

Minutes Approved on:	
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DRAFT

Minutes of a meeting of the Communications and Policies Committee held on Thursday 11 November at School Green Centre, commencing at 18:00 hrs.

Present: Cllrs A Grimes (Ch), I Montgomery, D Peer
Attending: M Balbini (Clerk), Kouy Young (Deputy Clerk)

21/CPC/17	Public Questions There were no public questions.
21/CPC/18	Apologies and declarations of members' interests 18.1 Apologies were received from Cllr. Brown, Boyer and McDowell 18.2 There were no declarations of members' interests.
21/CPC/19	Minutes of the previous meeting The minutes of the previous meeting of 14 October 2021 were AGREED as a correct record of the meeting and signed by Cllr Grimes. Proposed: Cllr. Peer Seconder: Cllr. Montgomery Unanimously agreed
21/CPC/20	20.1 Actions <u>6.2 Clerk to present a communications plan at the next meeting to inform discussions on how to move forward.</u> This item was noted as ongoing.
	<u>7.2 Deputy Clerk to produce a workplan detailing the policy review schedule to include a list of all existing policies and detailing the policies been reviewed to date.</u> The Clerk confirmed that this item was now complete.
	<u>7.4 Clerk/Cllr Grimes/Cllr Montgomery to produce a log of which houses had received newsletters hand delivered by councillors.</u> The Clerk undertook to check details using Google. This item was noted as ongoing.
	<u>7.5 Invite to residents to receive the newsletter electronically would be included in all future newsletters.</u> This item was noted as complete.

	7.6 <u>Clerk to research methods used by other parish councils to engage new residents</u> The Clerk confirmed that other parish councils were using the same methods as SPC to communicate with members and undertook to contact sales directors of local developments to request that they include details of SPC in their sales details.
	7.7 <u>SPC website to include a welcome page for new residents, containing information and links to resources, and offer residents the opportunity to sign up to the SPC newsletter.</u> This item was noted as complete.
	15.1.3 <u>Disciplinary and Grievance policy to be sent back to HR advisers and returned to committee for approval once checked.</u> This item was noted as ongoing.
	15.2.4 <u>GDPR policy to be reviewed within next seven days and recirculated to members for comment.</u> This item was noted as ongoing.
	15.4 <u>Policies to be prioritised for review</u> This item was noted as ongoing.
	20.2 Matters Arising
	There were no other matters arising.
21/CPC/21	Communications
	20.1 Cratus Update
	The Clerk undertook to discuss the position with Cratus with Cllr Boyer and provide a report for the next meeting.
21/CPC/21	Policies
	21.1 It was AGREED that the Travel policy and Disciplinary and Grievance policy would be added to the agenda for review at the next meeting.
	21.2 It was AGREED that Data Protection Policy requirements would be added to the GDPR policy. In addition the following sentence and required text was to be added "The practical implementation of the policy is to be referenced in the document to enable the staff to operate the policy"
21/CPC/22	Next meeting Date: TBC

The meeting ended at 21:50

Ref	Action	Action by
6.2	Clerk to present a communications plan at the next meeting to inform discussions on how to move forward.	Clerk
7.4	Clerk/Cllr Grimes/Cllr Montgomery to produce a log of which houses had received newsletters hand delivered by councillors.	Clerk/Grimes/Montgomery
15.1.3	Disciplinary and Grievance policy to be sent back to HR advisers and returned to committee for approval once checked.	Deputy Clerk

15.2.4	GDPR policy to be reviewed within next seven days and recirculated to members for comment.	Deputy Clerk
15.4	Policies to be prioritised for review	Deputy Clerk/Clerk
20.1	Clerk to discuss the position with Cratus with Cllr Boyer and provide a report for the next meeting.	Clerk/Cllr Boyer
21.1	Travel policy and Disciplinary and Grievance policy be added to the agenda for review at the next meeting	Clerk
21.1	Data Protection Policy requirements to be added to the GDPR policy. In addition the following sentence and required text to be added "The practical implementation of the policy is to be referenced in the document to enable the staff to operate the policy"	Clerk/Deputy Clerk

	Policies Overdue to be Reviewed
	Policies Drafted and Awaiting/in Review
	Active and Up to Date Policies
	Policies currently being worked on
	Has been superseded



Shinfield Parish Council Policy Review Schedule

Policy	Council Current	Notes	Review	Approval Date	Status
Data Protection Privacy Policy	21 st May 2018		No date given		Is this needed if updating GDPR?
Equality Policy	May 2012	No specific date of approval provided – Unsure of Council approval	Annually (has never been reviewed/updated)		Updated policy has been drafted and awaiting review by C&P
Fees and Charged Policy	15 th March 2021		March 2022		
GDPR Policy	21 st May 2018	(currently the same document as Data Protection Privacy Policy, just unformatted)	10 th November 2021		Currently under Review – further updates being made – due to go through C+P
Health and Safety Policy Manual		No date provided on document – Unsure of council approval	TBD		Is Currently being updated
Investment and Reserves Policy	17 th May 2021		May 2022		
Policy on Investing in our community		Policy drafted 19 th July 2019 but never approved	Annually		
Procurement Policy	21 st May 2021		May 2022		
SAR Policy	21 st May 2018		No date given		Currently in Draft and ready to be reviewed by C&P
Travel Policy – For Members	February 2012	No specific date of approval provided on document	No date given		
Email Policy	19 th March 2018		No date given		Updated version in draft and awaiting review
Disciplinary and Grievance Policy			10 th November 2021		Currently under Review – further updates being made – due to go through C+P

Social Media Policy			TBD		Currently in Draft and ready to be reviewed by C&P
Recording Meetings Policy			TBD		Has been in Draft since 2014
Staff and Councillor Training Policy	Adopted November 2015	No Specific approval/adoption date	To be superseded by updated Training and Development Policy		
Retention and Disposal of Documents Policy	19 th March 2018		No date given		To be reviewed and updated in line with legislation
Standing Orders	19 th April 2021		October of each election year		
Performance Management Policy		None currently in place	TBD		Has been drafted is awaiting review
Shinfield Parish Council Handbook			No Date Given (as and when policies are updated)		Is Currently being updated
Whistle Blowing Policy and Procedure		None currently in place	TBD		Drafted and awaiting review
CCTV Policy		None currently in place	TBD		drafted and being reviewed by Andrew Moulton at WBC
Code of Conduct			Every 4 years		Updated version in draft and awaiting review
Lone Working Policy		None currently in place	TBD		Drafted and awaiting review
Recruitment and Termination Policy		None currently in place	TBD		Drafted and awaiting review
Safeguarding policy and procedures		None currently in place	TBD		Drafted and awaiting review
SPC Complaints Procedure		None currently in place	TBD		Drafted and awaiting review
Training and Development Policy		None currently in place	TBD		Drafted and awaiting review

Shinfield Parish Council

Disciplinary and Grievance Policy and Procedure

Document Review and Amendment History

Original Policy	Date Approved		Approved By	Review Date
Original		Original Policy	Full Council	21/05/2023
Document Revision Number	Date of Change	Change Description	Approved by	Next Review Due Date

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1. Policy

Shinfield Parish Council aims to ensure that there will be a fair and consistent approach to the enforcement of standards of conduct and performance in the Council. This policy and procedure are designed to help and encourage all employees to achieve and maintain standards of conduct, attendance, and job performance. This procedure sets out the action that will be taken when disciplinary rules are breached.

Matters which may be dealt with under this policy include discipline and dismissal for the following reasons (please note that this list is not exhaustive):

- Misconduct
- Sub-standard performance
- Harassment or victimisation
- Misuse of council facilities, including computer facilities (e.g. email and internet)
- Poor timekeeping
- Unauthorised absence

2. Principles

- Informal action will be offered, where appropriate, to resolve problems.
- No disciplinary action will be taken against an employee until the case has been fully investigated and a disciplinary hearing has taken place.
- For formal action the employee will be advised in writing of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.
- Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of meetings.
- At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
- Any mitigating circumstances will be considered when reaching decisions on appropriate disciplinary penalties.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.
- An employee will have the right to appeal against any discipline imposed.
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

3. Procedure

Informal stage

Minor faults will be dealt with informally. Where the matter is more serious the following procedure will be used.

3.1 Stage 1

This will normally be either:

An improvement note for unsatisfactory performance if performance does not meet acceptable standards: This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The employee will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for six months, but will then be considered spent – subject to achieving and sustaining satisfactory performance

Or

A first warning for misconduct if conduct does not meet acceptable standards:

This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after six months.

3.2 Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance to the prescribed standard during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will advise of the right of appeal. A copy of this written warning will be kept but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance. In exceptional cases the period may be longer.

3.3 Dismissal or other sanction

If there is still further misconduct or failure to improve performance to the prescribed standards and timeframe, the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension (as allowed in the contract of employment). The employee will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which his or her employment will terminate (in accordance with the employee's notice entitlement), and will be notified of his or her right of appeal.

If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept but will be disregarded for disciplinary purposes after twelve months subject to achievement and sustainment of satisfactory conduct or performance.

4. Gross Misconduct

The following list provides some examples of offences which are normally regarded as gross misconduct:

- Theft or fraud
- Physical violence or bullying
- Deliberate and serious damage to property
- Serious misuse of Shinfield Parish Council's property(s) or name
- Deliberately accessing internet sites containing pornographic, offensive or obscene material
- Serious insubordination
- Unlawful discrimination or harassment
- Bringing the Council into serious disrepute
- Serious incapability at work brought on by alcohol or illegal drugs
- Causing loss, damage or injury through serious negligence
- A serious breach of health and safety rules
- A serious breach of confidence/confidentiality.

This list is not intended to be an exhaustive one and only gives an indication of the types of offence that may be considered gross misconduct.

If the employee is accused of gross misconduct, the Council may suspend him or her from work with pay whilst an investigation is carried out of the alleged offence. This will be as brief as possible, normally for no more than five working days, and the Council will explain its reasons in writing.

The employee shall not attend his or her place of work during suspension, other than for the purpose of attending disciplinary proceedings, including investigatory interviews.

The employee shall not contact any other employees or contacts of the Council, except the employee's companion, without the Council's consent.

If, on completion of the investigation and the full disciplinary procedure, the Council is satisfied that gross misconduct has occurred, the result will normally be summary dismissal, i.e. dismissal without notice or pay in lieu of notice.

4.1. Suspension

If allegations of gross misconduct or serious misconduct are made, the Council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation. While on suspension, the employee is required to be available during normal hours of work should the Council need to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or Councillor. The employee must not attend work. The Council will make arrangements for the employee to access any information or documents required to respond to any allegations.

5. Disciplinary Investigations

The Council is committed to ensuring that all potential infringements of disciplinary rules are fully investigated and will decide if a formal disciplinary investigation is required. The Council will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a Councillor. If the Council considers that there are no Councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be asked to submit their findings within 20 working days

The investigators role is to establish the facts of the case as quickly as possible and prepare a report that recommends whether disciplinary action should be considered under the policy. The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either:

- a) The employee has no case to answer and there should be no further action under the Council's disciplinary procedure
- b) The matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally
- c) The employee has a case to answer and a formal hearing should be convened under the Council's disciplinary procedure.

The Investigation may entail carrying out interviews with the employee concerned and third parties such as witnesses, colleagues, and managers, as well as analysing written records and information. It may also involve a search of the employee's person and/or property (dependant on police involvement). The investigation report will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.

Where an employee is called to attend an investigatory interview, it will be made clear that this is not a disciplinary hearing.

6. Disciplinary hearing

An employee will be invited, in writing, to a disciplinary hearing once the investigations are complete. Prior to the meeting the employee will be informed of the nature of the allegations that are to be addressed. Employees may be accompanied by or represented by a workplace colleague, a trade union representative, or a trade union official. The disciplinary hearing will be conducted by the Staffing Committee Chair who will chair the hearing and two other members of the Staffing Committee.

A written record will be made of the hearing, detailing the reasoning of the outcome by the chair of the meeting which will be circulated to all participants. Any record of disciplinary action will be held on the employee's file.

7. Appeals

If the employee wishes to appeal against a disciplinary decision, he or she must do so within five working days of the receipt of the disciplinary letter. The appeal should be made in writing, stating the ground(s) on which the disciplinary penalty should be reviewed and must specify the grounds for appeal. The grounds for appeal include:

- a) A failure by the Council to follow its disciplinary policy
- b) The disciplinary decision was not supported by the evidence
- c) The disciplinary action was too severe in the circumstances of the case
- d) New evidence has come to light since the disciplinary meeting.

Where possible, the appeal will be heard by a panel of at least three members of the Council who have not previously been involved in the case. This includes the Investigator. The appeal panel will appoint a Chairman from one of its members and their decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

In the rare circumstances where this is not possible, alternative arrangements will be agreed with the employee and his or her companion.

The appeals hearing will be normally held within 10 working days of receipt of the letter. The decision of the Appeals Panel shall be final.

7.1 Appeals hearing

The employee will be advised that he/she may be accompanied by a companion - a workplace colleague, a trade union representative, or a trade union official.

At the appeals hearing, the employee shall be given the opportunity to state the ground(s) on which the appeal is made. The hearing will be adjourned when all the evidence has been heard. Panel members conducting the appeal will consider the merits of the appeal, in private, before reaching a decision.

The Panel members will, whenever possible, verbally inform the employee of the decision reached and confirm this in writing no later than five working days after the hearing.

Members of the Panel have the authority to quash or reduce a disciplinary penalty and may make recommendations for any reconciliation processes.

An appeal hearing is intended to focus on specific factors that the employee feels have received insufficient consideration, such as:

- An inconsistent/inappropriate harsh penalty
- Extenuating circumstances
- Bias of the disciplining manager
- Unfairness of the hearing
- New evidence subsequently coming to light.

Where an appeal against dismissal fails, the effective date of termination shall be the date on which the employee was originally dismissed.

Notes

- Employees will receive a written invitation to all disciplinary meetings
- Outcomes of formal meetings will be confirmed to the employee in writing.
- The timescales listed above will be adhered to wherever possible. Each party can request an extension of the permitted timescale where there are good reasons.
- The Council reserves the right to seek assistance from external facilitators at any stage in the disciplinary procedure, in the interests of seeking a satisfactory outcome for all those concerned.
- For employees during their first year of employment, the Council reserves the right to speed up the decision-making process and may choose to follow a shortened version of the above procedure.
- The grievance procedure should not be used for appeals against disciplinary decisions. That is the purpose of the disciplinary appeals procedure.
- If, however, the employee has a complaint against the behaviour of a manager during a disciplinary case, they may raise it as a grievance with a senior manager. If necessary, the disciplinary procedure may be suspended for a short period until the grievance can be considered. Another manager may be brought in to deal with the disciplinary case.

8. Grievance Procedure

This procedure aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems, or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

9. Informal Grievances

Wherever possible the council encourages employees to bring any grievances they have to their manager as soon as they arise and a decision will be made as to whether this can be resolved informally.

If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the Council Chairman.

If the employee's complaint is about a Councillor, it may be appropriate to involve that Councillor at the informal stage. This will require both the employee's and the Councillor's consent.

10. Formal Grievances

If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the Council and the Council will hear the grievance (known as a grievance meeting)

11. Grievance Investigations

If the Council decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an Investigator to carry out an investigation before the grievance meeting to establish the facts of the case, (just as with a disciplinary investigation, the same steps are followed - please see content point 5).

Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting.

12. Grievance Appeal

Just as with the above detailed disciplinary appeal procedure (please see content point 7), the same process applies to Shinfield Parish Council grievance appeal process

13. Abuse of this policy

Any abuse in the application of this policy will be dealt with in accordance with The Council's Disciplinary Policy and Procedure and may possibly result in disciplinary action being taken, up to and including dismissal.

14. Alterations and amendments to this policy

This policy does not form part of an employee's contract of employment. The Council reserves the right to amend or withdraw this Policy at its absolute discretion, in accordance with the needs of the council.

This policy will be reviewed on a 2-yearly basis

General Data Protection Regulation (GDPR) Policy

Document Review and Amendment History

Original Policy	Date Approved		Approved By	Review Date
Original	21/05/2018	Original Policy	Full Council	21/05/2021
Revision Number	Change Date	Change Description	Approved by	Next Review
01				

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**This Policy is provided to you by Shinfield Parish Council,
the data controller for your data.**

Contact details are:

Shinfield PC, c/o The Clerk, Shinfield Parish Hall, School Green, Shinfield, Berkshire, RG2 9EH.

Email: clerk@shinfieldparish.gov.uk

1. The Purpose of this Policy

- 1.1. This Privacy Notice is provided to you by Shinfield Parish Council which is the data controller for your data.
- 1.2. The General Data Protection Regulation (GDPR) Act is the regulation that replaced the Data Protection Act 1998 and came into force on 25th May 2018.
- 1.3. This regulation sets out requirements for how organisations are required to handle personal data, with the aim that it will enhance the rights of people whose data is held and give them more control over what happens to their data.
- 1.4. Shinfield Parish Council shall only handle personally identifiable data relevant to its activities and data handlers within the Parish Council will only handle personally identifiable data relative to their role

2. Information Applicable to the GDPR Act

- 2.1. The GDPR applies to 'personal data', this means any information relating to an individual person who can be directly or indirectly identified by any of the personal data held by directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data).

3. Your Personal Data – What is it?

- 3.1. "Personal Data" is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address).
- 3.2. Examples of personal data are:
 - 3.2.1. Name
 - 3.2.2. Email address
 - 3.2.3. Phone number
 - 3.2.4. Personal Identification Numbers, e.g. bank account, national insurance number
- 3.3. Identification can be the processing of personal data and is governed by legislation relating to personal data which applies in the United Kingdom, including the General Data Protection Regulation (the "GDPR") and other legislation relating to personal data and rights such as the Human Rights Act.

4. Personal Data we Process:

- 4.1. Names, titles, aliases and photographs.
- 4.2. Contact details such as telephone numbers, addresses and email addresses.
- 4.3. Where they are relevant to the services provided by the Council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition and dependents.

- 4.4. Where you pay for activities, such as the use of a Council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers and claim numbers.
- 4.5. Our website does not use cookies for tracking purposes. They are used solely for providing web traffic and statistical information.

5. Processing / Use of Personal Data

- 5.1. The Council will comply with data protection law. This says that the personal data we hold about you must be:
 - 5.1.1. Data obtained for a specific and lawful reason.
 - 5.1.2. Data processed fairly and lawfully.
 - 5.1.3. Relevant and used only for the purpose in which it was collected.
 - 5.1.4. Accurate and up to date.
 - 5.1.5. Stored and kept for no longer than is necessary and is kept secure at all times, so that it is not subject to loss or damage and only accessed by those appropriate, i.e. not accessible to members of the public.
 - 5.1.6. Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect that data from loss, misuse, unauthorised access and disclosure.
 - 5.1.7. Processed in accordance with the rights of individuals – upon request individuals may request all of the information held in regard to them.
- 5.2. We use your personal data for some or all of the following purposes:
 - 5.2.1. To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services.
 - 5.2.2. To confirm your identity to provide some services.
 - 5.2.3. To contact you by post, email, telephone or using social media (e.g. Facebook)
 - 5.2.4. To help us to build up a picture of how we are performing.
 - 5.2.5. To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions.
 - 5.2.6. To enable us to meet all legal and statutory obligations and powers including any delegated functions.
 - 5.2.7. To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury.
 - 5.2.8. To promote the interests of the council.
 - 5.2.9. To maintain our own accounts and records.
 - 5.2.10. To seek your views, opinions or comments.
 - 5.2.11. To notify you of changes to our facilities, services, events and staff, councillors and other role holders.
 - 5.2.12. To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives.

- 5.2.13. To process relevant financial transactions including grants and payments for goods and services supplied to the Council.
- 5.2.14. To allow the statistical analysis of data so we can plan the provision of services.
- 5.2.15. Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

6. Sensitive Data

- 6.1. Some Personal Data is further classified as Sensitive Personal Data. The GDPR Act requires 'sensitive data' to be treated differently. Categories of sensitive data are:

- 6.1.1. Racial or Ethnic Origins.
- 6.1.2. Political Opinions.
- 6.1.3. Religious Beliefs.
- 6.1.4. Mental and/or Physical Health Details.
- 6.1.5. Medication/Treatment Received.
- 6.1.6. Trade Union Affiliations.
- 6.1.7. Genetic Data.
- 6.1.8. Biometric Data.
- 6.1.9. Data concerning Sexual Life or Orientation.

- 6.2. Should Shinfield Parish Council come into contact with any sensitive data, this information will be processed in line with all legal obligations under the GDPR 2018 Act.

7. How we use Sensitive Personal Data

- 7.1. Shinfield Parish Council may process sensitive personal data as listed in point 6, as appropriate:

- 7.1.1. Information regarding physical or mental health or condition to monitor sick leave and take decisions on fitness for work (application mainly to Shinfield Parish Council staff members).
- 7.1.2. Racial or ethnic origin, religious beliefs or similar information to monitor compliance with equal opportunities legislation.
- 7.1.3. In order to comply with legal requirements and obligations to third parties.

- 7.2. These types of data are described in the GDPR as "Special categories of data" and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

- 7.3. Shinfield Parish Council may process 'special categories' of personal data in the following circumstances:

- 7.3.1. In limited circumstances, with your explicit written consent.
- 7.3.2. Where we need to carry out our legal obligations.
- 7.3.3. Where it is needed in the public interest.

- 7.4. Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the

information public.

8. Consent

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

9. Data Controllers

- 9.1. The Data controllers with whom Shinfield Parish Council work includes but is not limited to:

- 9.1.1. Local Authorities.
- 9.1.2. Community groups.
- 9.1.3. Charities.
- 9.1.4. Other not for profit entities.
- 9.1.5. Contractors.
- 9.1.6. Credit reference agencies.

This list can be extended as appropriate to our Data handling requirements

- 9.2. Shinfield Parish Council may need to share the personal data we hold regarding individuals with Data Controllers as stated in 9.1, so that they can carry out their responsibilities to the council.
- 9.3. If Shinfield Parish Council and other data controllers are processing data jointly for the same purposes, then the Council and the other data controllers may be “joint data controllers” which means both are collectively responsible for the data.
- 9.4. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.
- 9.5. A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.
- 9.6. Where we publish links to other websites from our website it should be noted that this policy relates to our website only, not those of any third parties.

10. The Legal Basis for Processing Personal Data?

- 10.1. The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the Council’s statutory functions and powers.
- 10.2. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council’s services. We will always take into account

your interests and rights. This GDPR Policy sets out your rights and the Council's obligations to you.

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

11. Sharing your Personal data

- 11.1. This section provides information about the third parties with whom the Council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data.
- 11.2. It is likely that we will need to share your data with some or all the following (but only where necessary):
 - 11.2.1. The data controllers listed above under the heading "Data Controllers".
 - 11.2.2. Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software.
 - 11.2.3. On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

12. Retention of Personal Data

- 12.1. We will keep some records permanently if we are legally required to do so. We may keep other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information.
- 12.2. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The Council is permitted to retain data in order to defend or pursue claims. In some cases, the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim.
- 12.3. Data will only be retained in accordance with our retention schedule.
- 12.4. As recommended by the Information Commissioner's Office (ICO), we will seek to undertake a data "audit" at least every three years to ensure that all unnecessary data is deleted.
- 12.5. When we delete hard copy data, we will do so via a secure mechanism such as shredding or by appointing a professional service.

- 12.6. All our elected Councillors have a “Council” email address allocated to them once elected, this is removed immediately they step down or cease to be an elected representative.
- 12.7. Where elected Councillors use a personal laptop, mobile phone or other form of electronic device to undertake their elected duties, we will ensure that they sign and adhere to a Council adopted policy requiring that such devices are password protected at all times and that third parties do not have access to them whilst they are elected.
- 12.8. Immediately any elected Councillor steps down or ceases to be an elected representative we will seek a signed confirmation that all data relating to Council business is deleted.

13. Your Rights and Your Personal Data

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

- 13.1.1. The right to access personal data we hold on you, also known as a SAR (Subject Access Request).
- 13.1.2. The right to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from.
- 13.1.3. Once we have received your request, we will respond within one month.
- 13.1.4. There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.
- 13.1.5. The right to correct and update the personal data we hold on you - If the data we hold on you is out of date, incomplete or incorrect, you can inform us, and your data will be updated.
- 13.1.6. The right to have your personal data erased if you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- 13.1.7. When we receive your request, we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).
- 13.1.8. The right to object to processing of your personal data or to restrict it to certain purposes only - upon receiving the request, we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.
- 13.1.9. The right to data portability - You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.
- 13.1.10. The right to withdraw your consent to process your personal data at any time for any processing of data to which consent was obtained - you can withdraw your consent via telephone, email, or by post (see Contact Details below).
- 13.1.11. The right to lodge a complaint with the Information Commissioner’s Office (ICO)
- 13.1.12. You can contact the ICO on 0303 123 1113 or via email:
<https://ico.org.uk/global/contact-us/email/> or at the ICO, Wycliffe House,
Water Lane, Wilmslow, Cheshire SK9 5AF.

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

14. Transfer of Data Abroad

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

15. Deletion of Data Request

- 15.1. Individuals have a right to have their personal data erased (sometime known as the 'right to be forgotten'). This is where it is no longer necessary for their personal data to be held in relation to the purpose for which it was originally collected.
- 15.2. If a deletion of data request is received, the Council's DPO will respond to this request within one month. The DPO has the delegated authority from the Council to delete information. If a request is considered to be unfounded then it may be refused.

16. Further Processing

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

17. Confidentiality

- 17.1. Confidentiality must be maintained when complaints or queries are made unless the subject gives permission otherwise. Staff and Councillors must also ensure that when handling personal data, this must also remain confidential.

18. Data Breaches

- 18.1. If at any time a data breach is identified, Shinfield Parish Council will inform the Information Commissioner's Office (ICO), and an investigation will be conducted by the DPO.
- 18.2. Personal data breaches that are identified by the Council or referred to it will be reported to the DPO for investigation.
- 18.3. The DPO will conduct an investigation with the support of the Parish Council.
- 18.4. Investigations will be undertaken within one month of the report of a breach.
- 18.5. Procedures will be put in place by the DPO to detect, report and investigate a personal data breach.

- 18.6. The ICO will be advised of a breach (within 3 days) where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality, or any other significant economic or social disadvantage.
- 18.7. Where a breach is likely to result in a high risk to the rights and freedoms of individuals, the DPO will also notify those concerned directly.

19. Changes to this Policy

- 19.1. We keep this Policy under regular review, and we will place any updates on www.shinfieldparish.gov.uk.
- 19.2. The policy will be reviewed every two years.

Shinfield Parish Council – Travel Policy for Members

Adopted: February 2012

Document Review and Amendment History

Original Policy	Date Approved		Approved By	Review Date
Original	February 2012	Original Policy	Full Council	
Document Revision Number	Date of Change	Change Description	Approved by	Next Review Due Date
01				

Contents

1. General
2. Use of Personal Cars
3. Use of Public Transport
4. Parking Costs
5. Overnight Accommodation

This guidance is for parish councillors required to attend meetings, conferences and training sessions on behalf of Shinfield Parish Council.

All claims for re-imbursement of expenses must be supported with receipts.

1. General

Where possible, the cheapest method of transport should be used and where appropriate, car sharing should be arranged.

2. Use of personal cars

Drivers must be responsible for their own third party insurance and should ensure their car insurance covers the carrying of members and staff of the parish council whilst travelling on council business.

Mileage allowance – A fixed rate of 45ppm will be paid, regardless of engine capacity.

Journeys of less than 5 miles in each direction cannot be claimed.

3. Use of Public Transport

Train

When travelling by train, only the cost of a standard class ticket can be re-claimed and furthermore;

- Tickets should be purchased in advance when possible to secure the best fares
- Individuals should ensure that they take full advantage of any time restricted discounted tickets, other special offers and consider advanced ticket purchase, of all which offer significant savings on standard fares.
- The traveller must, where travel arrangements allow, take the lowest priced ticket available for the day of travel, but should be aware of any restrictions associated with the ticket.

In circumstances when a parish councillor considers it necessary and appropriate to use anything other than a standard class ticket, authorisation for re-claiming costs should be pre-agreed with the Chairman of the Finance and Staffing Committee.

Bus

Normal bus fares will be reimbursed.

Taxi

Taxis should only be utilised exceptionally where it is cost effective or no feasible alternative travel arrangements exist. To avoid surcharge and waiting times, taxis should not normally be pre-booked.

4. Parking costs

- Reasonable parking costs will be reimbursed
- The council will not pay parking or speeding fines.

5. Overnight accommodation

It is not parish council policy to pay overnight accommodation or day subsistence.

In circumstances when a parish councillor considers it necessary and appropriate to use overnight accommodation or subsistence, authorisation for re-claiming costs should be pre-agreed with the Chairman of the Finance and Staffing Committee.