



Okehampton Town Council

Okehampton Town Council

ASBESTOS MANAGEMENT PLAN

In partnership with:



**Environmental Services
48 Shillingford Road
Exeter EX2 8UB**

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Overview

CAR 2012 Regulation 4

This asbestos management plan has been prepared by Environmental Services, Exeter in conjunction with Town Clerk, Emma James, the RP (Responsible Person for asbestos) at Okehampton Town Council, in order to discharge the responsibilities placed upon them by Regulation 4 “Duty to manage asbestos in non-domestic premises” of CAR (Control of Asbestos Regulations) 2012.

The purpose of the management plan is to ensure that staff, contractors and visitors to Okehampton Town Council’s properties are, as far as is reasonably practicable, not exposed to airborne asbestos fibre resulting from the disturbance of, accidental or otherwise, ACMs (asbestos containing materials,) or from ACMs in poor condition.

The management plan sets out the framework for compliance with Regulation 4 of CAR 2012 by addressing the discovery, identification, monitoring and reviewing of ACMs. In addition, this management plan also identifies the duties of the RP as well as the responsibilities, and procedures to be adopted by staff and contractors working within Okehampton Town Council’s properties.

The Dutyholder or RP (Responsible Person) for asbestos

CAR 2012 Regulation 4 (1)

The responsibility for the necessary arrangements relating to the implementation of the management plan rests with the RP for asbestos:

Emma James
Town Clerk
Okehampton Town Council
Town Hall, Fore Street
Okehampton EX20 1AA
01837 53179
townclerk@okehampton.gov.uk

Additional duties held by the RP include the arranging of:

- Twelve monthly reviews of the management plan, recording the findings and implementing any remedial action deemed necessary.
- Periodic inspections of all presumed and identified ACMs, recording the findings and implementing any remedial action deemed necessary.
- Investigations when an ACM is reported, or discovered, to have been damaged, recording the findings and implementing any remedial action deemed necessary.
- HSG 264 refurbishment/demolition asbestos surveys, prior to any structural alterations or disturbance of building fabric.

- Control of contractors with respect to the potential impact ACMs may have on planned and reactive work undertaken on behalf of the council.
- Staff training, where deemed appropriate.
- The provision of information, relating to ACMs, to the emergency services when required.
- HSE licensed asbestos removal contractors and subsequent four stage clearance air testing (by a UKAS accredited laboratory), when required.

Environmental Services, Exeter have been appointed as an independent, external consultant to assist the RP, where necessary, in the discharging of their duties. The point of contact and person with detailed knowledge of Okehampton Town Council's properties is:

Nicholas Mayne
Assistant Quality & Technical Manager
Environmental Services, Exeter
01392 438251 / 07890 450 756
nmayne@environmentuk.com

The strategy for ACMs and suspected ACMs

CAR 2012 Regulation 4 (6), (7) & (8)

It is the policy of Okehampton Town Council to leave in situ all presumed and identified ACMs that are detailed in their properties' asbestos registers, provided they are in good condition and unlikely to be disturbed. This approach will be adopted until:

- The RP is informed that an ACM has been accidentally damaged or is found as a result of periodic inspection.
- An ACM requires removal because of its unavoidable disturbance by proposed refurbishment/remodelling works.

If an ACM is found, or reported, to have been damaged, then the RP will assess the most appropriate course of action. The options available are either:

- Encapsulation or re-encapsulation of the ACM, with the frequency of periodic monitoring reviewed. Signage of the ACM may be considered, if not already in place.
- Protection or enclosure of the ACM, with the frequency of periodic monitoring reviewed. Signage of the ACM may be considered, if not already in place.
- Partial or complete removal of the ACM, which in certain circumstances involve the employment of a licensed asbestos removal contractor.

In any event, the RP will ensure that the decision-making process, remedial action taken and any resulting improvements are recorded, and the asbestos register amended accordingly (i.e. to reflect ACM enclosure, removal etc).

With regards to the signage referred to above, ACMs may, be signed with an asbestos warning label and/or a permit to work label, as illustrated below. The permit to work label may be used in conjunction with, or separate from the warning label, to highlight that a particular area or product may only be worked upon/within, after consultation with the RP. These two labels are not regarded as the method by which persons are prevented from disturbing ACMs. It is at the discretion of the RP to decide if none, one, or both of these labels is appropriate with respect to any given ACM or area containing ACMs.



Asbestos survey, registers and risk assessments

CAR 2012 Regulation 4 (3), (4), (5), (6), (7) & (8)

The requirement for a suitable and sufficient assessment as to whether ACMs are present within Okehampton Town Council properties lead to the commissioning of HSG 264 management asbestos surveys by the RP. This has resulted in the production of asbestos registers detailing the presence, type, extent and condition of ACMs used throughout the buildings. The preferred method is for positive identification through analysis by Environmental Services' UKAS accredited laboratory based in Exeter (testing laboratory number 2099). Where sampling has not taken place, for reasons of inaccessibility or avoiding causing damage, a presumption of asbestos will be made where considered appropriate. The asbestos register further records the overall risk rating of each occurrence based upon the combined scores of the material risk assessment (carried out during the survey by Environmental Services using the algorithm contained in appendix 4 of HSG 264) and the priority risk assessment (carried out with the assistance of the RP using the algorithm in appendix 3, table 3 of HSG 227).

The RP shall ensure that the periodic inspection of ACMs and subsequent updating of the asbestos registers is completed. This also applies to any other changes, such as following the removal or discovery of an ACM. The results of these inspections, changes, discoveries and action taken shall all be recorded.

Master copies of the asbestos registers are held by the RP at Okehampton Town Council and by Environmental Services.

Routine/planned maintenance works & contractors' responsibilities

CAR 2012 Regulation 4 (9) (c) (i) & CAR 2012 regulation 4 (2)

The RP has control of all contractors employed to work on Okehampton Town Council properties and the responsibility to ensure that they are aware of the risks associated with ACMs, together with the findings and limitations of the asbestos survey, register and management plan. Prior to the commencement of any maintenance work on an Okehampton Town Council property, the relevant building asbestos register will be consulted by the RP at the earliest opportunity in order to assess how the proposed work may potentially disturb ACMs either directly or indirectly.

If the fabric of a building is due to be disturbed, the RP will ensure that an HSG 264 refurbishment/demolition survey is undertaken of the affected area(s), as far in advance of the work commencing as is reasonably practicable. How best to deal with any identified ACMs can then be assessed by all relevant parties (the RP, the contractor, the architect, the CDM co-ordinator, Environmental Services).

At the planning stage, it will be decided if:

- The work may proceed unhindered.
- The work may proceed with care as ACMs are not directly affected by the work but are present within the working area.
- The work may only proceed after presumed ACMs are sampled to confirm they are asbestos free or, if subsequently identified as

asbestos, after arrangements are made for the material to be left undisturbed and in situ, or removed.

- The work may only proceed after identified ACMs, that will unavoidably be disturbed by the work, are removed in accordance with CAR 2012.

The RP will ensure that all contractors sign a register to confirm they have read and understood the asbestos register for the building they intend to work in, prior to the commencement of works. Contractors must be made aware, that if the scope of their work alters, the RP and register must be consulted further, before proceeding.

The asbestos register should be consulted as far in advance of the work commencing as is reasonably practicable.

The RP will ensure that a written record is kept of their joint consultation of the asbestos register with all contractors undertaking work at Okehampton Town Council properties. Such details will be recorded using the appropriate form (see appendix 2).

Environmental Services will ensure that the asbestos register is updated on completion of any additional material sampling carried out and/or asbestos removal undertaken.

Reactive/emergency maintenance works & contractors’ responsibilities

CAR 2012 Regulation 4 (9) (c) (i) & CAR 2012 Regulation 4 (2)

The RP has control of all contractors employed to work on Okehampton Town Council properties and the responsibility to ensure that they are aware of the risks associated with ACMs, together with the findings and limitations of the asbestos survey, register and management plan. Prior to the commencement of any reactive/emergency maintenance work on an Okehampton Town Council property, the relevant building asbestos register will be consulted by the RP and the attending contractor, to assess how the proposed work may potentially disturb ACMs either directly or indirectly. At this stage, it will be decided if:

- The work may proceed unhindered.
- The work may proceed with care as ACMs are not directly affected by the work but are present within the working area.
- The work may only proceed after presumed ACMs are sampled to confirm they are asbestos free or, if subsequently identified as asbestos, after arrangements are made for the material to be left undisturbed and in situ or removed.
- The work may only proceed after identified ACMs that will unavoidably be disturbed by the work are removed in accordance with CAR 2012.

Environmental Services will be on hand to make an immediate visit should material sampling or advice be required.

If the fabric of a building is due to be disturbed, the RP will ensure that Environmental Services undertake an HSG 264 refurbishment/demolition survey of the affected area(s), as soon as is reasonably practicable.

The RP will ensure that all contractors sign a register to confirm they have read and understood the asbestos register for the building they intend to work in, prior to the commencement of works. Contractors must be made aware that if the scope of their work alters, the RP and register must be consulted further, before proceeding.

The RP will ensure that a written record is kept of their joint consultation of the asbestos register with all contractors undertaking work at Okehampton Town Council properties. Such details will be recorded using the appropriate form (see appendix 2).

Environmental Services will ensure that the asbestos register is updated on completion of any additional material sampling carried out and/or asbestos removal undertaken.

**Remodelling works, structural alterations and all other activities
involving the disturbance of the building fabric**

CAR 2012 Regulation 4 (3), (4), (5) & (8)

Prior to the commencement of any work that may disturb the fabric of an Okehampton Town Council building, the RP will ensure that the existing management asbestos survey is upgraded to an invasive refurbishment/demolition survey of the areas affected by the work, as early as is reasonably practical.

Where necessary, the RP will ensure that any identified ACMs, likely to be disturbed, are removed in accordance with CAR 2012 prior to the commencement of any refurbishment work. The employment of contractors who undertake asbestos removal within Okehampton Town Council's properties (licensed, non-licensed and notifiable non-licensed work), will be separated from any main building contract (for reasons of competitiveness) and be overseen by Environmental Services, to ensure regulatory compliance.

Environmental Services will ensure that the asbestos register is updated to reflect the findings of all refurbishment/demolition surveys carried out, including any subsequent work on ACMs (enclosing, removal etc).

Making information available to staff, including staff training

CAR 2012 Regulation 4 (2) & (9) (c) (i)

The RP will ensure that all staff of Okehampton Town Council, who are likely to come into contact with, or be affected by, ACMs within their area/place of work, are provided with adequate information, instruction and training as deemed necessary.

Key personnel will undertake asbestos awareness training, including the RP, who's responsibility it is to organise such training. Some of the topics included within the training will be the use of asbestos registers, the types of ACMs within Okehampton Town Council properties, what to do in the event of an ACM discovered/reported to be damaged, and the purpose and contents of the asbestos management plan.

The RP will reinforce Okehampton Town Council's position that no employee will undertake any work on ACMs.

Details of the provision of information, instruction and training to staff will be kept with the asbestos management plan (in appendix 5).

Making information available to the emergency services

CAR 2012 Regulation 4 (9) (c) (ii)

The RP will ensure that in the event of the emergency services being called to an Okehampton Town Council property, they have immediate access to all information relating to ACMs.

Reporting of damaged ACMs or materials suspected to contain asbestos

CAR 2012 Regulation 4 (2), (6), (7), (9) (b) & (10) (a)

If an ACM, or a material suspected of being an ACM is damaged or observed to have been damaged, then the area shall be vacated immediately, sealed, signed and the incident reported to the RP who, in conjunction with Environmental Services, shall undertake any necessary investigation and remediation (see page six for options). A subsequent investigation into the circumstances leading to the damage shall be carried out by the RP in order to establish the root cause of the incident and amend procedures to reduce the likelihood of a reoccurrence.

Using the appropriate form (see appendix 1), the RP will ensure that a written record of all such investigations is kept so that they may be referred to during the next review of the management plan.

Reviewing and recording of the risk assessment of each ACM and suspected ACM

CAR 2012 Regulation 4 (6) & (7)

The RP will arrange for Environmental Services, Exeter to review periodically, all ACMs and suspected ACMs to ensure they remain in good condition and that if damage is discovered, the appropriate course of action is considered and taken (see page six for options).

Using the appropriate form (see appendix 3), a written record of all reviews, their findings and conclusions will be kept by the RP and provided by Environmental Services.

Monitoring and reviewing of the management plan

CAR 2012 Regulation 4 (10)

This management plan will be subjected to a twelve-monthly review by the RP, and if necessary Environmental Services, in conjunction with the periodic reinspection of ACM's. It will require the input of and information gathered by, the RP to assess the effectiveness of the plan and whether any alterations are required as a result of changes in staff/contractors, or the accidental damage of an ACM.

The RP will use the appropriate form (see appendix 4) and keep a written record of all reviews, their findings and conclusions.



Okehampton Town Council

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Bullying and Harassment Policy and Procedure (including sexual harassment)

1. Policy Statement

Employees are Okehampton Town Council's most valuable and important resource, and the organisation has a legal, moral, and ethical duty to ensure that the environment in which they work enables them to contribute to their fullest potential and that they feel confident and comfortable about that working environment.

As well as considering the welfare of its employees, there is a strong business case for ensuring the elimination and prevention of harassment and bullying such as the financial impact (e.g. cost of reduced performance), health and safety (e.g. physical and emotional effects on employees), and recruitment and retention (e.g. people will not wish to join us or to remain with us). The organisation is also legally obliged to take reasonable steps to prevent sexual harassment of their employees in the course of their employment.

Okehampton Town Council believes that all its employees have the right to be treated with dignity and respect, and that victimisation and all forms of harassment is totally unacceptable and unlawful. We therefore adopt a zero-tolerance approach to instances of bullying or all forms of harassment. This applies to everyone in the organisation, regardless of role or status. You should take the time to ensure you understand what types of behaviour are unacceptable under this policy.

The Council will deal effectively with any form of harassment or bullying and take any steps it sees fit to either stop or prevent it. This may include taking disciplinary action, up to and including dismissal.

2. Scope of the Policy

This policy should be read in conjunction with other policies and procedures of the organisation, such as the Equal Opportunities Policy, Disciplinary Procedure and Grievance Procedure.

The policy covers harassment and bullying by Officers and Members of the Council. It does not cover harassment and bullying from the public or contractors, except for sexual harassment. However, the organisation has a duty of care towards its employees. Therefore, in all cases of bullying or harassment, employees should report any such behaviour to their line manager, who will decide upon the appropriate action.

3. Aims of the Policy

The information given below shows how harassment and bullying can affect both individuals and the organisation and demonstrates the need for a policy.

The aims of having a bullying and harassment policy are as follows:

- To ensure that all the organisation's employees are treated with dignity and respect.
- To ensure that harassment and bullying, including sexual harassment, is prevented and, if it does occur, that action is taken to stop it.
- To ensure that the working environment is such that each employee feels confident and comfortable about the way they will be treated whilst at work.
- To ensure that all the organisation's employees know what harassment and bullying are and what the organisation's policy is.
- To explain the responsibilities of Members, management, and employees.
- To explain the procedures for dealing with harassment and bullying.

4. Harassment

4.1 Who is protected from harassment?

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- age
- disability
- gender reassignment
- race (including ethnic origin, skin colour, nationality and national origin)
- religion or belief
- sex
- sexual orientation.

Pregnancy, maternity, marriage and civil partnership are not specifically protected under the legal provisions on harassment. However, the organisation also considers harassment on these grounds to be unacceptable. Any such harassment will be dealt with in the same way as for the characteristics above.

4.2 Definition of harassment

Harassment is defined by ACAS as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of:

- violating an individual's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

It is also unacceptable to harass any individual:

- Based on their association with another individual with a protected characteristic (e.g. an employee married to someone of a different ethnic origin); or
- Based on a perception that they have a protected characteristic (e.g. a heterosexual employee who is made fun of because their colleagues believe they are homosexual).

4.3 Examples of harassment

Harassment can, for example, take place:

- in a work situation.
- during any situation related to work, such as at a social event with colleagues.
- against a colleague or other person connected to the employer outside of a work situation, including on social media.

- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

Harassment can also occur in many forms. Examples include:

Sexual orientation harassment:

- Homophobic remarks, innuendos, jokes.
- Offensive actions.
- Physical attack.

Racial harassment:

- Embarrassing or derogatory remarks such as racist jokes, name-calling or nicknames.
- Deliberate isolation or different treatment.

Harassment on the grounds of disability:

- Name calling.
- Uninvited, patronising or unnecessary assistance.

Harassment on the grounds of religion or belief:

- Ridicule and religious jokes.
- Scorning of belief.

Age harassment:

- Negative comments generalising about the age group of the individual.
- Exclusion from informal groups such as social events due to the individual's age.

4.4 Sexual Harassment

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Examples of sexual harassment include:

- asking questions about someone's sex life or discussing their own sex life.
- making sexual remarks about someone's body, clothing or appearance
- telling sexually offensive jokes.
- making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- overt staring, leering, whistling or making sexually suggestive gestures.
- displaying or sharing pornographic or sexual images, or other sexual content.
- making propositions and sexual advances.
- making promises in return for sexual favours.
- unwelcome touching or touching someone against their will, for example hugging, kissing or massaging.

- sexual assault or rape.

Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

5 Bullying

ACAS states that bullying can be characterised as 'offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient'.

It must be clearly understood that it is a manager's responsibility to set targets and review work performance; this is not bullying. It is also the manager's role to ensure that corrective processes are put in place when individuals do not reach targets. These discussions are sometimes difficult for both parties but need to take place to ensure employees work competently. In this context bullying will only occur when a manager abuses their authority.

It should be noted that bullying does not only occur in manager/subordinate relationships. It can occur when there is unacceptable peer pressure or pressure by others in a position of 'authority', e.g. elected Members.

Examples of bullying behaviour can include:

- Spreading malicious rumours.
- Making the employee the butt of jokes.
- Aggressive, insulting and unco-operative attitude.
- Destructive innuendo and sarcasm.
- Constant unjustified criticism.
- Unjustifiably removing responsibilities and replacing them with trivial tasks to do instead.
- Shouting at employees.
- Unreasonable refusal of requests (e.g. leave or training).
- Deliberately ignoring or excluding individuals from activities.
- Imposing unreasonable workloads and/or unjustifiably reducing deadlines.
- Constantly undermining an employee in terms of their professional or personal standing.
- Undervaluing an employee's efforts.
- Seeking to make an employee appear incompetent, or intentionally creating an unacceptable working environment, with the object of either achieving a dismissal or of making them resign.

Okehampton Town Council recognises the fact that employees may initially submit to a particular instance of harassment or bullying, but this does not mean that they find the behaviour acceptable. For example, an employee who is the butt of jokes may not wish to object initially, but this should not prevent them from addressing the issue once they feel able to do so.

6 Victimisation

Any employee who makes a complaint or supports another employee who has done so must not be subjected to any victimisation or less favourable treatment as a result. Okehampton Town Council will not tolerate any such behaviour and will take appropriate action to stop/prevent this, which may include disciplinary action.

7 Responsibilities of Managers, Town Clerk, Employees, Members and Third Parties

7.1 Managers

Managers will have the following responsibilities:

- Compliance with this policy.
- Creating/ensuring that there is a supportive working environment.
- Ensuring employees comply with this policy.
- Making sure that their employees know the details of this policy and the consequences of breaching this policy.
- Making sure that their employees know how to report bullying and harassment, including sexual harassment.
- Making sure that their employees know what standards of behaviour are expected of them.
- Taking allegations of harassment and/or bullying seriously and dealing with them as quickly as possible.
- Ensuring that victims of harassment and/or bullying receive appropriate support which might include counselling. (Note: consideration should be given as to whether the harasser/bully should also be given access to counselling, as the employee who has been accused of bullying/harassment can find this a stressful situation).
- Dealing with complaints under the Bullying and Harassment Complaints Procedure (see below).
- Ensuring that matters are dealt with confidentially and impartially.
- Ensuring that their employees attend any training requirement; and
- Liaising with the Town Clerk on how to deal with cases that arise.

7.2 Town Clerk

In addition to the above, the Town Clerk will have the following additional responsibilities:

- commitment to analysing data around allegations of bullying or harassment; reviewing this policy at regular intervals; monitoring its effectiveness; and implementing any changes that may be required.
- monitoring workplace culture to identify and address any issues in relation to bullying and/or harassment.
- undertaking regular risk assessments to determine reasonable measures that can be implemented to minimise the risk of exposure to sexual harassment in the workplace and by third parties with whom you may have contact.
- ensuring that the organisation's zero approach to all forms of discrimination, and bullying and harassment, is communicated to all workers and to third parties with whom you may have contact.
- reviewing this policy regularly and, if necessary, amending to ensure that it remains effective.

7.3 Employees

Employees will have the following responsibilities:

- Compliance with this policy.
- Treating their colleagues with dignity and respect.
- Having an awareness of their own standards of behaviour.
- Making it clear that they find harassment and bullying unacceptable.
- Reporting harassment and supporting management with the investigation of complaints.
- Intervening to stop harassment and/or bullying and give support to victims.

7.4 Members

Members will have the following responsibilities:

- Compliance with this policy.
- Treating employees with dignity and respect.

7.5 Third Parties

Third parties will have the following responsibilities:

- Compliance with this policy.
- Treating employees with dignity and respect.

Bullying and Harassment Complaints Procedure

1. Introduction

No employee need put up with bullying or harassment. Okehampton Town Council recognises that making a complaint may be a distressing experience. However, all complaints will be taken seriously and dealt with in a sympathetic and sensitive manner.

If you feel that you are being bullied/harassed, the decision about how to pursue this will, in the first instance, rest solely with you. You have the right to redress through either the informal or formal procedure.

Only if the matter is brought to the attention of the alleged harasser/bully or your manager can action be taken to stop the behaviour.

In the interests of natural justice, a complaint should be made as close as possible to the date when the incident occurred. In a situation where, in your view, an accumulation of incidents merit a bullying/harassment complaint, this should be done as close as possible to the date when the 'final straw' incident took place.

Some acts of harassment may also amount to a criminal offence, in this situation we will speak to you about whether you wish for the matter to be reported to the police and support you to do so.

2. Stage One

If it is possible and appropriate to do so, you should ask the person who you feel is harassing or bullying you to stop such behaviour, making it clear that you find it offensive, and it is unwelcome. This can be done face-to-face or in writing.

If you feel that you cannot approach the alleged harasser/bully alone then you may wish to ask a work colleague or trade union representative to accompany you.

It is possible that some people may not have realised that their behaviour was offensive and alerting them to it will alter their behaviour.

3. Stage Two

If you feel unable to use the approach set out in Stage 1, or you feel that this is not appropriate, or if Stage 1 action fails to resolve your complaint, then you can raise this formally if you wish.

In this case you will need to put your complaint in writing to the Town Clerk (or in the case of the Town Clerk to the Mayor or Chairman of the Personnel Committee giving details of the specific actions/incidents about which you are complaining.

Once you have done this the matter will be investigated under the organisation's Grievance Procedure.

4. Support and Advice for Employees Affected by Bullying and Harassment, Including Sexual Harassment

If you would like further information about support and advice services available to you as the complainant or alleged harasser, you can contact the Town Clerk.

You can also access external support and advice such as:

- the Equality Advisory and Support Service (EASS).
- ACAS www.acas.org.uk/discrimination-and-bullying - For information and advice on all aspects of workplace relations and employment law.
- Rights of Women - [Sexual harassment at work advice | Rights of Women](#).
- Protect (the whistleblowing charity).
- helplines which have been set up to deal with specific forms of harassment (such as the helplines provided to deal with sexual harassment and Rights of Women in England and Wales).
- the EHRC (Equality and Human Rights Commission) have produced technical guidance in this area: Sexual Harassment and harassment at work: technical guidance 2024: <https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance-responding-to-harassment>.
- [Sexual harassment and harassment at work: technical guidance | EHRC](#).

Sexual Harassment Risk Assessment

HAZARDS & Risk	Who is at Risk	CONTROL	Future Control	Likelihood	Impact	By Whom
Inappropriate Comments or Jokes Risk of inappropriate comments or jokes made by elected officials, employees, or public attendees that could be perceived as harassment.	Employees, Councillors, contractors, volunteers, public attendees	Anti-harassment policy applied to all parties. Code of conduct includes respectful behaviour standards. Council have agreed Civility & Respect statement. Complaint and reporting procedure in place.	Appropriate training for all employees and Councillors will be made available including on maintaining personal boundaries Reports can be made verbally and will be kept confidential where possible.	Medium	High	Town Clerk/ Chair of Personnel
Unwanted Physical Contact Risk of unwanted physical contact by councillors, employees, or members of the public during meetings or events.		Code of conduct prohibits unwelcome physical contact. Complaint system accessible to all parties.	Monitor and document incidents as reported.	Low	High	Town Clerk/ Chair of Personnel
Misuse of Power Dynamics Risk of elected officials or employees using positions of authority to exert undue influence or engage in inappropriate behaviour.		Clear hierarchy and defined reporting structures. Training to cover power dynamics and boundaries. Complaint and reporting procedure in place.	Conduct regular reviews of power dynamics and conduct. Require periodic feedback surveys to gauge perceived fairness and safety.	Medium	High	Town Clerk/ Chair of Personnel

<p>Inappropriate Digital Communication Risk of harassing or inappropriate messages sent via council-owned email, social media, or digital channels by or to employees, councillors, or members of the public.</p>		<p>Established guidelines for digital communication. Social Media Policy published on the website</p>	<p>Review and update digital conduct policies regularly. Provide regular training on use of Social Media.</p>	Medium	Medium	Town Clerk/ Chair of Personnel
<p>Retaliation or Intimidation Post Complaint Risk of retaliation against individuals (employees, Councillors, or public) following a harassment complaint.</p>		<p>Retaliation is strictly prohibited and will result in disciplinary action.</p>	<p>Engage local law enforcement if repeated intimidation occurs.</p>	Low	High	Town Clerk/ Chair of Personnel
<p>Failure to Address Complaints Properly Risk of mishandling complaints involving Councillors, employees, or the public, potentially leading to legal or reputational consequences.</p>		<p>See Complaints Procedure & Disciplinary Procedure Complaint handling processes regularly reviewed and updated in line with current legislation and best practice.</p>	<p>Periodic training on updated complaint procedures.</p>	Low	High	Town Clerk/ Chair of Personnel
<p>Inadequate Knowledge of Sexual Harassment Policies Risk that Councillors, employees, or public attendees do not fully understand what constitutes sexual harassment.</p>		<p>-Anti-Sexual Harassment, Code of Conduct, Dignity at Work, Whistleblowing, Equality & Diversity policies disseminated to all. Training available for employees and Members.</p>	<p>Regular refresher training for all, including specific guidance on dealing with the public.</p>	Medium	Medium	Town Clerk/ Chair of Personnel
<p>Public Misconduct Towards Elected Officials and Staff Risk of harassment by members of the public towards Councillors or employees during public events or meetings.</p>		<p>Clear behavioural expectations for public attendees. Complaint system open to elected officials, staff, and public attendees.</p>	<p>Protocol on Public Participation in meetings published to be reviewed and published</p>	Medium	High	Town Clerk/ Chair of Personnel



Okehampton Town Council

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Okehampton Town Council has the power to give financial help to local organisations to assist them to achieve their aims and purposes where they can demonstrate a benefit to the residents of Okehampton.

The Council has a policy of only assisting truly local, properly constituted community groups. This is **interpreted defined** to mean those organisations based in Okehampton or national bodies with an independent branch in Okehampton.

The Grants budget is a discretionary limited amount and once it has been allocated the Council will not be able to consider any further applications during the financial year. Grants are considered twice yearly (**Spring and Autumn**) at meetings of the Policy & Resources Committee, with the meeting dates being published on the Council's website www.okehampton.gov.uk.

Applications for consideration in the Spring must be received by **the last Friday in April the 2nd week of March** and those for consideration in the Autumn must be received by **the last Friday of August**.

Okehampton Town Council may retain an emergency fund for applications received outside these dates, with those organisations applying for assistance at that time being required to indicate why this is so.

Each Grant application will be considered on its own merits. It should not be assumed that a successful outcome in one year will lead to a follow-on grant in a subsequent year.

Two categories of grant are available:

Small Grants – applications for amounts up to £500 that will enable or enhance the organisation's ability to fulfil its purpose.

Large Grants – applications for amounts exceeding £500 that support an organisation in its basic service delivery and where community needs are being met. Depending upon the amount requested, Full Council may be required to ratify the decision.

All grant applications must meet the application criteria as follows and the burden of provision of evidence of community benefit falls to the applicant:

Application criteria for both large and small grants:

- Grants may only be awarded to properly constituted voluntary groups, not-for-profit organisations and charities where evidence of a direct benefit to the residents of Okehampton can be demonstrated.
- The Council is unable to consider Grants to individuals, commercial organisations, profit-making organisations, community interest companies or political groups
- Grants will only be awarded to religious groups if it can be shown the activity will be open to residents of any religion, or none.

- ~~Award of grants that will contribute to repair or maintenance of church property is prohibited by the Local Government Act, with some exceptions, for example cemeteries and town clocks. The applicant of a grant of this nature is advised to contact the Town Clerk for advice prior to submission.~~
- Applications must be submitted directly from the activity organiser(s) and not through a third party. Payment of any grant awarded ~~must~~ should be directly to the activity organiser(s).
- Retrospective applications will not be considered, for example for past events, or items already purchased.
- Any amount awarded is at the discretion of the Council and successful applicants may be awarded less than the amount applied for. Applications may be refused where it is felt the application criteria has not been met.
- There should be no assumption that a successful application will guarantee approval in subsequent years.
- A maximum of one application per financial year (1st April to 31st March) will be considered.
- Applicants are encouraged to apply to other local organisations where appropriate, including Okehampton Hamlets Parish Council if it meets their application criteria.
- Applicants need to be aware that all grants must directly benefit Okehampton Town residents and not just those from the wider area. Evidence of user numbers is required to be provided where both Okehampton Town residents and those from other areas will benefit.
- Grant monies not used for the purpose stated on the application or are found to duplicate successful applications to other funders, may be required to be repaid to the Council.
- Recipients of grants must complete, within 8 weeks of the completion of the project or event for which the grant was awarded, a feedback form or report to the Town Council. This can include photographs, receipts or other evidence of how the grant benefited the residents of Okehampton. **Future grant applications will not be considered unless a feedback form has been received.**

Application Procedure

All grant applications must be made on the application form (available on the website, or from the Town Hall) and returned to the ~~Town Clerk~~ Finance Officer with additional information for those over £500.

All applications must include:

- a statement of accounts for the most recent accounting year
- a copy of the governing document
- a copy of the current year's budget
- costings if applying for a specific project
- confirmation that other funding has been/will be applied for

Additionally, grant applications of over £500 must be accompanied by a letter, describing:

- the reason for the application
- the amount requested
- the benefit to Okehampton Town residents
- where there is a wider area of benefit, details of how many Okehampton Town residents will benefit.

All applications will be checked against the criteria by the Chairman and Vice-Chairman of the Policy & Resources Committee along with the ~~Town Clerk~~ Finance Officer. Those that meet the requirements will then be considered by the Committee.

All applicants must disclose any close connection the organiser/s have with anyone who would directly benefit financially from the award of the grant.

The Council reserve the right to use feedback for public information purposes and to refuse an application which in their judgement does not fit the criteria. There is no right of appeal.

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Okehampton Town Council

Okehampton Town Council

DRAFT Reserves (Financial) Policy

Introduction

Okehampton Town Council is required to maintain adequate financial reserves to meet the needs of the organisation. The purpose of this policy is to set out how the Council will determine and review the level of reserves it holds.

Types of Reserves

Okehampton Town Council maintains two types of reserves:

Earmarked Reserves

This provides a means of accumulating or specifying funds, for use in a later financial year, to meet known or planned initiatives. The purpose of an Earmarked Reserve is to set aside amounts for projects that extend beyond one year or as a contingency against a specific situation occurring.

Earmarked Reserves will increase through resolutions of the Council and will decrease as they are spent on their specific intended purposes.

Where expenditure is planned in future accounting periods, it is prudent to build up reserves in advance. When an Earmarked Reserve is established, a clear reason/purpose should be set out. It is the responsibility of the Responsible Finance Officer (Town Clerk) to ensure funds are spent in line with their purpose. The purpose of each Earmarked Reserve should be reviewed annually to ensure that it is still relevant.

There is no limit on the amount of Earmarked Reserves that can be held except that the reason must be for genuine intended purposes.

General Reserves

This represents the unallocated balance of Council funds.

The main purposes of the General Reserves are firstly to operate as a working balance to help manage the impact of uneven cash flow and secondly, to provide a contingency to cushion the impact of emerging or unforeseen events, or genuine emergencies; a good example of this being the COVID-19 Pandemic. In general, a robust level of reserve should be maintained and take account of operational and financial issues facing the Town Council.

A well-run authority with a prudent approach to setting its budget will each year consider its level of General Reserves. These General Reserves will also need to be supported by Earmarked Reserves for specific needs, contingencies and commitments. In assessing the level of the Town Council's reserves, account needs to be taken of the risks facing the Council in terms of any significant unforeseen expenditure requirements.

The primary means of building a General Reserve will be through the reallocation of funds e.g. where a project comes in under budget or through an allocation from the annual budget.

It is recommended in the NALC 'Accountability and Governance Practitioners' Guide' to hold between 3 and 12 months expenditure¹ as a General Reserve. However, if the general reserve is too high the level will need to be justified to the external auditor.

The level of the General Reserve should be reviewed each year as part of the budgeting process. Balancing the annual budget by drawing on reserves must be viewed as a legitimate short-term option only. Such reserves must not be deployed to finance recurrent expenditure.

Budget Assumptions and Risk

When budgeting and reviewing reserve requirements the council must make assumptions and assess possible identifiable risks which include the following:

- The level of inflation and interest rates
- Salary and benefit reviews negotiated by the National Joint Council for Local Government Services
- Loss of staff
- The level and timing of revenue and capital receipts
- Planned efficiency savings/gains
- Financial risks inherent in any new project
- Legislation changes
- One-off events
- Demand led pressures
- Uninsurable losses
- Availability of other funding sources e.g. grants
- Potential capping of Town Council precept by central government

The Council undertakes an annual Financial Risk Assessment and has insurance in place to protect against possible identifiable insurable losses.

Review of Reserves

Annually as part of the budget and precept setting process, Okehampton Town Council will review both its Earmarked and General Reserves. This review will include:

- The ongoing requirement for each of the Earmarked Reserves and the allocated amount set aside
- The level of General Reserves it will aim to hold in the upcoming financial year
- The potential risks including from loss of significant self-generated income

For the 2025/26 financial year Okehampton Town Council will aim to hold the equivalent of xxx months precept as a General Reserve, plus the budgeted income of £80,000 from Waitrose Carpark which the Council considers to be significant self-generated income which would pose a significant risk if lost.

¹ Net Revenue Expenditure – effectively the Precept



Okehampton Town Council

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Information and Data Protection Policy

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Introduction

In order to conduct its business, services and duties, Okehampton Town Council processes and wide range of data, relating to its own operations and some which is handles on behalf of partners. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
- Confidential information and data not yet in the public arena such as ideas being investigated or policies that are being reviewed.
- Confidential information about other organisations because of commercial sensitivity.
- Personal data concerning its current, past and potential employees, Councillors, and volunteers.
- Personal data concerning individuals who contact us for information, to access services or facilities or to make a complaint.

Okehampton Town Council will adopt procedures and manage responsibly, all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations it works with and members of the public. In some cases, the Council will have contractual obligations towards confidential data, but in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

The Town Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with the public, community and voluntary organisations. Therefore, in the case of all information which is not personal or confidential, it will be prepared to make it available to partners and members of the Town's communities. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

Protecting Confidential or Sensitive Information

Okehampton Town Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

The Data Protection Act (2018) which become law on 25th May 2018 and will, like the General Data Protection Act, seek to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Town Council with legitimate reasons for using personal information. The Data Protection Act provides the statutory framework for the use of computerised information and also certain manual records about

“living identifiable” individuals in the United Kingdom whereas GDPR applies to “information kept on paper if the paper records are kept in a “filing system”.

The policy is based on the premise that Personal Data must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Protection Terminology

Data subject:

means the person whose personal data is being processed.

That may be an employee, prospective employee, associate or prospective associate of the Council or someone transacting with it in some way, or an employee, Member or volunteer, or persons transacting or contracting with one of our clients when we process data for them.

Personal data: means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person.

It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data:

includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller:

means a person who (either alone or jointly or in common with other persons) (e.g. Town Council, employer, council) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor:

in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data:

means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it
- retrieving, consulting or using the information or data

- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data regardless of the technology used.

Okehampton Town Council processes personal data in order to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law.
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law.
- monitor its activities including the equality and diversity of its activities
- fulfil its duties in operating the business premises including security
- assist regulatory and law enforcement agencies
- process information including the recording and updating details about its Councillors, employees, partners and volunteers.
- process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint.
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council.
- undertake research, audit and quality improvement work to fulfil its objects and purposes.
- carry out Council administration.

Where appropriate and governed by necessary safeguards we will carry out the above processing jointly with other appropriate bodies from time to time.

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any sensitive personal information, and the Town Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes
- A requirement in order to protect the vital interests of the individual or another person.

Who is responsible for protecting a person's personal data?

The Town Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Town Clerk.

- Email: townclerk@okehampton.gov.uk
- Phone: 01837 53179
- Correspondence: The Town Clerk, Town Hall, Fore Street, Okehampton, EX20 1AA

The Town Council may also appoint an external Data Protection Officer to ensure compliance with Data Protection legislation. If the Town Council appoints a Data Protection Officer, details of how to contact them will be published at time of appointment.

Diversity Monitoring

Okehampton Town Council monitors the diversity of its employees, and Councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council will always give guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice and ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal data shall not be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Information provided to us

The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with Okehampton Town Council individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy, however wherever possible specific written consent will be sought. It is the responsibility of those individuals to ensure that the Town Council is able to keep their personal data accurate and up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

The Councils Right to Process Information

General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)
 Processing is with consent of the data subject, or
 Processing is necessary for compliance with a legal obligation.
 Processing is necessary for the legitimate interests of the Council.

Information Security

The Town Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification,

destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted.

Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Rights of a Data Subject

Access to Information: an individual has the right to request access to the information we have on them. They can do this by contacting the Town Clerk.

Information Correction:

if they believe that the information we have about them is incorrect, they may contact us so that we can update it and keep their data accurate. They can do this by contacting the Town Clerk.

Information Deletion: if the individual wishes the Town Council to delete the information about them, they can do so by contacting the Town Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Town Clerk.

The Town Council does not use automated decision making or profiling of individual personal data.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Town Clerk or the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will always give guidance on personnel data to employees through its policies and procedures.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Making Information Available

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish. It is supplemented with additional information which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

All formal meetings of Council and its committees are subject to statutory notice being given on notice boards and the Website. The Council publishes an annual schedule of meetings in May each year. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council

welcomes public participation and has a public participation session at each Council and committee meeting. Details can be seen in the Council's Standing Orders, which are available on its Website or at its Offices.

Occasionally, Council or committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions such as giving instructions to the workforce or paying an invoice approved by Council, but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

The 2014 Regulations also amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting. Meetings of the Council and its committees are livestreamed through the Council's Facebook page. Attending members of the public can be seated where they will be not captured on film if they wish.

The Council will be pleased to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

Disclosure Information

The Council will as necessary undertake checks on both staff and Members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information. It will include an appropriate operating procedure in its integrated quality management system.

Data Transparency

The Council has resolved to act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information.

"Public data" means the objective, factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery.

The Code will therefore underpin the Council's decisions on the release of public data and ensure it is proactive in pursuing higher standards and responding to best practice as it develops.

The principles of the Code are:

Demand led: new technologies and publication of data should support transparency and accountability

Open: the provision of public data will be integral to the Council's engagement with residents so that it drives accountability to them.

Timely: data will be published as soon as possible following production.

Government has also issued a further Code of Recommended Practice on Transparency, compliance of which is compulsory for parish councils with turnover (gross income or gross expenditure) not exceeding £25,000 per annum. These councils will be exempt from the requirement to have an external audit from April 2017. Okehampton Town Council exceeds this turnover but will never the less ensure the following information is published on its website for ease of access:

- All transactions above £100
- End of year accounts
- Annual Governance Statements
- Internal Audit Reports
- List of Councillor responsibilities
- Details of public land and building assets
- Draft minutes of Council and committees within one month
- Agendas and associated papers no later than three clear days before the meeting



Okehampton Town Council

Okehampton Town Council

Privacy Notice

For Staff*, Councillors and Role Holders*****

*Staff means employees, workers, agency staff and those retained on a temporary or permanent basis

**Councillors means Members of Okehampton Town Council

***Includes, volunteers, contractors, agents, and other role holders within the council including former staff*and former councillors. This also includes applicants or candidates for any of these roles.

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photograph, video, email address, or address). Identification can be 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). The processing of personal data 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.

Who are we?

This Privacy Notice is provided to you by Okehampton Town Council which is the data controller for your data.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Recruitment Agencies
- Credit reference agencies
- Occupational health services

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be “joint data controllers”. This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

What data do we process?

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, and email addresses.
- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, employment details, hobbies, family composition, and dependants.
- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
- Next of kin and emergency contact information
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral))
- Location of employment or workplace.
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; training records, information for disciplinary and grievance proceedings; and personal biographies.
- CCTV footage and other information obtained through electronic means such as swipe card records.
- Information about your use of our information and communications systems.

We use your personal data for some or all of the following purposes: -

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.

- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.
- Body-Worn CCTV

Our processing may also include the use of CCTV systems for monitoring purposes.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

How we use sensitive personal data

- We may process sensitive personal data relating to staff, councillors and role holders including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- 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.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our pension scheme.
 - Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- 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.

Do we need your consent to process your sensitive personal data?

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- 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.
- You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

- We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.

- We will only collect personal data about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.

What is the legal basis for processing your personal data?

Some of our processing is necessary for compliance with a legal obligation.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

Sharing your personal data

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR/ payroll functions , or to maintain our database software;
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Recruitment Agencies
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some 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. 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. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Your rights in connection with personal data

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

When exercising any of the rights listed below, 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.

- The right to access personal data we hold on you

 - At any point you can contact us 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. Once we have received your request we will respond within one month.
 - 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.
- 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.
- 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.
 - 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).
- The right to object to processing of your personal data or to restrict it to certain purposes only

You have the right to request that we stop processing your personal data or ask us to restrict processing. 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.
- 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.
- The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).
- The right to lodge a complaint with the Information Commissioner's Office

You can contact the Information Commissioners Office on 0303 123 1113 or [via email](#) or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

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 (for example in a newsletter) may be accessed from overseas.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this 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, if we start to use your personal data for a purpose not mentioned in this notice.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on the Town Council website.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, Okehampton Town Council

Email: townclerk@okehampton.gov.uk

You can contact the Information Commissioners Office on 0303 123 1113 or [via email](#) or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.



Okehampton Town Council

Okehampton Town Council

Privacy Notice Policy

DRAFT

Okehampton Town Council
Town Hall
Fore Street
Okehampton
EX20 1AA

townclerk@okehampton.gov.uk
01837 53179

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Councils Right to Process Information

General Data Protection Regulations Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject or
Processing is necessary for compliance with a legal obligation or
Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Information Security

Okehampton Town Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. (You may request the deletion of your data held by Okehampton Town Council at any time).

Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting our Data Information Officer, the Town Clerk, using the contact details at the top of this notice.

Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact the Town Clerk, using the contact details at the top of this notice.

Information Deletion

If you wish Okehampton Town Council to delete the information about you please contact: Please contact the Town Clerk, using the contact details at the top of this notice to request this.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact the Town Clerk, using the contact details at the top of this notice to object.

Rights Related to Automated Decision Making and Profiling

Okehampton Town Council does not use any form of automated decision making or the profiling of individual personal data.

Conclusion

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policies to keep it up to date in protecting your data.

Complaints

If you have a complaint regarding the way your personal data has been processed you may make a complaint to the Town Clerk using the contact details at the top of this notice in the first instance, and make a complaint to the Information Commissioners Office casework@ico.org.uk
Tel: 0303 123 1113.

Cookie Notice

This website may use cookies to distinguish you from other users of the website. This helps us to provide you with a good experience when you browse our website and also allows us to improve the website.

By continuing to browse the website, you are agreeing to our use of cookies as set out by this notice.

Information about cookies

A cookie is a small file of letters and numbers that, if you agree to their use, is stored on your browser or the hard drive of your computer or device. They contain information that is transferred to your hard drive.

The cookies that we could use can be split into the following categories:

- **Strictly necessary cookies:** These are cookies that are required for the operation of the website. They include, for example, cookies that enable you to log into parts of the website.
- **Analytical/performance cookies:** These cookies allow us to recognise and count the number of visitors to the website and to see how they move around within the website when they are using it. This helps us to improve the way the website works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies:** These are used to recognise you when you return to the website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting cookies:** These cookies record your visit to the website, the pages you have visited and the links you have followed. We may share this information with third parties (see our Privacy Policy for more information on how we use information we collect from you).

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

How you can block cookies

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies.

However, please be aware that blocking cookies may affect your ability to use the website. In particular, you may not be able to access all or parts of the website or use the functionalities contained on it.

You may find further information on how to disable cookies or manage your cookie settings for the browser that you use from the following list:

- Google Chrome: <https://support.google.com/chrome/answer/95647?hl=en>
- Firefox <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
- Internet Explorer: <http://windows.microsoft.com/en-GB/windows-vista/Block-or-allow-cookies> –
- Safari: <http://help.apple.com/safari/mac/8.0/#/sfri11471>



Okehampton Town Council

Okehampton Town Council

Subject Access Request Policy

Background Information

Data subjects must be told of their right to access data and an easily accessible mechanism through which such a request can be submitted must be made available.

Okehampton Town Council has adopted a Subject Access Request Policy which details the internal procedures to be taken on receipt of a Subject Access Request (SAR). The policy contains details of:

- Responsibilities (who, what)
- Timings
- Changes to data
- Handling requests for rectification, erasure or restrictions of processing
- Ensuring personal data is easily accessible at all times in order to ensure a timely response to SARs and that personal data on specific data subjects can be easily filtered.

On receipt of a SAR Okehampton Town Council will verify whether or not they are the controller of the data subject's personal data. If the Council is not a controller, but merely a processor, the data subject will be notified and, where known, referred to the actual controller.

The Town Clerk will verify the identity of the data subject and if needed, any further evidence will be requested. The access request will be verified; Is it sufficiently substantiated? Is it clear to the data controller what personal data is requested? If not, additional information may be requested. Requests found to be unfounded or excessive (in particular because of their repetitive character) may be refused or a reasonable fee charged.

Receipt of the SAR will be promptly acknowledged, and the data subject advised of any costs involved in the processing of the SAR.

It will be verified whether or not Okehampton Town Council processes the data requested. If it is established that the Council does not process any data, the data subject will be informed accordingly. At all times the SAR policy will be followed and progress monitored.

Data will not be changed as a result of the SAR, although routine changes as part of the processing activities concerned are permitted.

Any data found to include data about other data subjects will be filtered and removed before the requested data is supplied. If data cannot be filtered, any other data subjects must consent to the supply of their data as part of the SAR before it is released.

A response to a SAR will be made within one calendar month (30 days) of receipt of the request.

If more time is needed to respond to complex requests, an extension of another two months is permissible, providing that this is communicated to the data subject within a month of the request.

If the Council cannot provide the information requested, the data subject will be informed of this decision without delay and within one month of receipt of the request.

If a SAR is submitted in electronic form, any personal data will, where possible, be provided by electronic means.

If data on the data subject is processed, the following will be included as a minimum in the response:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules¹, EU model clauses², or those that are relevant at the time of the SAR request;
- where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- the right to lodge a complaint with the Information Commissioners Office (“ICO”);
- if the data has not been collected from the data subject: the source of such data; the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- a copy of the personal data undergoing processing.

Policy and Procedure

On receipt of a subject access request it must be forwarded immediately to the Town Clerk who will;

- identify whether a request has been made under the General Data Protection Regulations,
- verify the request as valid,
- acknowledge receipt of the request,
- instigate a search to locate the data

A member of staff, or Councillor, who receives a request from the Town Clerk to locate and supply personal data relating to a SAR must make a full exhaustive search of the records to which they have access.

All of the personal data that has been requested must be provided unless an exemption can be applied.

¹ “Binding Corporate Rules” is a global data protection policy covering the international transfer of personal data out of the European Union. It requires approval of a data protection regulator in the European Union. In most cases this will be the relevant regulator where an organisation’s headquarters is located. In the UK, the relevant regulator is the Information Commissioner’s Office.

² “EU model clauses” are clauses approved by the European Union which govern the international transfer of personal data. The clauses can be between two data controllers or a data controller and a data processor.

A response will be sent within one calendar month after accepting the request as valid.

Subject Access Requests must be undertaken free of charge to the requestor unless the legislation permits reasonable fees to be charged.

The Town Clerk must ensure that the staff members and Councillors are aware of and follow this guidance.

Where a requestor is not satisfied with a response to a SAR, Okehampton Town Council will manage this as a complaint and follow the Complaints Policy and Procedure.

On Receipt of a SAR

The Town Clerk will ensure a request has been received in writing where a data subject is asking for sufficiently well-defined personal data held by the Council relating to the data subject. Clarification with the requestor what personal data they need may be required. The requester must supply their address and valid evidence to prove their identity.

Okehampton Town Council will accept the following forms of identification (* these documents must be dated in the past 12 months, +these documents must be dated in the past 3 months):

- Current UK/EEA Passport
- UK Photocard Driving Licence (Full or Provisional)
- Firearms Licence / Shotgun Certificate
- EEA National Identity Card
- Full UK Paper Driving Licence
- State Benefits Entitlement Document*
- State Pension Entitlement Document*
- HMRC Tax Credit Document*
- Local Authority Benefit Document*
- State/Local Authority Educational Grant Document*
- HMRC Tax Notification Document*
- Disabled Driver's Pass+
- Financial Statement issued by bank, building society or credit card company+
- Judiciary Document such as a Notice of Hearing, Summons or Court Order+
- Utility bill for supply of gas, electric, water or telephone landline+
- Most recent Mortgage Statement*
- Most recent Council Tax Bill/Demand or Statement*
- Tenancy Agreement*
- Building Society Passbook which shows a transaction in the last 3 months and your address+

Depending on the degree to which personal data is organised and structured, searches for data will include emails (including archived emails), word documents, spreadsheets, databases, systems, removable media devices (for example, memory sticks), tape recordings, paper records in relevant filing systems etc. within Council owed systems.

Personal data will not be withheld because it is believed it will be misunderstood; instead, an explanation should be provided along with the personal data. Data must be provided in an "intelligible form", which includes giving an explanation of any codes, acronyms and complex terms. The personal data must be supplied in a permanent form except where the person agrees or where it is impossible or would involve undue effort. You may be able to agree with the requester that they will view the personal data on screen or inspect files on Council

premises. You must redact any exempt personal data from the released documents and explain why that personal data is being withheld.

A database allowing the Council to review the volume of requests and compliance against the statutory timescale will be maintained by the Town Clerk.

When responding to a complaint, the requestor will be advised that they may complain to the Information Commissioners Office ("ICO") if they remain unhappy with the outcome.

All letters must include the following information, see templates at Appendix A:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules³ or EU model clauses⁴;
- where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- the right to lodge a complaint with the Information Commissioners Office ("ICO");
- if the data has not been collected from the data subject: the source of such data;
- the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

³ "Binding Corporate Rules" is a global data protection policy covering the international transfer of personal data out of the European Union. It requires approval of a data protection regulator in the European Union. In most cases this will be the relevant regulator where an organisation's headquarters is located. In the UK, the relevant regulator is the Information Commissioner's Office.

⁴ "EU model clauses" are clauses approved by the European Union which govern the international transfer of personal data. The clauses can be between two data controllers or a data controller and a data processor.

Template Letters

Replying to a subject access request providing the requested personal data

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of [date] making a data subject access request for [subject]. We are pleased to enclose the personal data you requested.

Include 1(a) to (h) above.

Copyright in the personal data you have been given belongs to the Council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely

Release of part of the personal data, when the remainder is covered by an exemption

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of [date] making a data subject access request for [subject]. To answer your request we asked the following areas to search their records for personal data relating to you:

[List the areas]

I am pleased to enclose [some/most] of the personal data you requested. [If any personal data has been removed] We have removed any obvious duplicate personal data that we noticed as we processed your request, as well as any personal data that is not about you. You will notice that [if there are gaps in the document] parts of the document(s) have been blacked out. [OR if there are fewer documents enclose] I have not enclosed all of the personal data you requested. This is because [explain why it is exempt].

Include 1(a) to (h) above.

Copyright in the personal data you have been given belongs to the Council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published, or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely

Replying to a subject access request explaining why you cannot provide any of the requested personal data

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of [date] making a data subject access request for [subject].

I regret that we cannot provide the personal data you requested. This is because [explanation where appropriate].

[Examples include where one of the exemptions under the data protection legislation applies. For example the personal data might include personal data is 'legally privileged' because it is contained within legal advice provided to the Council or relevant to on-going or preparation for litigation. Other exemptions include where the personal data identifies another living individual or relates to negotiations with the data subject. Your data protection officer will be able to advise if a relevant exemption applies and if the Council is going to rely on the exemption to withhold or redact the data disclosed to the individual, then in this section of the letter the Council should set out the reason why some of the data has been excluded.]

Yours sincerely

Subject Access Request Check List

Process to Action	
Name of requester (Method of communication) Email Address Phone number Postal Address	
Date Subject Access Request made	
Is the request made under the Data Protection Legislation	
Date Subject Access Request action to be completed by (One month after receipt time limit)	
Extension to the date of reply requested An extension of another two months is permissible provided it is communicated to the subject within the one month period)	
Extension date advised to the Subject Requester and method of contact	
Identification must be proven from the below list: Current UK/EEA Passport UK Photo card Driving Licence (Full or Provisional) EEA National Identity Card Full UK Paper Driving Licence State Benefits Entitlement Document State Pension Entitlement Document HMRC Tax Credit Document Local Authority Benefit Document State/Local Authority Educational Grant Document HMRC Tax Notification Document Disabled Driver's Pass Financial Statement issued by bank, building society or credit card company Utility bill for supply of gas, electric, water or telephone landline A recent Mortgage Statement A recent council Tax Bill/Demand or Statement Tenancy Agreement Building Society Passbook which shows a transaction in the last 3 months and their address	
Verification sought that the Subject Access request is substantiated	
Verification received	
Verification if the Council cannot provide the information requested	
Is the request excessive or unfounded?	
Request to be actioned	

Fee to be charged (Subject Access requests must be undertaken free of charge to a requester unless the legislation permits a reasonable charge)	
If the request is to be refused, action to be taken and by whom.	
Changes requested to data/ or removal	
Complaint Process (Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint)	
Completion date of request	
Date complaint received by requested and details of the complaint	
Date complaint completed and outcome	

Categories of Data to Check

Data	Filing Cabinet	Laptop	Checked	orrected/ Deleted	Actioned by
HR					
Democracy					
Statutory Function					
Legal					
Business					
Legal requirement					
General Data					
Consultation Data					