

# HALBERTON PARISH COUNCIL'S POLICIES AND PROCEDURES

## Equality and Diversity Policy

Halberton Parish Council is committed to equality of opportunity for its staff, all members of its community. We value difference and diversity. We respect all our people for their individuality, abilities and aspirations. We will treat individuals with respect and be fair to them irrespective of age, culture, disability, ethnicity, gender, marital status, nationality, religion, sexuality, status and any other distinction.

We are committed to elimination of direct and indirect discrimination and will take appropriate action to implement this diversity policy.

It is the responsibility of every individual to make sure that they do not discriminate in any way. All members of the Council have a duty to uphold equal opportunities principles. Any breach of this policy will be dealt with appropriately.

## Health and Safety Policy

It is the policy of Halberton Parish Council, so far as is reasonably practicable:

- to provide and maintain premises and systems of work that are safe and without risks to health;
- to make arrangements for ensuring safety and absence of risks to health in connection with the use of premises and areas accessed by Members of the Council.
- to provide such information, instruction, training and supervision as is necessary to ensure the health and safety at work of employees and visitors;
- to maintain any place of work under the Council's control in a condition that is safe and without risks to health and to provide and maintain means of access to and egress from it that are safe and without such risks;
- to provide and maintain a working environment for employees and visitors that is safe and without risks to health and is adequate as regards facilities and arrangements for their welfare at work;
- to provide such protective equipment as is necessary for the health and safety at work of employees and visitors
- to monitor the effectiveness of health and safety provisions within the Council,.
- to keep the Council Health and Safety Policy under regular review and to duly publish any amendments.

## Recruitment Policy

Halberton Parish Council is an Equal Opportunities employer. The aim of the Council's Recruitment and Selection Policy is to ensure that the Council select the most suitable person for the job on the basis of their relevant merits and abilities and that no employee/job applicant is unfairly treated on any grounds including:

- race
- colour
- nationality
- ethnic or national origins
- religion
- sex
- sexuality
- actual or perceived AIDS/HIV status or perceived association with an HIV positive person
- marital status
- age
- social background
- disability

The Council will achieve the aims of the Recruitment and Selection Policy by ensuring that:

- vacancies reach as wide a pool of potential applicants as practicable
- there are clear job descriptions and objective person specifications for every job.
- procedure and code of good practice for recruitment and selection for appointment or promotion, is followed by every Manager, Supervisor and Employee involved in recruitment and selection
- staff involved in the recruitment and selection process are given adequate training on the Council's Policy and Procedures and their responsibilities
- unlawful and unfair practices are not introduced by monitoring/reviewing its policy and procedures
- positive action is taken to make this policy fully effective including steps to encourage applications from under represented groups i.e. women, black and ethnic minority groups and people with difficulties

Any vacancies on the Parish Council will be advertised on the on this website as well as in the Newsletter.

## **Requests for Information under the Freedom of Information Act**

All requests for information under the Freedom of Information Act should be made initially to the Parish Clerk. Subject to confirmation that this information is available to members of the General Public within the constraints of the Act the requestor is entitled to receive such information within 7 days in a hard copy format or be directed to the Council Website or other location should the information be available.

## **Procedure for Handling Complaints**

1. Complaints must be submitted in writing to the Clerk and must include the following:

- The nature of the complaint in detail
- The subject of the complaint (e.g Member, Clerk)
- The remedy sought

2. In all cases the Clerk will send a copy of the complaint to the Chairman (or the Vice-Chair if the complaint is against the Chairman).

3. The Chairman (or Vice Chairman, if the complaint is against the Chairman) in consultation with the Clerk, will contact the parties concerned in an effort to reach an amicable solution to the complaint.

5. If an amicable solution cannot be reached by the above means, a meeting of the Full Council will be convened as soon as reasonably practicable

6. A meeting of the Full Council will take place on a date and time and at a place to be determined by the Chairman, in consultation with the Clerk. The quorum for a meeting will be four members of the Full Council providing that none of the three are subject to complaint.

7. If possible, the complaint will be dealt with by way of consideration of written representations. If this is not possible, both parties to the complaint will be invited to attend in person and they may be accompanied by an advisor / representative.

8. Where the complaint is heard in person rather than by written representations the following procedure will apply

- The Chairman will invite the complainant to state in full the details of the complaint.
- The subject of the complaint will be invited to question the complainant.

- The members of the Full Council will be allowed to question the complainant.
- The subject will be invited to answer the complaint.
- The complainant will be invited to question the subject.
- The members of the Full Council will be allowed to question the subject.
- The complainant will sum up.
- The subject of the complaint will sum up.
- The complainant and the subject will withdraw.
- The Full Council will consider the evidence and come to decision in respect of the complaint.

Where the complaint is upheld in full or in part the Full Council will recommend a remedy to the complainant.

- The complainant and the subject of the complaint will be invited back into the meeting and advised of the decision.

9. The Full Council shall forward details of any complaint and the manner in which it has been dealt with, via the Clerk, for report to the next meeting of the Parish Council.

## **File Retention And Disposal**

Current papers are normally kept in files by subject in a filing cabinet or cupboard. Where the number of files justifies it, an index should be maintained to facilitate the location of papers. This is particularly useful when there is a change of clerk. It is good practice to review the current files on an annual basis and remove those papers no longer required for current use. Papers so removed should be dealt with as follows:-

1. Minute Books, title deeds, leases, agreements, contracts, investments, receipt and payment accounts, income and expenditure accounts; burial ground records of all descriptions and allotment registers and plans should be retained on a permanent basis as they are important local records. It is good practice to deposit these documents with the County Archive Service when they are no longer required for use on a regular basis by the local council. This also facilitates easy access by members of the public who may wish to inspect them. It also ensures that they are not lost or destroyed by accident when there is a change of clerk.
2. Treasurer's books; cash books and petty cash books; wages and salaries books; receipts, invoices and cheques; VAT records; contracts for works (except where there are special reasons for preservation); financial statements and loan statements; stock and store-books and rental books - these may all be destroyed when they are over six years old, as they will no longer be required for VAT purposes and the Limitation Act will preclude actions relating to these documents.
3. Counterfoil books; order books; agenda books; postage books; pay cards and time sheets; tenders for goods, etc - may be destroyed on expiration of twelve months from the completion of the audit of the last entry.
4. Planning applications can be destroyed once decisions on them have been taken and the development completed. However the Parish Council is of the view that both planning applications and decisions shall be retained by the Parish Council for a period of ten years. Past applications and decisions can also be inspected at the Mid Devon District Council's offices.
5. Electronic only versions of, or copies of files should be retained as above. On disposal of any computer equipment the Hard Drive should be removed and completely destroyed or adequate means put in place to be ABSOLUTELY sure that this information cannot be retrieved by a 3rd Party.
6. Electronic versions of ongoing files should be backed up and stored in a separate location to prevent simultaneous destruction in case of fire etc.

# **Data Protection Policy**

Halberton Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data, it can be as little as a name and address.

## **The Data Protection Act**

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how information can be collected, handled and used. The Data Protection Act applies to anyone holding information about people electronically or on paper.

Halberton Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information.

When dealing with personal data, Halberton Parish Council staff and Councillors must ensure that:

### **Data is processed fairly and lawfully.**

This means that information should only be collected from individuals if staff and Councillors have been open and honest about why they want the information.

### **Data is processed for specified purposes only**

#### **Data is relevant to what it is needed for**

Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

#### **Data is accurate and kept up to date**

Personal data should be accurate, if it is not it should be corrected.

#### **Data is not kept longer than it is needed**

#### **Data is processed in accordance with the rights of individuals**

This means that individuals must be informed, upon request, of all the information held about them.

#### **Data is kept securely**

This means that only staff and Councillors can access the data. It should be stored securely so it cannot be accessed by members of the public.

## **Storing and accessing data**

Halberton Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number to staff or a member of Halberton Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Halberton Parish Council may hold information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the Clerk's Office and are not available for public access. All data stored on the Parish computer is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them they must be sent all of the information that is being held about them. There must be explanation for why it has been stored.

There must be a list of who has seen it. It must be sent within 40 days

A fee to cover photocopying and postage charges will be charged to the person requesting the

information. This fee will be agreed by the Council and amended in line with inflation from time to time.

## **Disclosure of information**

If an elected member of the council, for example a Councillor needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in. However, before they access any sensitive information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

## **Confidentiality**

Halberton Parish Council staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

## **Schedule of Charges (for publication of information)**

Photocopying @ 5p per sheet (black & white) 5p (Actual Cost)

Photocopying @ 10p per sheet (colour) 10p (Actual Cost)

Postage Actual cost of Royal Mail standard 2nd class

Downloads from this website - Free of Charge

Statutory Fee In accordance with the relevant legislation