-5000	-5000	
SUB TOTAL	28872	-11491	8110	-3490	Underspend due to careful costing of caretaking and reduction of building maintenance
Property Maintenance	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Guildhall Cottage Maintenance	667	0	2000	2000	
Guildhall Cottage and Guildhall Flat Management Fees	0	325	1760	1760	
Eastgate Clock Rent	600	0	0	0	
Town Clocks amalgamated Rent. Utilities	1376	309	2050	2050	
Flat 5a Loan repay	9148	4574	9150	9150	
Flat 5a Maintenance	767	0	2000	2000	
Guildhall Office Maintenance	501	0	500	500	
Museum Maintenance	945	0	4000	10000	Additional funding will be needed for roof repairs and lightning protection
Museum Rent income	-1	0	-1	-1	
Eastgate Clock Rental	-3	0	-3	-3	
Civic Water Supply to shop	0	0	-210	-200	
Guildhall Cottage Income (£850 a month)	-10200	-3400	-9350	-9350	
Garage Rental Income	-330	0	0	0	
Flat 5a Rental Income (£750 per month)	-8340	-2780	-8250	-8250	
SUB TOTAL	-4870	-972	3646	9656	Overspend expected due to additional costs on building maintenance
Cemetery	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Business Rates	3266	1444	3500	3500	
Water	139	17	150	150	
Grounds Maintenance (Grass cutting and tree work)	23084	6292	30000	20000	Additional funding needed for path repairs.
Works and Maintenance (Memorials, Paths, Fences, Refuse collection)	229	128	5000	30000	
Chapel	66	0	500	500	Currently mothballed and secured.
Cemetery Fees Income Amalgamated	-5683	-3880	-7500	-7000	Estimate slightly lower income this year
Memorials	-753	0	0	0	
Grant of rights	-2085	0	0	0	
War Bonds	0	0	0	0	
SUB TOTAL	18263	4001	31650	47150	Overspend expected due to cemetery maintenance works
Open Spaces	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Ramparts Walk (regular cuts and tidying)	599	60	900	500	
St Marys Churchyard (Walls and trees)	1059	0	900	900	
Castle Meadow Maintenance and Water	46	115	750	500	
Castle Meadow and allotments income	-210	-10	-210	-210	
SUB TOTAL	1494	165	2340	1690	Small underspend due to contractor efficiencies
Precept and Income	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Bank Charges	222	51	300	300	
Precept and Income	-344527	-177820	-355640	-355640	
Council Tax Grant (only guaranteed until 19/20)	-24659	-22230	-22230	-22230	Will not receive Council Tax support grant after next year.
Charity of Paige Adams	-131	0	0	0	
SUB TOTAL	-369095	-199999	-377570	-377570	

BUDGET MONITOR SEPTEMBER 2018		CURRENT YEAR			
Community Development	2017/18 ACTUAL	ACTUAL END JULY	2018/19 budgeted	2018/19 expected	NOTES
Caring Town	20035	7500	15056	15056	
Citizens advice	0	6109.88	6109.88	6109.88	
Neighbourhood Plan/Planning	8833	302	6350	12517	Current bid includes carry forward from previous year as agreed.
Skate Park	0	0	13200	0	Needs to be rolled over to 2019/20
Enviroennt, planting, bins, street furniture	0	340	14000	31000	Suggest allocating £30,000 to Market Square project to ensure the improvements are comprehensive and high quality
Arts and Culture Events	12906	0	3000	5842	Current bid includes carry forward from previous year as agreed.
Youth Projects	0	0	0	2500	For the youth nights, not previously budgeted for
SUB TOTAL	£52,503	£14,252	£57,716	£73,025	Overspend expected of Market Square Project funding is agreed
TOTAL EXPENDED	£315,100	£73,898	£377,552	£432,227	
TOTAL	-£53,995	-£126,101	-£18	£54,657	Underspend from last year will almost balance the overspend this year.
	Underspent by £54k approx			Overspent by £54k approx	

ITEM 5 – Street Scene update

Briefing from the Town Clerk – Totnes Town Appearance

There have been complaints from visitors and residents with regards to the appearance of the town. Our Town Ranger is dealing with a number of issues as outlined further in this briefing.

One area that is attracting fly tipping is around the Shady Garden bin. SHDC would like the Town Council to agree to the removal of this bin to see if the issue resolves. Our Town Ranger agrees with this course of action.

Other problems include condition of the bins and street furniture. SHDC have a very limited district wide budget. Should the Town Council allow for a 2/3 year programme of improvements at precept setting to update and modernise noticeboards, signage, seating and litter bins?

The lack of recycling facilities in the town has been raised again and again. Should the Town Council enter into talks with SHDC about what can be done? If the current waste provision limits the collection of recyclables should the Town Council look to subsidise any increased cost to enable the service to be improved?

There are weeds growing all over town. It is suggested by the TAT group and the Town Ranger that we implement a 'Tidy Totnes' initiative with local businesses, with associated marketing and award scheme to promote the idea of each shop or premises keeping the area directly outside clean and tidy. A small budget would be required and the Town Ranger could manage the roll out.

A leaflet needs to be sent by SHDC to householders and businesses stating that seagull proof sacks are mandatory and available free of charge from the town council offices. If SHDC are unable to do this, should we roll this into the 'Tidy Totnes' project and do this ourselves?

Investigation is needed into locating recycling facilities in Bridgetown, particularly glass and tetra pak. Spar stores area was ruled out for noise but Steamer Quay was mentioned as a possibility. I intend to ask the Town Ranger to pursue this option in liaison with the district councillors.

The Town Ranger is liaising with SHDC about trialling a change to the market and event management in the Civic Square due to ongoing problems with cleanliness and waste being left. The intention is to ensure a member of staff is onsite to oversee market traders leaving and a 'waste levy' will be charged to users to cover additional commercial waste collection services. I would encourage Councillors to monitor this area to see if these new measures show improvement.

Other areas to work on and plan for could be budgeting for a grant fund to enable local community groups, such as Totnes Gardens and Totnes against Trash to do more with the volunteers already in place. I would suggest consideration at precept setting.

List of Town Ranger jobs completed to date:

Vire Island	one repaired
Removed old post with nails	Allotments
Redecorate memorial bin graffiti	Fence repair
Fill trip hazards at far end seating	Signage corrected
Victoria street	Market Square
Fly tipping removed	Pavers and litter
Hedge cut back Victoria court tenants could not action	Riverside walk
Dartmouth Inn Square	Fly tipping
One bench replaced with new	Bench repairs

One bench replaced with new

Cemetery

British rail fence repairs

Smithfields elevation fence repairs

Gate repair

Signage repairs

Smithfields flooding proved to tenants and Livery homes not being caused by TTC

St Marys

Wall repair

Tree works

Taunton Close

Cut back hedge allow public access

Pathfields

Cut back hedge tenants could not action

Westonfields

DCC to cut back hedge to stop St Johns children having to walk in road.

Shady garden

Fly tipping

No fly tipping sign

The Plains

Decorated bus shelter

Follaton estate

Contractors decorate bus shelter

Denys road

DCC to clean street drains

Steamer quay

Repairs to play boat

Remove broken fence on footpath

Guildhall

Building repairs

Museum

Building repairs

Town Marsh

Weeded

North Street

Remove dead tree and replace with new

Civic Hall

Building repairs

Borough park

Syringe clearing

Play park litter

CURRENTLY WORKING ON

SHDC to clear Leechwell foot paths several attempts at getting action – just agreed by SHDC 050918

DCC to clear drains North Street

DCC to increase signage to railway station

Raise canopy of trees on the plains .

ITEM 6 – Proposed timeline for tender

The Town Clerk will give a verbal brief on the need for the path works

Proposed timeline:

- Council Matters considers tender spec and timeline - Monday 10th September 2019
- Opens online and contract finder - Tuesday 11th September
- Tender applications close and are opened - midday Monday 29th October
- Full Council consider submissions - Monday 5th November
- Tender awarded and works programmed - Tuesday 6th November onwards



Totnes Town Council

Specification for works to resurface/remove footpaths at Totnes Cemetery

Site

Totnes Cemetery, Plymouth Road, Totnes, TQ9 5PH.

Contract

To resurface and remove footpaths in the cemetery approx. 750m² resurface and 800m² of removal, works to include some patches.

Specification

All works to be protected from public access as current Health & Safety policy.

Any damage to ground or standing stone to be repaired to original condition.

Permission for tool container on site is granted.

Weed killer / poison to be locked away when not in use.

The Contractor must comply with the Council's policy banning any use of Glyphosate on Town Council owned land.

Resurfacing - approx. 750 m²

Sweep clean and remove waste from site and apply weed killer, not to be used if there is a risk of spread from wind strength.

Apply tack coat of Bitumen emulsion.

Lay a wearing course of Tarmac to a depth of 25mm using 6mm SMA (AC6 Dense binder) roll and compact.

Regulate as required, all joints to be clean cut to existing and sealed.

Path removal - approx. 800 m²

Remove approx. 75mm of existing surface and remove from site.

Spread approx. 100mm of topsoil and grass seed new areas.

Patch repairs - approx. 17 m²

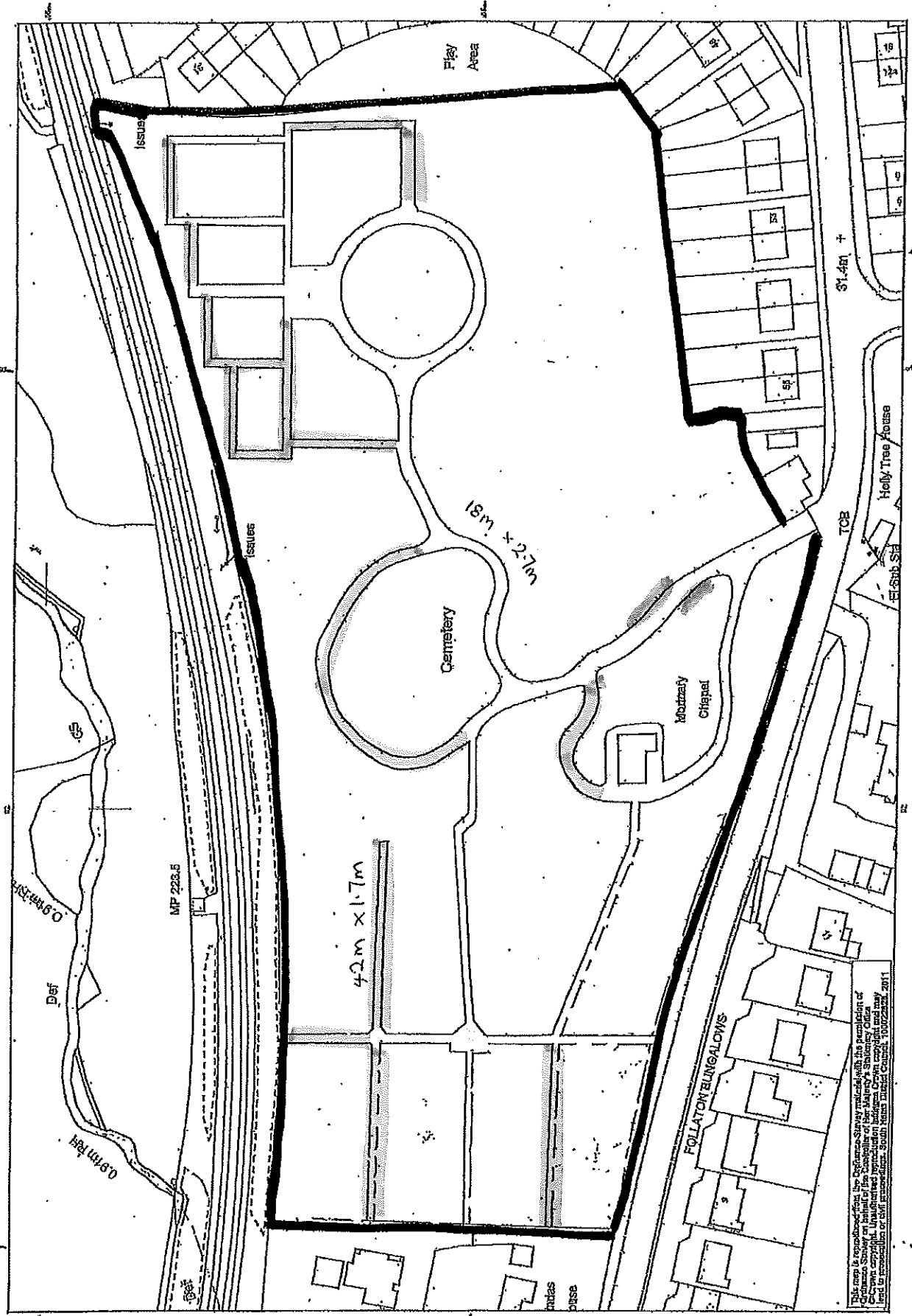
Cut out damaged area, sweep, weed treat and fill with 75mm roll and compact.

Payment terms

Payment to be made by BACS within 30 days of invoice date or satisfactory completion of the work, whichever is the latter.

MAP A Attached

- dig up & grass over
- repair
- resurface



This map is reproduced from the Ordnance Survey records with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. The Ordnance Survey name is used by permission of the Ordnance Survey. All other names are the property of the Ordnance Survey. The Ordnance Survey name is used by permission of the Ordnance Survey. The Ordnance Survey name is used by permission of the Ordnance Survey.

----- Forwarded message -----

Date: 20 August 2018 at 14:12

Subject: Totnes Flood Defence Scheme Improvements - Gate Operation

I understand from my Jane Fletcher-Peters that the Totnes Emergency Plan and operation of the gates for the flood scheme received full council approval.

As we are nearing completion of the scheme, we are keen to allow the Town Council (And Steam Packet Inn) to operate the gates as soon as practically possible.

Before this can happen, we need to get a few things in place:

1. Memorandum of Understanding: This needs to be agreed and signed by both the EA and Totnes Town Council. It puts in place the responsibilities of each party and how the gates would be operated. I have prepared the first draft, which has been checked at our end. I have attached it, and no doubt the Council will have queries and may wish to edit some of it before it is formally signed.
2. Formation of a gate volunteer group. This group could go under many names (such as flood wardens, resilience group, etc.) and the group may encompass more than just closing the gates (if required)
3. Training of volunteers. We would arrange to give volunteers a training session to operate the gates, as well as show the type of messages we send out.

Regarding the Memorandum of Understanding. I have adapted a similar MoU used at our Starcross and Cockwood Tidal Defence scheme. To make a starting point, I have assumed the likely operational methods, however appreciate the Town Council has not had chance to feed into this. We may also want to include Bridgetown into the MoU. Although there are no flood gates to operated, all properties we have worked on have received either flood doors/boards, so although the properties should be protected, access may be limited. Although the MoU goes into much more detail, our 1st assumption of how the flood gates would operate are as follows.

Note levels have not been fully agreed, and will change. We also use a model to predict levels in Totnes that combines fluvial flow on the Dart, with tide tables from Dartmouth, adjusted for surge and weather conditions.

Predicted tide at Totnes below 2.6mAOD

No Action –

Predicted tide at Totnes between 2.6mAOD and 3mAOD

Gate number 2 (Steam Packet Inn, vehicle gate) is advised to be closed.

This gate in isolation, does not protect property from flooding, only the car park of the Steam Packet Inn. We envisage the Steam Packet Inn closing the gate (as volunteers of the Town Council) to protect their car park from flooding.

Predicted tide at Totnes over 3m AOD

All gates (1,2,3,4) are required to be closed.

All of these gates do protect property from flooding, so must be shut well in advance of the high tide. We envisage the Town Council volunteers will close gates 3 and 4, with the Steam packet Inn, as volunteers for the Town council, closing gate 1 and 2.

Predicted tide at Totnes over 3.25m AOD

All the gates (1,2,3,4) will be required to be closed, and a Flood Warning will be issued. All the properties in Bridgetown at risk would receive this warning. They would then need to ensure their doors are closed, and flood boards in place.

I hope that all makes sense.

It would be good to have a contact for the Town Council member(s) who would be assisting in setting up a gate volunteer group. We can also assist in starting a volunteer group to close the gates.

Thank you

Tom Buxton-Smith

Advisor

Flood & Coastal Risk Management | Asset Performance East Team

Devon, Cornwall & The Isles of Scilly Area

MEng (Hons) CEng MICE

Environment Agency | Manley House | Kestrel Way | Exeter | Devon | EX2 7LQ



**MEMORANDUM OF UNDERSTANDING RELATING TO THE OPERATION
OF FLOODGATES IN THE VILLAGES OF STARCROSS AND
COCKWOOD**

BETWEEN:

1 The Parties

1.1 ENVIRONMENT AGENCY of Manley House, Exeter EX2 7LQ
(“the Agency”).

1.2 TOTNES TOWN COUNCIL of 5 Ramparts Walk, Totnes TQ9 5QH
(‘the Council’)

1.4 Through this Memorandum of Understanding (“the MOU”) the Agency and the
Councils will seek to work in collaborative and co-operative manner to reduce
the risk of tidal flooding to Totnes

2. Background Information

2.1 The Agency is, by virtue of the Environment Act 1995 and Water Resources Act
1991, the flood risk management authority for England and Wales with specific
responsibilities for the regulation of main rivers and tidal flooding.

2.2 The Agency has powers under section 37 of the Environment Act 1995 to do
anything which, in its opinion, is calculated to facilitate, or is conducive or
incidental to the carrying out of its functions, this includes entering into
Memoranda of Understanding in order to facilitate practical working
relationships with other organisations.

- 2.3 In November 2016 the Agency initiated a flood risk scheme known as the Totnes Flood Defence Improvement Scheme the purpose of which was to reduce the risk of both tidal and fluvial flooding to property within Totnes. The project included the creation of 4 flood gates (2 within the grounds of the Steam Packet Inn; 1 on the public footpath just off New Walk; 1 in Dye House Quay) the purpose of which was to continue to allow access whilst being able to be closed at times of flood to reduce the risk of fluvial and tidal flooding within each community.
- 2.6 The Parties recognise the need for community and landowner engagement to be able to manage the risk of tidal flooding (through gate closure) whilst still maintaining the facility for access via these gated slipways. It is hoped this MOU will lead to better co-ordination between the Parties in order that the above can be achieved.

3 The Flood Gates

4 no. in total. Incl:

- 2 no. At the Steam Packet Inn. (Known as Steam Packet Vehicle Gate, and Steam Packet Pedestrian Gate)
- 1 no. At New Walk (Known as New Walk Gate)
- 1 no. At Dye House Quay (Known as Dye House Quay Gate)

The Agency will supply and install flood defence gates (the 'Gates') as well as telemetry as indicated on the plan included in Schedule 1 to this MoU

- a) Steam Packet Inn Pedestrian Gate – Access is via beer garden at rear of the Steam Packet Inn. Landowner is Buccaneer Pubs Limited; A separate agreement between the Agency and the Landowner will include a clause whereby access will always be allowed for Totnes Town Council representatives to enter the land to access the flood gate here. Keyholders include the Landowner, the Environment Agency and Totnes Town Council and are identified in Schedule 3. The default gate position is open with gate closure criteria identified within Schedule 2. The first responders to close this gate are Totnes Town Council, (incorporating and in effect Steam Packet Inn Staff volunteers)
- b) Steam Packet Inn Vehicle Gates – Access is Car Park to the side of the Steam Packet Inn. This gate has the lowest threshold and will require regular

closures. A separate agreement between the Agency and the Landowner will include a clause whereby access will always be allowed for Totnes Town Council representatives to enter the land to access the flood gate here. The default gate position is open with gate closure criteria identified within Schedule 2. Keyholders include the Landowner, the Environment Agency and Totnes Town Council and are identified in Schedule 3. The first responders to close this gate are Totnes Town Council, (incorporating and in effect Steam Packet Inn Staff volunteers)

- c) New Walk Gate – Access is via public footpath ramp just off New walk with public open access. Landowner is South Hams District Council. A separate agreement between the Agency and the Landowner will include a clause whereby access will always be allowed for Totnes Town Council representatives to enter the land to access the flood gate here. The default gate position is open with gate closure criteria identified in Schedule 2. Keys for the gate will be held by representatives identified in Schedule 3. The first responders to close this gate are Totnes Town Council Volunteers
- d) Dye House Quay Gate – Access is via Dye House Quay, an alleyway just off New Walk with public open access. Landowner is unknown. A separate agreement between the Agency and the Landowner will include a clause whereby access will always be allowed for Totnes Town Council representatives to enter the land to access the flood gate here. The default gate position is locked closed with gate closure criteria identified in Schedule 2. Keys for the gate will be held by representatives identified in Schedule 3. The first responders to close this gate are Totnes Town Council volunteers.

4. THE AGENCY WILL

- 4.1 The Agency plans to have completed the construction of the gates by October 2018. On conclusion of construction the Agency has permissive powers to carry out maintenance works to the flood gates. The current inspection and maintenance regime is done on a 6 monthly basis.
- 4.2 Prior to the completion of the gates the Agency will endeavour to provide training to the relevant group in respect of the safe and proper operation of the floodgates together with guidance on good manual handling practice.

This training can be repeated from time to time as requested by the Council and Steam Packet Inn but not more frequently than once per annum. In addition the Agency will provide the Council and Steam Packet Inn with Operation Manuals for the floodgates. This will be an uncontrolled document. Updates will be provided following significant changes only.

- 4.3 Notify the Council of the contact numbers set out in Schedule 3 and any faults that may impact on gate movements.
- 4.4 Endeavour to keep telemetry equipment in good order to provide operational messages and flood warnings via email, text and telephone to all contacts identified to be able to operate the gates effectively.
- 4.5 If notified by the Council and/or the Steam Packet Inn that they have been unable to operate the Floodgates at the appropriate time in accordance with Schedule 2 the Agency will endeavour to send its operational staff to assist. This is however entirely at the discretion of the Agency and dependent on the availability of operational staff and other operational priorities
- 4.6 If someone suffers a personal injury and the injury occurs because of any form of EA negligence then it would be likely the Agency would be required to compensate them.

In relation to property damage such as property flooding because the flood gates don't work you have to consider whether the failure of the equipment or the failure of the EA to maintain the equipment has led to someone flooding who didn't flood before the gates were installed (or led to them flooding to a greater height)... if that is the case then there is an argument that the EA would be liable as we would, in installing the gates owe a duty of care to ensure that we did not cause additional flooding to anyone.

We would not be liable if someone who was now being protected by the gates (and flooded before the gates were installed) did not continue to receive the protection provided by the gates because they failed to work for any reason

5 THE COUNCIL WILL

- 5.1 Use reasonable endeavours to operate the gates in accordance with the actions set out in Schedule 2

- 5.2 The Council will provide to the Agency the appropriate telephone contact numbers in order that the Agency can notify them. The Council will notify the Agency promptly if these numbers changes. The first numbers are as set out in Schedule 3.
- 5.3 The Council will ensure they put in place appropriate insurance to adequately cover any liability for personal injury caused as a direct result of Council representatives operating flood gates. The Councils will also ensure there will always be a trained representative to assist in the operation of the gates who has attended the training provided from time to time by the Agency.
- 5.4 If the Council/Steam Packet Inn is unable to operate the floodgates in the required manner at the appropriate time then they will in the first instance contact each other to assist, then (if required) the Environment Agency to seek assistance if available.
- 5.5 The Council shall use reasonable endeavours to arrange and provide the manpower necessary to satisfactorily operate the Gates for a period of 10 years from the signing of this Agreement and thereafter unless agreed otherwise by both parties.

6. Collaboration and Mutual Co-operation

- 6.1 The Parties will work together and co-operate in good faith in order to enable the aims, objectives and other matters contained or referred to in this MoU be achieved.
- 6.2 The Parties will provide sufficient and reasonable information to each other in connection with their respective roles and responsibilities under this MoU and will respond to all reasonable requests for additional information.

7 Liaison and Contacts

- 7.1 In the first instance, all parties will communicate through the lead contacts identified in Schedule 3, who are responsible for liaising with their separate departments and colleagues.
- 7.2 Where the contacts listed in Schedule 3 change the changing party will inform the other party within 14 days of new contact details being available.

8 **Status of MoU**

- 8.1 The Parties acknowledge that this MoU is intended to assist the Parties to work together in a mutually efficient manner in order to achieve the objectives of this MoU.
- 8.2 This MoU is not intended to have and does not have binding legal effect and is not intended to and does not create any legal relationship between the Parties.
- 8.3 No provision of this MoU will affect the statutory powers and obligations of the Parties.
- 8.4 All Parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither Party intends that the other Parties shall be liable for any loss it suffers as a result of this MoU. Neither Party will be liable to each other in respect of any liability for failure to attend on site to operate or assist with the operation of the Gates or for any reason arising out of the operation of, or the failure to operate the gates

9 **Revision of Memorandum of Understanding**

- 9.1 This MOU shall be periodically reviewed, at the instigation of any Party, should there be difficulties within the agreed operating procedure. A record of the review and amendments can be found in Schedule 4.
- 9.2 Notwithstanding 9.1 it is recommended that the Agency and the Parties will review the terms of this Agreement at intervals not exceeding five (5) years.

Signed by:

Print name:

on behalf of the **Environment Agency**

Title Deputy Director, Devon Cornwall & Isles of Scilly

Date

Signed by:

Print name:

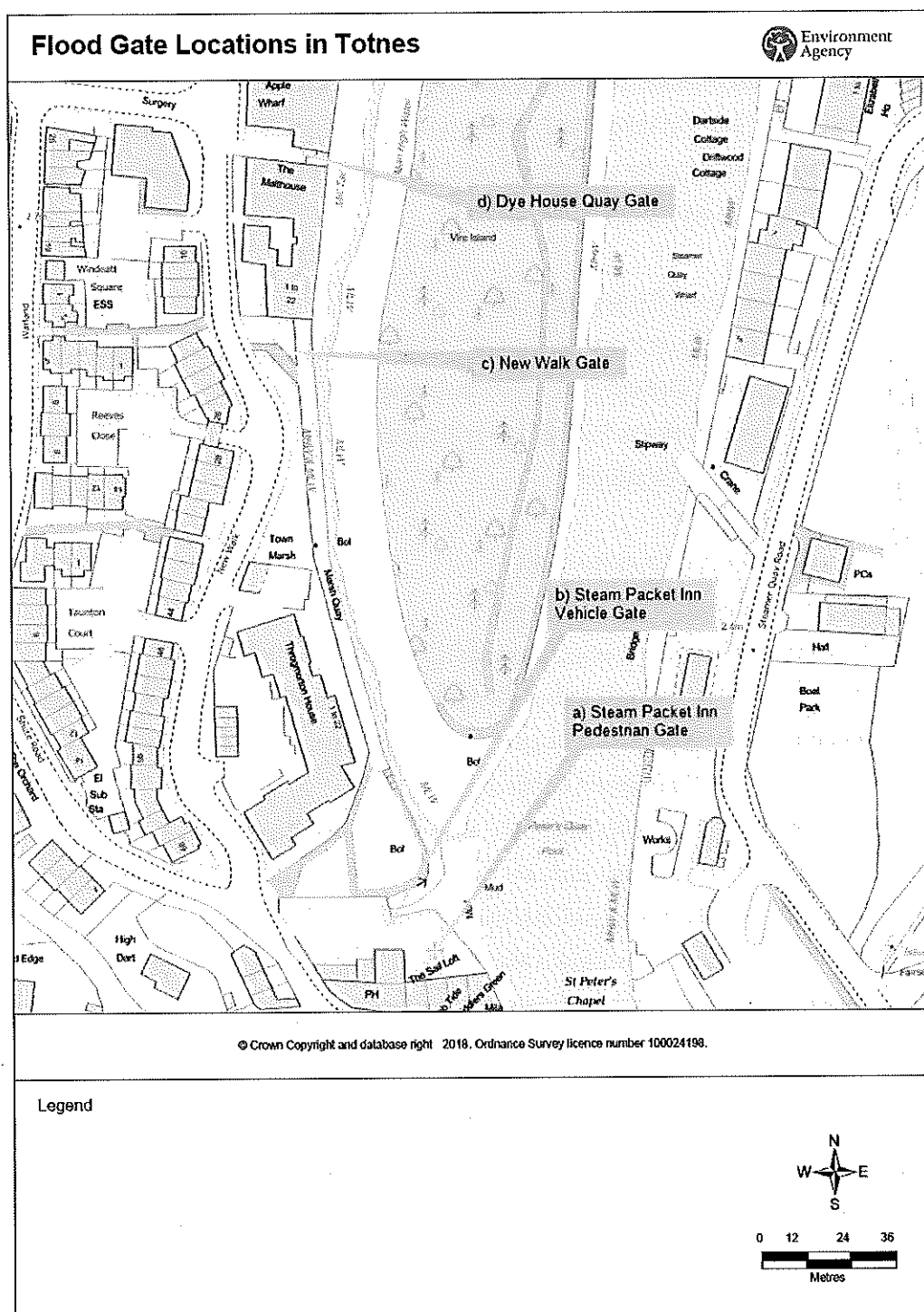
on behalf of Totnes Town Council

Title

Date

SCHEDULE 1

LOCATION MAP



SCHEDULE 2

GATE CLOSURE THRESHOLDS

Further information available within the Operation Manual.

The Agency will issue Flood Warning messages that will be sent to the contacts identified in Schedule 3 in advance to close and lock the gates when the following river levels are forecast to be reached. These forecast levels based on a combination of forecast river flow, and forecast tide levels.

a) Steam Packet Inn Pedestrian Gate

Gate closure when a predicted tide level of 3.098m AOD (4.83m Chart Datum) is forecast to be reached. Default gate position is open. First responders to check, close and lock gate (if required) are Totnes Town Council, (incorporating and in effect Steam Packet Inn Staff volunteers)

b) Steam Packet Inn Vehicle Gate

Two Gate closure thresholds are in force.

- 1) Advisory Gate closure when a predicted tide level of 2.598m AOD (4.53m Chart Datum) is forecast to be reached. Default gate position is open. First responders to close and lock gate are Totnes Town Council, (incorporating and in effect Steam Packet Inn Staff volunteers)

This gate has a low threshold, and will require closing often. If it is left open, it will cause flooding to the carpark of the Steam Packet Inn, and no property will be at risk from flooding until the level 3.098m AOD is reached. It is the only step free access to the Steam Packet Inn's Beer Garden. Therefore the lower threshold is 'Advisory' only and will be at the Town Council and Steam Packet Inn's digression to close. However it will need to be closed if the no2 threshold is forecast to be met.

- 2) Gate closure when a predicted tide level of 3.098m AOD (4.83m Chart Datum) is forecast to be reached. Default gate position is open. First responders to check, close and lock gate (if required) are Steam Packet Inn Staff, acting on behalf of Totnes Town Council

c) New Walk Flood Gate

Gate closure when a predicted tide level of 3.098m AOD (4.83m Chart Datum) is forecast to be reached. Default gate position is open. First responders to close and

lock gate are Totnes Town Council

d) Dye House Quay Flood Gate

Gate closure when a predicted tide level of 3.098m AOD (4.83m Chart Datum) is forecast to be reached. Default gate position is open. First responders to close and lock gate are Totnes Town Council

Further information available within the Operation Manual.

SCHEDULE 3

LIAISON AND CONTACTS

Lead Contacts (for gate closure liaison only)

For the Agency

- Flood Incident Duty Officer 0800 6781247
- If urgent and above unavailable Emergency 24 hours help line 0800 807060

For Totnes Town Council

- TBC XXXX

For Steam Packet Inn Council

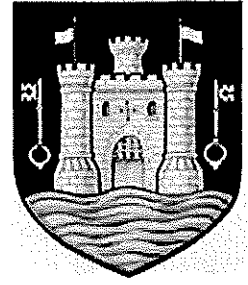
- Landline XXXX

Totnes Flood Gate Volunteers: October 2018

Role	Name	Tel	Mobile	Address
------	------	-----	--------	---------

Lead Coordinator Key Holder				
Team Member				
Team member				
Team member				
Team member				
Team member				
Team member				
Team Member				
Team member				
Team member				
Team member				
Team member				
Team member				
Team member				
Team member				
Team member				

SCHEDULE 4
AMENDMENTS



CLOSE CIRCUIT TELEVISION (CCTV) POLICY

TOTNES TOWN COUNCIL
SEPTEMBER 2018
REVIEW DATE: XXXX

CONTENTS

1. INTRODUCTION.....	3
2. PURPOSE STATEMENT.....	3
3. OWNERSHIP DETAILS.....	3
4. DATA PROTECTION IMPLICATIONS.....	4
5. THE DIGITAL RESOURCES AND THE RECORDING OF IMAGES.....	4
6. RECORDED IMAGES AS EVIDENCE.....	5
7. CONTROL AND OPERATION OF CAMERAS.....	6
8. ACCOUNTABILITY.....	6
<u>SUBJECT ACCESS REQUESTS</u>	
9. ACCESS TO PERSONAL DATA UNDER THE DATA PROTECTION ACT.....	6
10. PRIMARY REQUEST TO VIEW DATA.....	8
11. SECONDARY REQUEST TO VIEW DATA.....	9
12. THE MEDIA.....	9
13. TRAINING.....	9
14. COMPLAINTS.....	10
15. MAJOR INCIDENT.....	10
APPENDIX 1 – SUBJECT ACCESS REQUEST.....	11
APPENDIX 2 – AUTHORITY TO VIEW/REQUEST COPY OF CCTV DIGITAL HARD DRIVES.....	18

1. Introduction

1.1 The use of Closed Circuit Television is viewed by Totnes Town Council as a key element in its promotion of security and safety. CCTV cameras are installed on the Guildhall and Council Offices front door.

1.2 The Town Council will have due regard to the Data Protection Act 1998, the General Data Protection Regulation (GDPR) and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 1998

1.3 This policy sets out to ensure the effective use of CCTV to prevent crime, identify the perpetrators of crime, enhance community safety and reduce the fear of crime. Its aim is to ensure that all residents, visitors and businesses have the confidence to undertake their activities during the day or night without fear and with confidence in their safety and the security of the environment.

1.4 Ownership of recorded material remains at all times the property of Totnes Town Council.

1.5 The CCTV cameras are operated from the Town Clerk's office in the Council building and images are recorded digitally.

1.6 The Committee responsible for monitoring and running the effectiveness of the system will be the Council Matters Committee.

2. Purpose Statement

2.1 The system is intended to provide an increased level of security at the Town Council and historic Guildhall.

2.2 The CCTV system will be used to respond to the following key objectives, which will be subject to annual assessment:

- To detect, prevent or reduce the incidence of crime
- To prevent and respond effectively to all forms of harassment and public disorder
- To create a safer community
- To gather evidence by a fair and accountable method

2.3 In this respect, cameras have been sited so that their primary view is of public areas.

2.4 Respect for privacy is an important consideration and the system will not be used to monitor individuals undertaking day to day activities in areas under surveillance.

2.5 To ensure that the public is aware that they are entering an area where a scheme is in operation, signs have been placed at the entrance to all areas covered. All signs will be fit for purpose and careful consideration will be given to placement, size, opportunity to view etc.

2.6 The signs will indicate that CCTV cameras are operating and will be displayed at the perimeter of the area covered by the scheme.

2.7 The signs will identify the owner by name and provide a daytime contact telephone number.

3. Ownership Details

3.1 For the purposes of the Data Protection Act 1998 the beneficial owner of the system is:

Totnes Town Council
The Guildhall Offices
5 Ramparts Walk
Totnes
TQ9 5QH

3.2 The system is registered with the Information Commissioner under registration Z7595350

4. Data Protection Implications

4.1 The scheme is registered under the Data Protection Act and Totnes Town Council undertakes to co-operate at all times with the Information Commissioner.

4.2 Data will be held and stored only for the purpose set out in this policy and in accordance with its provisions.

4.3 Totnes Town Council is the Data Controller and has designated authority to the Town Clerk for the day to day running of the system. In their absence, the Deputy Clerk will assume authority.

5. The Digital Recorders and the Recording of Images

5.1 All images are recorded onto digital recorders in the Council office.

5.2 All CCTV equipment will be kept in good working order and be serviced according to manufacturer's recommendations.

5.3 When a fault develops on the CCTV system, it shall be reported immediately to the service engineer.

5.4 The system time clock and/or recording device time clocks shall be checked on a quarterly basis and set to the correct hour with reference to a reliable time signal e.g. Speaking Clock (123).

5.5 All CCTV equipment shall be kept in the Council office and password protected to prevent unauthorized or unlawful processing of personal data and against accidental loss, damage or destruction of personal data.

5.6 Any data held for evidential purposes will be kept away from other personal data in a secure location.

5.7 No unauthorised copies will be made of any personal data except with the permission of the Data Controller who shall record the reason and ensure that all copies are numbered and that they are only disclosed to authorised parties. The Data Controller will also ensure such personal data is not kept for longer than is necessary and is destroyed as if it were an original recording.

5.8 Digital recordings will be retained for no longer than 31 days, unless they are required to be used as evidence in any legal proceedings. After 31 days, the images will be deleted. Recorded material will be used only for purposes defined in this policy.

5.9 Access to recorded material will only be permitted as defined in this policy.

5.10 Recorded material will not be sold or used for commercial purposes or the provision of entertainment.

5.11 Ownership of recorded material and copyright in recorded material is that of Totnes Town Council.

6. Recorded Images as Evidence

6.1 The Police will apply verbally for access, in accordance with an agreement made with Totnes Town Council, where the Police reasonably believe that access to the recorded images is necessary for the investigation and detection of a particular offence or offences or the prevention of crime.

6.2 The Police may obtain access under the provisions of the Police and Criminal Evidence Act 1984.

6.3 Recorded material resulting from the operation of the system will normally only be made available to the Police for criminal prosecution purposes.

6.4 On occasion, specific requests may be received from other organisations with prosecution powers such as HM Customs and Excise, South Hams District Council, the Health and Safety Executive and Trading Standards. In the event that the evidence is required in connection with a prosecution that will assist in the achievement of the key objectives of the system, the evidence will be supplied if agreed by the owners and after consultation with the Police. Any evidence supplied will be subject to an undertaking that it will only be used strictly in accordance with this policy and for the reasons for which it has been supplied.

6.5 Since recorded material may be admitted in evidence, it must be of good quality, accurate in content and treated according to defined procedures to provide continuity of evidence and to avoid contamination of the evidence.

6.6 Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, destruction or accidental loss of recorded material.

6.7 USB drives/DVD discs required for evidential purposes will be treated as exhibits and will be retained and stored according to procedures agreed with the Police, as follows:

- An original exhibited Master USB/DVD will be produced only on receipt of a written request from the Police (please see Appendix 2)
- The Master USB/DVD will be retained under secure storage by the Data Controller and secured with a tamper proof label
- An exhibited working copy will also be produced if required
- The Master USB/DVD will be given a unique reference number (comprising date, in dd/mm/yyyy format, together with the associated crime reference number) which shall be indelibly marked on the disc
- A register will be maintained in which a record of the Master USBs/DVDs held by the Data Controller will be logged. The register will be securely stored by the Data Controller in the Town Council's offices at all times unless it is required for production in court
- The Data Controller will log the issue of a working copy and the authorised police officer receiving the USB/DVD will sign for it

- If necessary, the Town Clerk will provide the Police with statements required for evidential purposes

6.8 Third party access to recorded images may be permitted in connection with civil disputes by court order or be extended to lawyers acting for defendants or victims in connection with criminal proceedings.

6.9 No other access will be allowed unless approved by the owners and for reasons that fall within the purposes and objectives of the system and in accordance with this policy and the Data Protection Act.

7. Control and Operation of Cameras

7.1 Only those staff with direct responsibility for using the equipment shall have access to the operating controls.

7.2 All use of the cameras shall accord with the purposes and key objectives of the system and shall comply with this policy.

7.3 Cameras shall not be used to look into private property. Where appropriate operational procedures and technological measures will be adopted to impose restraints upon the use of cameras in connection with private premises.

7.4 The system will only be viewed/operated by trained operators. This will apply to staff from the Devon and Cornwall Constabulary and staff employed by Totnes Town Council. The Data Controller will maintain a list of all trained personnel.

8. Accountability

8.1 In accordance with the Code of Practice and the Data Subject Access Rights of The Data Protection Act 1998, anyone wishing to acquire a copy of the policy or to request further information with regard to accessing the recorded data under the Data Protection Act 1998 should be directed to contact the Data Controller in writing.

8.2 Copies of this policy will be made available by:

The Data Controller, The Guildhall Offices, 5 Ramparts Walk, Totnes TQ9 5QH

Subject Access Requests

9. Access to Personal Data under the Data Protection Act

9.1 Under the terms of data protection legislation, individual access to personal data, of which that individual is the data subject, must be permitted providing:

- The request is made in writing (please see Appendix 1)
- A specified fee is paid for each individual search
- The Data Controller is supplied with sufficient information to satisfy them as to the identity of the person making the request

- The person making the request provides sufficient and accurate information about the time, date and place to enable the Data Controller to locate the information which that person seeks, (it is recognised that a person making a request is unlikely to know the precise time. Under those circumstances it is suggested that within one hour of accuracy would be a reasonable requirement)
- The person making the request is only shown information relevant to that particular search and which contains personal data of her/himself only, unless all other individuals who may be identified from the same information have consented to the disclosure
- In the event of the Data Controller complying with a request to supply a copy of the data to the subject, only data pertaining to the individual should be copied (all other personal data which may facilitate the identification of any other person should be concealed or erased)

9.2 The Data Controller is entitled to refuse an individual request to view data under these provisions if insufficient or inaccurate information is provided, however every effort should be made to comply with subject access procedures and each request should be treated on its own merit.

9.3 In addition to the principles contained within the data protection legislation, the Data Controller/Town Clerk should be satisfied that the data is:

- Not currently and, as far as can be reasonably ascertained, not likely to become, part of a 'live' criminal investigation
- Not currently and, as far as can be reasonably ascertained, not likely to become, relevant to civil proceedings
- Not the subject of a complaint or dispute which has not been actioned
- The original data and that the audit trail has been maintained
- Not removed or copied without proper authority
- For individual disclosure only (i.e. to be disclosed to a named subject)

9.4 Upon receipt of a bona fide request to verify the existence of relevant data and payment of the appropriate fee (currently £10.00), the Town Clerk will ensure:

- No undue obstruction of any third party investigation to verify existence of data
- The retention of data which may be relevant to a request
- That there is no connection with any existing data held by the Police in connection with the same investigation

9.5 Any member of staff receiving a subject access request must note the name and address of the person making the request in order that the appropriate form may be sent to them. The details should then be passed without delay to the Data Controller or Deputy Clerk.

9.6 The Data Controller, or Deputy Clerk, will then send by first class mail a subject access request application form.

9.7 The Data Controller will only deal with subject access requests that are in writing and that are accompanied by a fee of £10.00.

9.8 On receipt of the completed form and the fee, the Data Controller will assess if there is sufficient information to locate the data subject contained within the reply. If not he/she will, without delay, write to the Data Subject and request the necessary information. If a reply is not received within 7 working days he/she shall disregard the request and record the reason for so doing.

9.9 On receipt of a subject access request and the required fee, the Data Controller shall process the request within 31 days.

9.10 Only the Data Controller or Deputy Clerk will attempt to locate the images and be responsible for decisions regarding disclosure.

9.11 The Data Controller or Deputy Clerk will decide if disclosing images will identify third parties and whether those images are held under a duty of confidence.

9.12 Any images so held will have the images of third parties blurred out or disguised.

9.13 Data Subjects may be asked if they merely wish to view their data, otherwise they will be provided with a copy of the CCTV data in standard USB/DVD format.

9.14 All third party viewings will take place in a private area away from the CCTV recording and monitoring facility.

9.15 If subject access is denied, the Data Controller will record the details of the refusal and inform the enquirer of the decision in writing.

9.16 If the Data Controller receives a request to cease processing personal data on the grounds that it is likely to cause unwarranted damage or distress, he must respond in writing to the individual within 21 days and state whether or not he will comply with the request, giving reasons for the decision.

9.17 The Data Controller will maintain a record of all such requests and the resultant decision.

10. Primary Request to View Data

10.1 Primary requests (i.e. those from law enforcement agencies) to view data generated by the CCTV system are likely to be made by third parties for any one or more of the following purposes:

- Providing evidence in criminal proceedings (Police and Criminal Evidence Act 1984, Criminal Procedures & Investigations Act 1996)
- Providing evidence for civil proceedings or tribunals
- The investigation and detection of crime
- Identification of witnesses

10.2 Third parties will be required to show adequate grounds for disclosure of data within the above criteria, this may include, but is not limited to:

- Police
- Statutory authorities with powers to prosecute
- Solicitors
- Plaintiffs in civil proceedings
- Accused persons or defendants in criminal proceedings

10.3 All primary requests will be recorded in a spreadsheet administered by the Town Clerk.

11. Secondary Request to View Data

11.1 A 'secondary' request for access to data may be defined as any request being made which does not fall into the category of a primary request. Before complying with a secondary request, the data controller shall ensure that:

- The request does not contravene, and that compliance with the request would not breach, current relevant legislation (eg. Data Protection Act 1998, Human Rights Act 1998, section 163 Criminal Justice and Public Order Act 1994, etc)
- Any legislative requirements have been complied with (e.g. the requirements of the Data Protection Act 1998)
- Due regard has been taken of any known case law (current or past) which may be relevant (eg. R v Brentwood BC ex p. Peck)
- The request would pass a test of 'disclosure in the public interest'

11.2 If, in compliance with a secondary request to view data, a decision is taken to release material to a third party, the following safeguards shall be put in place before surrendering the material:

- In respect of material to be released under the auspices of 'crime prevention', written agreement to the release of the material should be obtained from a police officer, not below the rank of Inspector. The officer should have personal knowledge of the circumstances of the crime/s to be prevented and an understanding of the CCTV System Code of Practice.
- If the material is to be released under the auspices of 'public well-being, health or safety', written agreement to the release of material should be obtained from a senior officer within the Local Authority. The officer should have personal knowledge of the potential benefit to be derived from releasing the material and an understanding of the CCTV System Code of Practice.

12. The Media

12.1 Where it is decided that the public's assistance is needed in order to assist in the identification of victim, witness or perpetrator in relation to a criminal incident. As part of that decision, the wishes of the victim of an incident will be taken into account. In all cases of media disclosures for the purposes of this clause the police authority will have the sole discretion of disclosure.

13. Training

13.1 All staff that handle or manage personal data derived from the CCTV system will receive appropriate training in the following fields:

1. Recognition of a subject access request
2. Recognition of a request to prevent processing likely to cause a Data Subject unwarranted damage or to prevent automated decision taking
3. The use of appropriate forms

4. What action to take on receipt of a request
5. How enquirers might be provided with a copy of this policy
6. How enquirers might make a complaint about the CCTV system either to the owner or Information Commissioner

14. Complaints

14.1 Any use of the CCTV system or materials produced which is outside the policy and is inconsistent with the objectives of the system will be considered gross misconduct.

14.2 Misuse of the system will not be tolerated; continuing public support is vital. Any person found operating outside this policy without good and reasonable cause will be dealt with under the Council's disciplinary system. If any breach constitutes an offence under criminal or civil law then court proceedings may be taken.

14.3 Any complaint concerning misuse of the system will be treated seriously and investigated by the Town Clerk. The Town Clerk or Deputy Clerk will ensure that every complaint is acknowledged in writing within seven working days, which will include advice to the complainant of the enquiry procedure to be undertaken.

14.4 Where appropriate the Police will be asked to investigate any matter recorded by the CCTV system which is deemed to be of a criminal nature.

15. Major incidents

15.1 In the event of a major incident arising, such as serious public disorder, bomb threats/explosions or serious fires, the Police will be given authority to supervise the CCTV. Such authority will be given by the Town Clerk or Deputy Clerk verbally or in writing under the constraints of The Regulation of Investigatory Powers Act 2000.

Totnes Town Council CCTV**Subject Access Request**

These notes explain how you can find out what information, if any, is held about you on the CCTV System.

Your Rights

Subject to certain exemptions, you have a right to be told whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise. Totnes Town Council will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s), who can be identified from that information, the Council is not obliged to comply with an access request unless

- The other individual has consented to the disclosure of information, or
- It is reasonable in all the circumstances to comply with the request without the consent of the other individual(s)

Totnes Town Council's Rights

Totnes Town Council may deny access to information where the Act allows. The main exemptions in relation to information held on the CCTV System are where the information may be held for:

- Prevention and detection of crime
- Apprehension and prosecution of offenders
- Giving you the information may be likely to prejudice any of these purposes

Fee

A fee of £10.00 is payable for each access request, which must be in pounds sterling. Cheques should be made payable to 'Totnes Town Council'.

THE APPLICATION FORM: (N.B. ALL sections of the form must be completed. Failure to do so may delay your application.)

Section 1

Asks you to give information about yourself that will help the Council to confirm your identity. Totnes Town Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

Section 2

Asks you to provide evidence of your identity by producing TWO official documents (which between them clearly show your name, date of birth and current address) together with a recent full face photograph of you.

Section 3

You must sign the declaration. When you have completed and checked this form, take or send it together with the required TWO identification documents, photograph and fee to:

Data Controller, Totnes Town Council, The Guildhall Offices, 5 Ramparts Walk, Totnes TQ9 5QH.

Totnes Town Council CCTV

Subject Access Request

This form is used to confirm the identity of the Data Subject, the identity and authority of the applicant (where applicable) and to assist in locating personal data relating to the Data Subject.

Please complete it and send it to the address at the end of the form. If you need any help please call 01803 862147.

SECTION 1

Data Subject's full name.....

Date of Birth.....

Address

.....

.....

.....

.....Post code.....

Telephone No.....

E-mail address.....

(a) Are you the Data Subject? Yes / No

If you answered 'Yes', go straight to Question 3. Otherwise, please provide the information below.

Your full name.....

Address

.....

.....
.....
.....Post code.....
Telephone No.....

(b) If you are NOT the Data Subject, state your relationship to them.

What is your relationship to the Data Subject?.....

(c) If you are NOT the Data Subject, describe your entitlement to receive details of their personal data, and the written authority enclosed (e.g. from the Data Subject) which supports this entitlement.

Why are you entitled to their Personal Data?.....

What written authority have you enclosed?.....

Our search for information relating to the Data Subject will be based on the information provided below.

CCTV footage (please tick).....

Date and time of incident when you believe image was captured (within 1 hour).....

Location of incident.....

Brief description of incident.....

Brief description of the clothing worn by the Data Subject at time of incident.....

SECTION 2

We must see the original documents and we cannot accept photocopies. Note that Totnes Town Council will return all documents as soon as possible via recorded delivery. If you deliver your documents in person we will return them to you after verification - please call 01803 862147 for further information.

(a) You must **confirm the Data Subject's identity** by sending one of the documents listed below.

Please tick to indicate which documents you have enclosed.

- i) Full Valid Driving licence issued by a member state of the EC/EEA.....
- ii) Birth Certificate or Certificate of Registry of Birth or Adoption certificate.....
- iii) Full Valid Current Passport or ID Card issued by a member state of the EC/EEA or Travel Documents issued by the Home Office or Certificate of Naturalisation or Registration or Home Office Standard Acknowledgement Letter (SAL).....

If the Data Subject's name is now different from that shown on the document you submit to confirm his/her identity, you must also supply original documentary evidence to confirm the Data Subject's change of name e.g Marriage Certificate, Decree Absolute or Decree Nisi papers, Deed Poll or Statutory Declaration.

(b) You must also **confirm the Data Subject's address** by sending us one of the documents listed below.

Please tick to indicate which documents you have enclosed.

- i) Gas, electricity, water or telephone bill in the Data Subject's name for the last quarter.....
- ii) Council Tax demand in the Data Subject's name for the last quarter.....
- iii) Bank, building society or credit card statement in the Data Subject's name for the last quarter....
- iv) Letter to Data Subject from solicitor/social worker probation officer in the last quarter.....

(c) You must also send us **a recent passport sized photograph of the Data Subject.**

SECTION 3

In exercise of the right granted to me under the terms of the Data Protection Act 1998, I request that you provide me with a copy of the personal data about the Data Subject which you process for the purposes I have indicated overleaf.

I confirm that this is all of the personal data to which I am requesting access. I also confirm that I am either the Data Subject, or am acting on their behalf.

Signed.....

Print name.....

Date.....

Make sure you have:

- (a) completed this form
- (b) signed the declaration above
- (c) enclosed originals of identification documents

Send to: **Data Controller, Totnes Town Council, The Guildhall Offices, 5 Ramparts Walk, Totnes TQ9 5QH.**

We recommend that you send your form and documents by a secure method e.g. Recorded Delivery.

DRAFT

SECTION 4 – FOR OFFICIAL USE ONLY

Application checked and legible? Date Application received.....

Identification documents checked?.....

Details of Document Produced.....

Documents Returned?.....

Member of staff completing this section

Name Location.....

Signature Date.....

Request - Granted / Denied

If Granted, please complete the following section:

Camera Number.....

Operators Details.....

Video Print Log Reference Number.....

Master DVD Reference Number.....

Date of Issue.....

Subject Access Signature or Proof of delivery address.....

CCTV Managers Name.....

CCTV Managers Signature.....

Comments.....

Before returning this form

- Have you completed ALL Sections in this form?

Please check:

- Have you enclosed TWO identification documents?
- Have you signed and dated the form?
- Have you enclosed the £10.00 (ten pound) fee?

Further Information: These notes are only a guide. The law is set out in the Data Protection Act, 1998.

Further information and advice may be obtained from: **The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel. (01625) 545745**

Totnes Town Council
 The Guildhall Offices
 5 Ramparts Walk
 Totnes
 TQ9 5QH

Date:
 Telephone:
 Direct Dial:

My Ref:

Ask for: Extension:

Dear Sirs,

Authority to view / request copy of CCTV digital hard drives.

In accordance with Totnes Town Council's CCTV Policy, please permitto
 view the digital hard drives following a recent incident.

a. OIS log Number and Date or Crime Reference Number

OR

b. Which occurred at about(time/date/location)

**i. I also ask that you retain the original exhibited master copy DVD(s) and produce an
 exhibited working copy with a supporting statement of evidence if required. (The Master
 DVD(s) must be retained under secure storage until the Police Liaison Officer confirms
 criminal proceedings have concluded).**

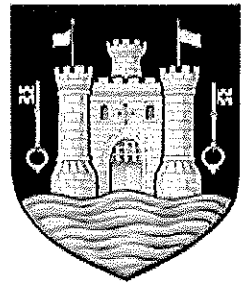
**ii. IN RELATION TO MAJOR INCIDENTS ONLY – that you produce a master and working copy
 DVD(s) from the digital hard drive and hand both to the officer against signature.**

Yours faithfully

.....
 Requesting Officer

.....
 (Printed surname)

Time.....



FLEXIBLE WORKING POLICY

TOTNES TOWN COUNCIL

November 2016

Reviewed: September 2018

Introduction

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made. As a good employer, Totnes Town Council has always had a positive view of flexible working. This statement sets out the framework in which variable working will be managed within the Council.

Eligibility

The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service. Only one flexible working request can be made within a twelve month period. The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application, and the manager is required to follow a specific procedure to ensure requests are considered objectively.

What is Flexible Working?

Flexible working can mean a change to the number of hours worked, the times worked or the place of work. Some examples of flexible working are: part-time working; job share; flexible working hours; term time only working; or working occasionally from home.

How to apply

Anyone considering flexible working must first discuss with their manager the reasons for the request to change their working pattern. A formal application must be made in writing to their Line Manager. It should set out clearly:

- The desired change in working pattern;
- What impact it will have on the work of the Council;
- What impact it will have on their work for the Council;
- How the employee will manage their work to ensure there is no loss in efficiency;
- What impact it will have on the employee's colleagues;
- How any potential problems will be overcome; and
- When the employee wishes to start the new way of working.

All applications will be considered fully. The Line Manager will meet with the employee to discuss the application as soon as possible. The employee has the right to be accompanied by a companion who may be a work colleague or trade union representative.

The companion has the right to address the meeting. They may also ask questions and present the employee's case. However they have no right to answer questions on the employee's behalf.

Who makes the decision?

The Council Matters Committee will consider all applications and consult the appropriate manager as required. The Council will notify employees of the decision as soon as possible. If an application is approved, the working arrangement may be implemented on a trial basis for an initial period of up to 6 months if necessary. If an application is refused, the individual will be notified in writing with reasons why the request cannot be accommodated at this time.

The grounds for refusing a request include:

- Additional burden of costs;
- Inability to reorganise work among other staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental effect on customer service;
- Detrimental impact on performance;
- Insufficient work available during the periods the employee proposes to work; or
- The proposal does not fit in with planned structural changes.

Regardless of whether an application is approved or not a further application cannot be made within 12 months.

Right of Appeal

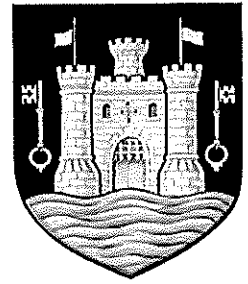
An employee has the right of appeal against the Council's decision. A meeting should take place to discuss a refusal to grant a request and this meeting will be with a Board of councillors who are not on the Council Matters Committee. It is important that this is dealt with in a timely manner as the law requires the consideration process to be completed within three months of first receiving the request, including any appeal.

Review

The Town Clerk and the appropriate Manager will undertake a review within the 6 month period as appropriate. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the working pattern may continue. If it may not continue, a minimum of two months' notice will be given that the working pattern cannot be accommodated and will end on a specified date.

All flexible working will be reviewed periodically by management to ensure that the needs of the Council continue to be met.



RECRUITMENT AND RETENTION POLICY

TOTNES TOWN COUNCIL

February 2015

Reviewed: September 2018

Overview

The recruitment and retention of staff plays a crucial role in the provision of services and the continued development of Totnes Town Council. It is important that the Council has an effective process for obtaining the best people to fill the vacancies that occur. Selection should be based on merit and suitability for the post alone and the recruitment process must support this.

The Council has an Equal Opportunities Policy that applies throughout the workplace and it is particularly important that it is applied at all stages of recruitment.

Through the recruitment process there is considerable contact with members of the public and therefore the recruitment procedure should enable anyone who becomes involved in it to go away with a positive and professional impression of the Council. Each recruitment campaign should be regarded as a public relations exercise as well as a search for a new employee.

These are the key stages in the recruitment process:

- For every post there should be a job description which accurately describes the tasks and objectives of the job.
- Normally vacancies will be advertised as appropriate.
- Candidates will be assessed by interview and if appropriate other assessment methods relevant to the role, for example presentations, ability tests or in-tray exercises.
- The interview has two main purposes – to find out if the candidate is suitable for the job, and to give the candidate information about the job and the organisation. All interviews need careful preparation if they are to be successful.

- The decision must be based solely on merit, that is, the candidate's suitability for the job on offer as described in the job description and person specification.

Aims

This policy aims to:

- Enable the Council to recruit the best candidate for the post through making it clear what the post is and what skills, experience and attributes are required.
- Set professional standards for recruitment, whether suitable candidates are easy or difficult to find.
- Ensure candidates are given the opportunity to demonstrate their abilities regardless of their race, religion or religious belief, sex or sexual orientation, age, disability or employment status.
- Help to recruit the best quality candidates.
- Ensure recruitment is seen as a key public relations exercise by all of those involved.

It should always be remembered that choice applies equally both to the recruiter and the applicant. A discerning candidate is more likely to choose an employer who applies a professional approach to recruitment.

Job description

For every post there should be a job description which accurately describes the tasks and objectives of the job. The job description should include the following:

- Identify the main purpose of the job.
- Identify the key areas of responsibility.
- Group the main tasks under logical headings if appropriate.
- Rank the main tasks in order of importance.
- Work out the functional links with people in the Council and with other work being undertaken by the organisation.
- Work out lines of responsibility: to whom is the postholder accountable and who does the postholder supervise?

Application Form

The Council will practice shortlisting as it is good practice: personal information will be kept separate from the application form so that the selection panel is not aware of the names and details of the candidates.

Advertisements

Normally all vacancies will be advertised externally. An exception can be made when a post is readvertised within 6 months from the date of appointment. At this time applications can be taken from previous candidates and any existing member of staff.

The content of the advert should include:-

- Brief information about the organisation concerned

- Description of the post, including title and grade, role and main responsibilities (reflecting the job description).
- Experience, skills, qualifications and personal qualities required (reflecting the person specification).
- Salary and benefits.
- How to apply – usually application form.
- Closing date (all advertisements should have a closing date usually at least 2/3 weeks from appearance in chosen media).
- Interview dates.

The heading of the advertisement is of paramount importance. People look first for job title/function, location and salary. The sequence of the text should be organised in a logical way, starting with the overview and leading to the specific. The style must be reader friendly and may vary depending on the target audience. Speak as you would be spoken to using “you” and “we.” Make the text concise without repetition, factual and cliché/jargon free. Do not use words such as ‘self-starter,’ ‘change-agent’ etc. The wording of the advertisement should positively encourage all suitably qualified applicants to apply. Sell the job opportunity.

Shortlisting

Longlisting, where applicable, may be undertaken by the Clerk. The interview panel should undertake the short listing wherever possible.

The person specification will be used at the shortlisting stage to record the reasons for selection and non-selection of candidates for interview. It will contain the essential and desirable criteria against which the candidates will be measured. Assess each application against the essential criteria of the person specification using an agreed scoring system and completing a shortlisting form to be completed for each candidate.

Assessment Methods

Candidates will be assessed by interview and if appropriate other assessment methods relevant to the role, for example presentations, ability tests or in-tray exercises. It is useful to use a work-based activity to test the skills in relation to the job duties, (as opposed to just talking about them), and also helps nervous candidates to show their full abilities.

The Interview

The interview has two main purposes – to find out if the candidate is suitable for the job, and to give the candidate information about the job and the organisation. All interviews need careful preparation if they are to be successful. Questions should be prepared in advance of the interview and an interview scoring form prepared with an agreed scoring system. Each candidate should leave with a sense of being treated well and fairly and having had the opportunity to give their best, and to ask the panel questions.

A structured interview designed to cover all relevant information and assess the skills, knowledge and experience of the applicant is an efficient method of focusing on the match between job and candidate. This ensures there is a consistent approach to the interviews, which is particularly important if there are a number of candidates to be seen. The interview process will be held in accordance with Standing Orders.

It is essential to ensure that all candidates are treated equally so it is important to give each candidate an equal chance to show their attributes in each area. For this reason it is important to ensure all candidates are questioned on the same areas of knowledge, experience etc. However, should a candidate require extra assistance due to a disability, or have any special requirements these should be accommodated as much as possible.

The Decision

Having carried out the interview and any other activities, it is time to make the decision. The decision must be based solely on merit, that is, the candidate's suitability for the job on offer as described in the job description. Normally this will be the candidate who has all the essential qualities contained in the person specification and the most important desirable qualities. It would be unlawful to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post.

In order to avoid any possible accusation of bias, employees and councillors should not be involved in an appointment where they are related to the applicant, or have a close personal relationship with them outside of work. It is good practice to ask the applicant to declare this on the application form. In such cases the employee should declare this applies and alternative arrangements/selection panel will be arranged.

The reasons for selection and non-selection must be recorded in writing and kept on file for a period of 6 months. The Town Clerk should be given all interview notes as they will be kept centrally.

If no candidates fulfil all the essential criteria it is important not to appoint to the post. Most appointees will be with the Council for a number of years and although it is sometimes tempting to employ someone who does not reach the standards to cover a short-term shortfall, this can create more problems in the long term. If no suitable candidates are available then the Council Matters Committee will advise on re-assessing the situation to establish whether an alternative solution can be found. This is obviously the most important part of the process and therefore needs to be approached systematically. The panel should utilise all available information. The panel should make decisions in relation to job requirements e.g. if it is essential that somebody has management experience before the interview process, this position should be maintained. Do not simply compare candidates; always assess each candidate against the person specification. Interview assessment forms should be filled in after each interview and not left until the end. Remember biases that can influence, such as first and last impressions. Check the decision to see if it was arrived at fairly to ensure equality of opportunity. Make notes and a record of why the candidate will

be offered the job, who was second etc as this record can demonstrate a fair and competent selection process. It can also assist when providing feedback.

An employer must always be able to justify their decision in recruiting a particular person in case of an application to an employment tribunal. If the issue reached a tribunal, the Chair would have to provide evidence showing how and why you reached your decision.

The Offer

Once a conditional offer has been made and accepted, references will be taken up and a pre-employment medical questionnaire completed. If the candidate has declared a disability or, as a result of the medical questionnaire, adjustments to the post or environment are required, then these should be assessed by Occupational Health. All reasonable adjustments will be made. Totnes Town Council will send an offer letter and a Statement of Particulars. Subject to everything proving satisfactory the candidate can start.

Feedback for Candidates

Many candidates ask for feedback on their applications and interviews. For this reason, and to demonstrate there are fair reasons for the selections made, it is important to document short-listing and interview decisions. Applicants often spend a considerable time filling out applications and giving up time to attend for interview and it is important they get a good impression of the Council through this process. It is therefore only fair to give them the time and respect to explain why they have not been selected.

Probation

All employees joining the Council will be placed on a six-month probationary period with a review with their Line Manager at 3 months.

Retention of Recruitment Documents

All original application forms, references and interview notes/assessments must be returned to the Town Clerk where they will be kept for 6 months. Should a candidate submit a claim of discrimination to a tribunal, such records would be required as evidence. Information relating to employees should be retained on their personal file

Employment Law

When carrying out recruitment and selection you need to be aware of Employment Law, particularly discrimination legislation. It is important to avoid discrimination during the recruitment process. This is not only a legal requirement, but also gives you the best chance of getting the right person for the job. When interviewing people for a job there are certain questions you should not ask, either directly or indirectly, including whether a candidate is married, a partner in a same-sex civil partnership, or plans to have children. You must not attempt to elicit information about a person's sexual orientation or their religion. You could face a claim of unlawful discrimination if - because of their gender, race, etc - you were to

select a man, white person, etc for a job who is less well qualified than other candidates who were female, black, etc.

Rehabilitation of Offenders Act 1974

This Act was passed to prevent discrimination against ex-offenders once their criminal convictions are "spent". It is unlawful for an employer to ask about spent convictions or to let the fact that an applicant has a spent conviction influence a recruitment decision. However, there are a range of occupations, particularly in local government, which are excluded from the provisions of the Act. These primarily include jobs which provide services to people under 18 years of age or vulnerable adults, e.g., teachers, school caretakers, youth workers, social workers and leisure attendants. For these posts, a spent conviction will be a legitimate ground for refusing to employ someone, but the applicants must be informed that the post is not covered by the Rehabilitation of Offenders Act.

Asylum & Immigration Act 1996

Employers commit an offence if they employ a person who has not been granted leave to enter or remain in the UK, or if his or her stay in the UK is subject to a condition that precludes taking up employment. However, if before the employment began the potential employee produced suitable documentation it may then be a defence. Suitable documentation includes:-

- A current passport confirming you are a British citizen or, a national identity card, or Home Office document confirming your right to reside and work in the UK;
- A document from a UK government agency, e.g. National Insurance Card/Inland Revenue P45/P60, confirming your name and National Insurance number together with either a full UK, Ireland, Channel Islands or Isle of Man birth certificate or, a certificate of registration/naturalization confirming British citizenship or, a Home Office document confirming the right to reside and work in the UK;
- A work permit issued by Work Permits UK together with a passport or a Home Office document confirming the right to reside and work in the UK.

Equality Act 2010

The Equality Act came into force on 1 October 2010. The Act harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what you need to do to make your workplace a fair environment and to comply with the law.

Under the Equality Act 2010 it is unlawful to discriminate against people at work because of:

- Age; Disability; Gender reassignment; Marriage and civil partnership; Pregnancy and maternity; Race; Religion or belief; Sex; Sexual orientation.

Staff Retention

This policy provides the framework within which retention of staff is undertaken within Totnes Town Council. The Equal Opportunities and Dignity at Work Policies lie at the heart of all aspects of retention.

Induction: All staff will carry out induction training as soon as possible after arrival.

Flexible Working: All staff have the right to request changes in their working patterns but they should take into account the needs of the team when making this request. (See Flexible Working Policy)

Lone Working: The Trust believes that all of its employees, regardless of where they are located, have a right to work in an environment which is safe and where they are not put at undue risk.

Secondments: These provide a valuable opportunity for staff to enhance their skills and broaden their experience and will be supported when possible.

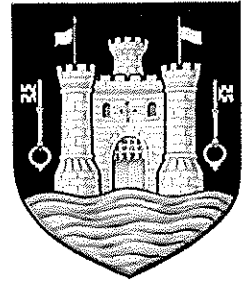
Sabbatical: Members of staff with a minimum of 26 weeks continuous service can apply for a leave of absence. This application must be made in writing to the Town Clerk who will consult the Council Matters Committee for a decision.

Communication: The Town Council recognises the importance of good channels of communication. Staff will be kept informed of events via appropriate committees or line management. The Town Council will reinforce a positive culture of communication and will not endorse gossip.

Grievance: Staff have opportunities to raise issues about which they have concerns, in the first instance through their regular staff meetings. Staff also have the opportunity to take up issues which concern them through the Grievance Policy. Any issues must first be discussed with the line manager and if a satisfactory result is not obtained at this meeting, then an official grievance may be raised as per the policy. For further information please refer to the Grievance Policy.

Continuous Professional Development: The process of education and development enables staff to maintain their competence and increase their proficiency and expertise. CPD covers a wide range of education and development activities and can be undertaken on an individual or team basis, in or away from the workplace, and on a formal or more informal basis, e.g. formal courses/learning programmes; conferences and study days; workplace-based opportunities, e.g. mentorship, secondments, projects; on-the-job learning, e.g. learning from colleagues, supervised /assessed practice, practice experience, feedback and appraisal; personal study, e.g. reading journal articles; and experiences in other areas of life, e.g. volunteering or leadership role within a community group that can be applied to work roles.

Health and Wellbeing: The Town Council will pay for an annual eye test for all members of staff who need to use a computer on a regular basis. Occupational Health services will be provided as required. Workstation self-assessments should also be carried out by staff annually. Full line management support is also provided to all staff.



Office Management during Staff Leave

TOTNES TOWN COUNCIL

November 2016

Reviewed: September 2018

This Policy lays down the requirements for staffing the office when employees are on annual leave.

- The office is to be open from 10am – 4pm Monday to Friday (excluding bank holidays).
- There should be at least two members of staff in the office during opening hours.
- Staff leave will be approved by the Town Clerk and recorded on individual leave record cards which should be presented to the Town Clerk at the end of the leave year or as requested. The Town Clerk's leave record will be presented to the Council Matters Committee on request
- Staff leave will be entered on the office outlook calendar and Councillors are welcome to view it

Whilst every effort will be made to achieve the above, there will be times, such as during the Christmas recess, when it will not be possible to achieve every point. The Town Clerk has overall delegated responsibility to manage the staff and office cover. If the office has to close during core hours then the Chair of Council Matters and/or the Mayor will be informed.

