



Ref: Agenda/Personnel - 23/02/2023

16th February 2023

Dear Sir/Madam

All Members of the Town Council are hereby summoned to the Personnel Meeting of Biggleswade Town Council that will take place on **Thursday 23rd February 2023** at the **Offices of Biggleswade Town Council, The Old Court House, Saffron Road, Biggleswade** commencing at **7:00pm**, for the purpose of considering and recommending the business to be transacted as specified below.

Yours faithfully

Peter Tarrant Town Clerk & Chief Executive

Distribution:

Committee Members Notice Boards The Press

Committee Members: Cllr J Woodhead (Chairman) Cllr H Ramsay (Vice Chairman) Cllr M Foster Cllr F Foster Cllr M Knight Cllr M North Cllr R Pullinger Cllr M Russell Cllr D Strachan Cllr C Thomas

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

To receive Statutory Declarations of Interests from Members in relation to:

- a. Disclosable Pecuniary interests in any agenda item.
- b. Non-Pecuniary interests in any agenda item.

3. PUBLIC OPEN SESSION

To adjourn for a period of up to 15 minutes to allow members of the public to put questions or to address the Council, through the Chairman, pertaining to matters listed on the Agenda.

Please register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_HM4GB9CyTICW0ox2mMIQkQ

Each Speaker will give their name to the Chairman, prior to speaking, which will be recorded in the minutes, unless that person requests otherwise. Each Speaker will be allowed **(one) three-minute slot.**

4. MINUTES AND RECOMMENDATIONS OF MEETINGS

a. For Members to receive the minutes of the Personnel Meeting held on **Tuesday 1**st **November 2022** at the Offices of Biggleswade Town Council, The Old Court House, Saffron Road, Biggleswade.

5. <u>MATTERS ARISING</u>

a. Minutes of the Personnel Meeting held on **Tuesday 1st November 2022.**

6. **ITEMS FOR CONSIDERATION**

a. HR Policies

For Members to review the following draft HR Policies following Members' comments from the Personnel Committee Meeting of 1st November 2022:

- i. Overtime & Time Off in Lieu (TOIL) and Unsociable Hours Policy
- ii. Information and Data Protection Policy
- iii. Remote Working Policy
- iv. Travel & Subsistence Policy
- v. DBS Policy

7. ITEMS FOR INFORMATION

None.

8. <u>PUBLIC OPEN SESSION</u>

To adjourn for a period of up to 15 minutes to allow members of the public to put questions or to address the Council, through the Chairman, in respect of any other business of the Town Council.

Please register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN HM4GB9CyTICW0ox2mMIQkQ

Each Speaker will give their name to the Chairman prior to speaking, which will be recorded in the minutes unless that person requests otherwise. Each Speaker will be allowed **(one) three-minute slot**.

9. EXEMPT ITEMS

The following resolution will be **moved** that is advisable in the public interest that the public and press are excluded whilst the following exempt item issue is discussed.

(10. HR Updates)

Pursuant to section 1(2) of the public bodies (Admission to Meetings) Act 1960 Council **resolve** to exclude the public and press by reason of the confidential nature of the business about to be transacted.



MINUTES OF THE PERSONNEL COMMITTEE MEETING HELD ON TUESDAY 1st NOVEMBER 2022 AT 7.00PM AT BIGGLESWADE TOWN COUNCIL OFFICES, THE OLD COURT HOUSE, 4 SAFFRON ROAD, BIGGLESWADE SG18 8DL



PRESENT: Cllr J Woodhead (chair) Cllr H Ramsay Cllr F Foster Cllr M Knight Cllr M North Cllr M Russell Cllr D Strachan Cllr C Thomas Cllr M Foster Cllr M Foster Cllr R Pullinger

Mr P Tarrant - Town Clerk & Chief Executive Miss H Calvert - Administration & HR Manager Ms Funda Gumush – Meetings Administrator

Members of the Public - 0

Meeting Formalities:

Following a reminder to meeting attendees, both panel and public, that this is a formal meeting, the Chairman advised that members of the public will be given an opportunity to speak during public open session but not at other times. The meeting is being filmed and by being present attendees are deemed to have agreed be filmed and to the use of those images and sound recordings. The Chairman advised that attendees should not disclose any personal information of individuals as this would infringe the Data Protection Rights of the individual. The Chairman asked everyone to mute their microphones when not speaking.

1. <u>APOLOGIES FOR ABSENCE</u>

None.

ABSENT WITHOUT APOLOGIES

None.

2. DECLARATIONS OF INTEREST

To receive Statutory Declarations of Interests from Members in relation to:

- a. Disclosable Pecuniary interests in any agenda item None.
- b. Disclosable Pecuniary interests in any agenda item None.

3. PUBLIC OPEN SESSION

There were no members of the public present.

4. MINUTES AND RECOMMENDATIONS OF MEETINGS

a. The Minutes of the Personnel Committee Meeting held on **Tuesday 2nd August 2022** were <u>APPROVED</u> subject to the correct spelling of Cllr Ramsay.

5. <u>MATTERS ARISING</u>

None.

6. ITEMS FOR CONSIDERATION

a. Information and Data Protection Policy

Cllr Pullinger indicated that an annual review of policies was too often and proposed a 3-year cycle. It was **AGREED** that each policy is reviewed every three years.

b. Disclosures and Barring Policy

This policy was **NOTED**.

c. TOIL and Overtime Policy

Cllr Pullinger questioned whether all staff should be able to claim TOIL. The Town Clerk pointed out that NJC (National Joint Council) conditions were being followed in the Council on this policy. Cllr Russell asked that for the next meeting it would be helpful to have all NJC conditions to order to compare. Cllr Russell also suggested that there be different ruling for TOIL and overtime for different workers in the Council. It was requested that the policy is clearer regarding when you can claim overtime and when you would be expected to take TOIL.

It was **AGREED** to defer this policy to the next Personnel meeting.

d. Travel and Subsistence Policy

Cllr Pullinger called to refer to the HMRC rates in relation to mileage.

It was discussed that a review of subsistence needs was necessary as £10 was not deemed enough to buy an evening meal on overnight stays, and a £75 limit for overnight stays was also deemed to be insufficient.

It was agreed that Officers should not be claiming for the cost of an evening meal when attending Council and Committee meetings.

It was **AGREED** to defer this policy to the next Personnel meeting.

e. Remote Working Policy

Cllr Pullinger pointed out that the text of the policy was fine, however, the title should be changed from 'remote working abroad' to 'working away from home'. Councillors discussed the matter of working from home and possible issues arising from this. The Town Clerk pointed out that working conditions globally were changing and the Council was endeavouring to keep up with the changes.

It was requested that remote working in regard to COVID is also included within the policy.

It was also requested that there is a clarity on what happens when a member of staff works remotely but hasn't passed their probation.

It was agreed to take 'permanent basis' and 'regular remote working' out of the policy.

It was **AGREED** to defer this policy to the next Personnel meeting.

f. Unsociable Working Hours Policy

Cllr Pullinger asked to blend this policy into another policy such as the Overtime and TOIL Policy and defer the matter to another meeting.

It was **AGREED** to defer this policy to the next Personnel meeting.

g. Employee Code of Conduct

This policy was approved subject to Cllr Knight's comments.

Cllr Knight questioned the frequency of drug and alcohol testing.

h. Gossiping Policy

It was **AGREED** not to implement a Gossiping Policy but to include within another policy.

i. Severe Weather Policy

It was <u>AGREED</u> to take out the last two paragraphs of the policy. It was agreed that risk assessment be undertaken based on meteorology warning and that any decisions to alter working practice because of extreme weather will be at the discretion of the Town Clerk & Chief Executive.

j. Managing Personal Relationships at Work Policy

It was **AGREED** that this policy include Councillor relationships.

It was **AGREED** to defer this policy to the next Personnel meeting.

It was agreed that any further feedback on the policies is emailed through to the Town Clerk & Chief Executive and the Administration & HR Manager by the 8th November 2022. It was also agreed that any amendments to policies are in tracked changes.

7. ITEMS FOR INFORMATION

None.

8. PUBLIC OPEN SESSION

There were no members of the public present.

9. EXEMPT ITEMS

The following resolution will be moved that it is advisable in the public interest that the public and press are excluded whilst the following exempt items are discussed.

(10a. HR Updates) (10b. Staff Contracts)

Pursuant to section 1(2) of the public bodies (Admission to Meetings) Act 1960 Council resolve to exclude the public and press by reason of the confidential nature of the business about to be transacted.

The Chairman closed the Meeting at 8.00pm



Overtime & Time Off In Lieu (TOIL) and Unsociable Hours Policy

Eligibility for TOIL

All employees of <u>the Councilthe Town Council</u> are entitled to claim paid overtime or TOIL<u>unless</u> <u>stated otherwise in their contract</u>.

Authorisation of TOIL/Paid Overtime

Employees must not work any additional hours above their contractual hours without first seeking the advance agreement of their line manager in writing. The only exception to this rule is if the additional hours worked could not have been foreseen but were necessary to meet the business needs of the Council the Town Council, for example a meeting that overran. An employee's line manager will only approve the overtime or TOIL if there is a business need for additional hours to be worked.

In regards to whether an employee claims paid overtime or TOIL for additional hours worked, this decision will be made jointly in consultation with the employee's line manager to decide on what is most appropriate.

TOIL or overtime will not be granted for any period of time which is less than half an hour and will not be authorised for any time that would take the employee over their TOIL limit.

All overtime and TOIL requests must be submitted by the employee, and authorised by the line manager, through the HR software system.

All overtime that has been inputtrecorded onto the HR software system, and has been approved by the employee's line manager, will be paid to the employee in the next pay run.

TOIL bank and TOIL limit

Accrued TOIL is added to the employee's TOIL bank and administered through the Town Council's HR software system.

The amount of TOIL an employee is permitted to accrue is equivalent to no more than one week of their normal contracted hours. The TOIL bank may not exceed this amount during any rolling six-month period. Any TOIL requests that will cause the TOIL bank to exceed that amount will be refused.

TOIL not taken within 12 months of the date upon which it was accrued will be lost. TOIL accrued and not redeemed will be lost with no monetary compensation offered.

Duplications or Incorrect Overtime or TOIL entries

If a duplication or incorrect overtime or TOIL entry is inputted onto the HR <u>software</u> system, the employee must notify their line manager and the Administration & HR Manager in writing immediately. Failure to notify may be considered fraudulent and therefore subject to the disciplinary terms of <u>the Councilthe Town Council</u>.

Adopted: [DRAFT-] 20223 Review Date: September 20236



Redeeming TOIL Hours

Employees that wish to redeem their TOIL hours as time off work are required to submit their request through the HR software system. TOIL redemption must be for a minimum of half a day.

Requests to redeem TOIL hours will be considered by the employee's line manager in line with the usual holiday requests, with an emphasis on business needs such as workloads, customer service requirements and available staffing.

The line manager that authoriseds the TOIL request may have specified that the TOIL hours should be taken on a specific day or week or during a specific period and this must be adhered to.

Reasonable notice period for redeeming TOIL

In the normal caourse of events, employees should look to notify their line manager inof any request for TOIL, giving a minimum notice period of five working days. The Council The Town Council will seek to flexibly apply this policy if any request is deemed an emergency.

Paid overtime and TOIL rates for Town Council Office staff & Public Realm staff-

Additional hours worked over 37 hours per week = time and a half Saturday = time and a half Sunday = double time Bank Holidays = double time Unsociable hours (classed as after 10pm or before 6am) = double time

Paid overtime and TOIL rates for Orchard Community Centre staff:

Additional hours worked over 37 hours per week = time and a half Unsociable hours (classed as after 10pm or before 6am) = double time Bank Holidays = double time Unexpected callouts (defined as a request to work with less than 24 hours' notice) = double time

Paid overtime and TOIL rates for Part-time staff:

Additional hours worked that are above contractual hours but are less than 37 hours per week = time Additional hours worked over 37 hours per week = time and a half Bank Holidays = double time Unsociable hours (classed as after 10pm or before 6am) = double time

Termination of employment

Employees whose employment is terminated with notice will be required to redeem their full TOIL bank prior to their departure.

Untaken<u>Accrued</u> <u>Any</u> TOIL will be lost upon <u>termination-leaving the Council</u> and no payment in lieu will be made. If notice is not given or worked for any reason, the accrued but untaken TOIL will be lost.

Adopted: [DRAFT-] 20223 Review Date: September 20236



Unsociable Hours

From time-to-time staff may be required to work unsocial hours.

This policy sets out the Biggleswade Town Council's stance on staff working unsocial hours. It also outlines the Town Council's commitment towards safeguarding the health and safety of staff carrying out this work, whilst meeting their legal obligations in relation to working time.

Definition

Over time the Town Council may issue employee specific contracts that set out core working hours and unsociable working hours relevant to the work base and purpose of role. Town Council employees will be paid double time for unsociable hours worked as set out in this Overtime & TOIL sections of this policy.

Unsociable hours rate

Town Council employees will be paid double time for any unsociable hours worked as set out in this the Overtime & TOIL sections of this Policy.

Working time rules and rest breaks

The Town Council takes its obligations under the Working Time Regulations seriously and will adhere to the following entitlements for adult workers:

- individuals cannot work more than an average of 48 hours per week over a reference period of 17 weeks. Employees can agree to opt out of this limit if they choose to by signing a written opt-out notice.
- individuals are entitled to one uninterrupted rest break of 20 minutes where they work more than 6 hours per shift.
- workers are entitled to a minimum daily rest period of 11 hours.
- workers are entitled to a minimum weekly rest period of 24 hours, or 48 hours per fortnight.

Entitlements can differ for young workers and for those who carry out night work. (as defined above).

Risks of unsociable hours working

The Town Council understands that certain employees may be unsuitable for unsociable hours working, and that there are health risks associated with working outside of normal hours. The Town Council will monitor and remain aware of all risks, in particular, the following risks may be identified:

- stress and cardiovascular problems;
- tiredness and fatigue;
- isolation;
- exacerbation of mental health conditions;
- increased risk of injury or accidents;
- lone working.

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Risk assessments

Where applicable, the Town Council will carry out specific risk assessments related to unsociable hours working. This assessment will be focused on identifying and reducing risks to the health and safety of employees and others.

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Personnel 23/02/2023 Items for Consideration Item 6aii Information and Data Protection Policy

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| Information & Data Protection Policy | |
| Biggleswade Town Council recognises it must, at times, keep and process sensitive and personal information about both employees and the public. <u>.,il</u> t has therefore adopted this policy not only to meet its legal obligations but <u>also</u> to ensure high standards. | Formatted: Indent: Left: 0 cm |
| The <u>Town</u> Council will be very transparent about its operations and will work closely with 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 <u>Town</u> Council's Publication Scheme which is based on the statutory model publication scheme for local councils. | Formatted: Right: 0.28 cm, Space Before: 0.05 pt |
| Making Information Available | Formatted: Indent: Left: 0 cm |
| The Publication Scheme is a means by which the Council the Town 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 the Town Council and its role within the community. | Formatted: Indent: Left: 0 cm |
| In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the <u>Council the Town Council</u> publishes or intends to publish. It is supplemented with an Information Guide which will give greater detail of what the <u>Council the</u> <u>Town Council</u> will make available and hopefully make it easier for people to access it. | Formatted: Indent: Left: 0 cm |
| All formal meetings of Council and its committees are subject to statutory notice being given on notice boards, the Website and sent to the local media. The Council The Town Council publishes an annual programme 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 The Town Council welcomes public participation and has a public participation session on 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. | Formatted: Indent: Left: 0 cm |
| Occasionally, the Town 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. | Formatted: Indent: Left: 0 cm |
| 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 <u>the Town</u> Council _T but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of <u>a Town Council</u> <u>meetingCouncil</u> . In other words, decisions which would have been made by <u>the Town</u> Council or committee had the delegation not been in place. | Formatted: Indent: Left: 0 cm |
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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 <u>Town Ceouncil</u> and committee meetings normally open to the public. The <u>Town Council will</u>, 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.

The <u>Town</u> 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.

Protecting Confidential or Sensitive Information

The Data Protection Act <u>19982018</u> seeks to strike a balance between the rights of individuals and the <u>sometimes competingsometimes-competing</u> interests of those with legitimate reasons for using personal information. The policy is based on these principles:

The <u>Town</u> Council will make any notification required to the Information Commissioner's Office - under the Data Protection Act <u>2018</u> and periodically update the information.

The Council The Town Council -will comply with the eight principles of good practice for processing
sensitive data, by ensuring it is:

- Fairly and lawfully processed.
- Processed for limited purposes.
- Adequate, relevant and not excessive.
- Accurate and up to date.
- Not kept longer than is necessary.
- Processed in accordance with the individual's rights.
- Secure.
- Not transferred to countries outside the EU unless the country has adequate protection for the individual.

The Council The Town 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 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 <

- 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.

The Council The Town Council –will always give guidance on personnel data to employees through the Employee Handbook.

The Council The Town Council -will ensure that individuals on whom personal information is kept Adopted: [DRAFT]September 20223 Review Date: [__] September 20236

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are aware of their rights and have easy access to that information on request.

Disclosure Information

The Council The Town 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.

Procedures

The Council The Town Council -has taken the following steps to protect the personal data of relevant individuals, which it holds or to which it has access:

- Lit appoints or employs employees with specific responsibilities for:
- the processing and controlling of data;-
- o the comprehensive reviewing and auditing of its data protection systems and procedures;
- o overviewing the effectiveness and integrity of all the data that must be protected.
- There are clear lines of responsibility and accountability for these different roles.
- ilt provides information to its employees on their data protection rights, how it uses their personal data, and how it protects it. The information includes the actions relevant individuals can take if they think that their data has been compromised in any way_
- <u>l</u>it provides its employees with information and training to make them aware of the importance of protecting personal data, to teach them how to do this, and to understand how to treat information confidentially.
- Lit can account for all personal data it holds, where it comes from, who it is shared with and also who it might be shared with.
- ilt carries out risk assessments as part of its reviewing activities to identify any vulnerabilities in its personal data handling and processing, and to take measures to reduce the risks of mishandling and potential breaches of data security. The procedure includes an assessment of the impact of both use and potential misuse of personal data in and by the <u>Town</u> Council.
- <u>I</u>it recognises the importance of seeking individuals' consent for obtaining, recording, using, sharing, storing and retaining their personal data, and regularly reviews its procedures for doing so, including the audit trails that are needed and are followed for all consent decisions. The <u>Town</u> Council understands that consent must be freely given, specific, informed and unambiguous. The <u>Town</u> Council will seek consent on a specific and individual basis where appropriate. Full information will be given regarding the activities about which consent is sought. Relevant individuals have the absolute and unimpeded right to withdraw that consent at any time.
- Lit has the appropriate mechanisms for detecting, reporting and investigating suspected or actual
 personal data breaches, including security breaches. It is aware of its duty to report significant
 breaches that cause significant harm to the affected individuals to the Information Commissioner,
 and is aware of the possible consequences.
- -lit is aware of the implications international transfer of personal data internationally.

Access to Information

Relevant individuals have a right to be informed whether the <u>Town</u> Council processes personal data relating to them and to access the data that the <u>Town</u> Council holds about them. Requests for access to this data will be dealt with under the following summary guidelines:

- Aa form on which to make a subject access request (<u>"SAR"</u>) is available from the Administration and HR Manager.
- tThe Town Council will not charge for the supply of data unless the request is manifestly
 unfounded, excessive or repetitive, or unless a request is made for duplicate copies to be provided

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to parties other than the employee making the request.

tThe Town Council will respond to a request without delay. Access to data will be provided, subject
to legally permitted exemptions, within one month as a maximum. This may be extended by a
further two months where requests are complex or numerous.

Relevant individuals must inform the <u>Council Town Council</u> immediately if they believe that the data is inaccurate, either as a result of a subject access request or otherwise. The <u>Town</u> Council will take immediate steps to rectify the information.

Data Security

The <u>Town</u> Council adopts procedures designed to maintain the security of data when it is stored and transported. Employees must:

- Eensure that all files or written information of a confidential nature are stored in a secure manner and are only accessed by people who have a need and a right to access them.
- Eensure that all files or written information of a confidential nature are not left where they can be read by unauthorised people.
- FRefrain from sending emails containing sensitive work-related information to their personal email address.
- Ceheck regularly on the accuracy of data being entered into computers.
- Aalways use the passwords provided to access the computer system and not abuse them by passing them on to people who should not have them.
- Uuse computer screen blanking to ensure that personal data is not left on screen when not in use.

Personal data should not be kept or transported on laptops, USB sticks, or similar devices, unless authorised by a senior manager. Where personal data is recorded on any such device it should be protected by:

- Eensuring that data is recorded on such devices only where absolutely necessary.
- <u>Uusing an encrypted system a folder should be created to store the files that need extra</u> protection and all files created or moved to this folder should be automatically encrypted.
- Eensuring that laptops or USB drives are not left lying around where they can be stolen.
- Ensuring that data access is limited only to staff that need access to the relevant information.

Data Transparency

The <u>Council-Town Council</u> 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.

Adopted: [DRAFT]September 20223 Review Date: [__] September 20236 <u>Open</u>: 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 <u>a</u> 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. Biggleswade 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 <u>Town</u> Councillor or Member responsibilities.
- Details of public land and building assets.
- Draft <u>M</u>minutes of <u>Town</u> Council and committee <u>meetings</u> within one month.
- Agendas and associated papers no later than three clear days before the meeting.

Adopted: [DRAFT]September 20223 Review Date:] September 20236



Remote Working Policy

Policy Statement

Remote working is understood to mean working from home on an occasional_, temporary or temporary permanent basis. It means that employees conduct their job from home with the same contractual obligations, such as core working hours.

There are two main categories of rRemote working can be categorised as :

• eoccasional/ad hoc remote working.::this-ariseeing in relation to specific pieces of workor for specific periods. It does not follow a regular pattern, is combined with working from the employee's normal Town Council workplace and is subject to the prior approval of a line manager. It may be granted as part of a phased return to work after maternity or sickness absence, or be a temporary arrangement due to family commitments or domestic circumstances, or where an employee has tested positive for COVID and under government regulations is required to selfisolate.

 regular remote working: this is an agreement between the Council and the employee to work the working week from home, or a combination of remote working and attendance at a Council workplace, on a regular and on-going basis.

Whatever the circumstances leading to a situation where <u>the a Town</u> Council employees have <u>has</u> been granted permission or recruited to work from home, this policy applies and to all employees must comply with the requirements set out below.

Overriding principal

Please note that this policy should not be taken as forming an employment contract and may be updated at any time dependingant on the business needs of the Town Council.

In the event that the line manager and the Administration & HR Manager feel that the needs of the business are not being met, the Town Council reserve the right to rescind any permissions regarding remote working.

Eligibility

Employees are eligible to apply for reference working in the following circumstances:

- where the employee has successfully completed the probationary period attached to their job role;
- where the employee's role does not involve supervisory <u>or management</u> duties that require undertaking in person alongside the team members involved-;
- where their home environment is suitable;
- no aspect of the employee's recent appraisal was marked as unsatisfactory;
- the employee's disciplinary record is clean.n.

Where employees have not yet passed their probation and are asking to work from home on an ad-hoc or temporary basis, the Administration & HR Manager and the employee's line manager will assess the request based on the type of work the employee needs to do in line with continuing to meet the needs of the business.

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In the event that the line manager and the Administration & HR Manager feel that the needs of the business are not being mot, the Town Council recorve the right to recoind any permissions regarding remote working.

Applications for Remote working will be granted where the employee's line manager is satisfied that the needs of the business can continue to be met while the employee works from home.

Remote working must be cost-effective and ensure that there is no significant increase in workload on colleagues. The work done by the employee must be capable of being done from home.

The line manager may liaise with the Administration & HR Manager in relation to applications for remote working, to confirm the arrangements.

Making remote working applications

Employees that wish to apply for remote working, either permanently or on a temporary basis, should <u>make their request in writing submit an application</u> to their line manager.

Remote working may invalidate an employee's home contents insurance policy.-Employees are required to check the policy prior to applying and, if successful, provide a copy of the policy wording and schedule to their line manager if their application is granted.

Occasional/ad hoc remote working applications

The application should set out the reasons for requesting remote working.

Examples may include a project or set of tasks that requires peace and quiet and a lack of interruptions. A backlog of tasks or a major project may also give rise to an employee wishing to request remote working.

There may be family commitments such as the long_-term illness of a relative or dependant. In this situation, the employee swe would also ask that yhouldeu discuss this with the Town Clerk refer to the Council's policy on time off for dependents.

There could be issues relating to the recovery from mental or physical illnesses which may make a request for remote working conducive to the smooth recovery of the employee.

Various transport considerations may give rise to a request for remote working.

Regular remote working applications

Prior to making an application, employees must discuss their proposed applicationremote working request with their line manager. In such a discussion, the employee should consider the following aspects of the formal application and discuss any issues arising from the points below with their line manager informally.



Once a discussion has been held by the employee's line manager, the employee should submit a formal application, which should address the following points:

- confirmation that the employee meets the eligibility criteria for remote working;
- the date from which the arrangements are intended to start (at least two weeks from the date of the application);
- the proposed number of days to work from home the whole working week, or only certain days;
- proposed hours of work;
- the proposed organisation of the home working environment available separate room, security arrangements for <u>Town</u> Council equipment and <u>Town</u> Council materials/documentation;
- extent of availability to attend the workplace, for meetings, cover colleague absences, etc.;
- how the employee proposes that contact will be maintained with their line manager.

As part of the application, the employeeyou should demonstrate how they you will achieve the following manage their workload and adapt their working style to:

- managing workload independently
- self-motivation and working to own initiative
- adapting to the different working practices involved
- problem-solving and different pressures associated with working alone

adapting to different methods of being line managed and liaising with coll ensure they remain responsive to colleagues and managers who will contact them via remotely connectivity streams, as well as flexible and collaborative eagues.

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Application decisions

The Council The Town Council aims to respond to formal applications for remote working within one week of the application being received by your line manager. Line managers may need to meet with the employee to discuss the issues arising from the application.

Accepted applications

If the line manager accepts the employee's application, written confirmation will be provided. Each request is considered on its own merits. The Council The Town Council is under no obligation to permit a period of remote working at a present time because it has agreed to it in the past.

Rejected applications

If the line manager is unable to accept the employee's application, the reasons for the rejection will be issued in writing to the employee. The employee may appeal the decision within 5 working days of the decision being issued. The reasons for the appeal should be set out in writing and sent to the senior manager specified on the rejection communication.

Remote working agreements and trial period

Accepted applications will be subject to the successful completion of a trial period. - The aim of the trial period is for both the employee and the Council the Town Council to evaluate whether the new working arrangements for remote working have been successful.

At the end of the trial period, the line manager will meet with the employee to evaluate the success of the trial. The line manager will determine whether the trial has been successful and confirm that the remote working agreement may continue. During the trial period, or at the evaluation meeting, either side may propose reasonable amendments to facilitate a smoother working arrangement. The Council The Town Council reserves the right to terminate the remote working agreement by declaring the trial has been successful if proposed amendments are unreasonable, unworkable, no amendments can be implemented or the employee's work output, quality, oversight etc suffered to the detriment of the Council the Town Council.

Remote working agreement

The remote working agreement drawn up during the application process, and bespoke to the employee's circumstances, sets out the terms of the arrangement for the employee to work from home. It will reflect the following points, subject to any modification agreed during the trial, as well as the practical considerations to enable the remote working to operate smoothly:

- the Councilthe Town Council reserve the right to terminate the remote working arrangement at any time for any reason on reasonable notice;
- employees are required to be available during the core hours specified in their remote working agreement;

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- if any issue arises that causes an employee to no longer meet the eligibility criteria at the outset of this policy, the <u>Councilthe Town Council</u> will review the remote working arrangement and may terminate it on reasonable notice;
- the remote working arrangements will be subject to regular review;
- employees working from home will be expected to attend meetings and other office-based events as and when required by their line manager;
- employees working from home are required to comply with <u>Town</u> Council policies, including holiday, performance targets, sickness, absence etc.

Remote working practical arrangements

The Council The Town Council supplies remote workers with the necessary equipment relevant to their job role. The equipment remains the Council the Town Council's property and will be installed and removed at the Council the Town Council's cost. The Council The Town Council may need to attend the employee's home to update, maintain or repair/replace the equipment and will give the employee reasonable notice of the need for this.

Employees should take reasonable care of the <u>Councilthe Town Council</u> equipment and only use it for <u>Town</u> Council business. IT and telephony equipment may only be used in accordance with the <u>Councilthe Town Council</u>'s IT, telephony, data protection and monitoring policies.

Personal equipment that an employee uses for work purposes remains their responsibility and the <u>Council</u> is not liable for any loss, damage, repair or replacement of any personal equipment. If an item of equipment is deemed necessary for work, the employee should contact their line manager.

Employees should maintain regular contact with their line manager so that the Council the Town Council can work towards early resolution of any problems. This applies to problems with Town Council equipment and also in relation to the ongoing suitability of the remote working arrangement; pressures and stress occur equally to remote workers as they do to those working at the Council the Town Council's offices and the Council the Town Council encourages the early reporting of these issues so that practical steps can be considered and implemented to the mutual agreement of both the remote worker and the line manager.

The costs of electricity, water, heating, telephone, broadband and other utilities will not be covered by the Council the Town Council. These costs will remain the employee's responsibility.

Employees must keep<u>Town</u> Council data and <u>Town</u> Council materials safe and secure at all times, ensuring reasonable precautions are being taken to maintain confidentiality in accordance with the Data Protection policy.

Employees should refrain from revealing to customers/clients that they work remotely. Employees must not provide their personal address or personal contact details to customers/clients or third parties associated with the Councilthe Town Council. Meetings between customers/clients and employees at home are prohibited. All communications should be routed through the Councilthe Town Council workplaces.

Health and safety for remote workers



The Council The Town Council's health and safety policy applies to remote workers. Employees should refer to the separate health and safety policy for more details.

Remote workers are required to comply with a number of health and safety considerations in respect of the space utilised as their workplace in their home environment. Remote workers are required to attend the office to undergo health and safety training.

Risk assessment

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A risk assessment will be undertaken to determine any relevant risks and to prevent harm to the remote worker or anyone else who may be affected by their work, in respect of the workplace itself and the working arrangements. The CouncilThe Town Council may need to check such workplaces from time to time as the remote working arrangement proceeds. The CouncilThe Town Council may require self-assessment of some aspects of the workplace and training may be provided as necessary. Any steps necessary from these various risk assessments will be undertaken to ensure the remote worker has a safe workplace.

A specific risk assessment will be done on employees who inform the Council the Town Council that they are pregnant. In order for this to take place, remote working employees who become pregnant should notify their line manager of their pregnancy immediately. More details about what to do are available in the Council the Town Council's policy on Pregnancy and Maternity.

Moving home

If employees move home, the Remote working arrangement will be reassessed. If the Councilthe Town Council considers that the house move would make, or has made, remote working unsuitable, this may result in the remote working period coming to an end.

Electrical equipment

Remote workers are required to use all equipment supplied by the <u>Councilthe Town Council</u> safely and in accordance with best practice and manufacturer's guidelines. <u>The Council The Town</u> <u>Council</u> will check all <u>Town</u> Council electrical equipment for safety. Remote workers will be responsible for any other electrical equipment used by them in their work activities and will continue to be responsible for the safety of electrical sockets and wiring in their home.

Working hours

Employees are responsible for ensuring they complete their working hours as defined in their contracts of employment.

Working time



Employees are responsible for ensuring they take their rest breaks as defined in their contracts of employment.

Positioning of equipment

Training on the ergonomic positioning of IT equipment will be provided during the implementation of the remote working arrangement, together with best practice guidance on breaks. The Council The Town Council will provide checklists for this for the benefit of employees.

Employee conduct

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If remote working becomes unsuitable due to employee conduct or performance, the remote working arrangement may be terminated immediately. Further disciplinary action may also be taken in line with <u>Town</u> Council policy.

Working away from homeRemote working abroad

Employees who want to temporarily work from a different location that is not their usual home address, such as a holiday home abroad, must request the <u>Councilthe Town Council</u>'s express written permission first, because this may impact on issues such as internet connection, service delivery, the employee's ability to attend the office quickly if needed, data protection, the security of <u>Town</u> Council property and the employee's health and safety.

Personnel 23/02/2023 Items for Consideration Item 6aiv Travel & Subsistence Policy



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Mileage:

If <u>an employeeyou are is</u> insured to use <u>their your car</u> for business use, <u>the HMRC set mileage</u> rate applicable at the time the expense is incurred will apply in respect of claims for you may claim 45p per mileage for business travel. This rate may be subject to change, in which case this policy will be update with the new rate and all Town Council employees will be informed.

The HMRC set mileage rate will change from time to time and the Administration & HR Manager will ensure expenses claimed are at the correct rate.

Rail travel:

All bookings must be made in economy/standard class.

Road Traffic Fines:

Any road traffic fines incurred by a Council employee while engaged on official and authorised Council business will need to be paid by the employee. If the employee believes there are exceptional circumstances surrounding their particular case, they need to speak to their line Manager in the first instance, who should seek advice from the Administration & HR Manager.

Hotel Accommodation:

The reimbursement of costs for bed and breakfast hotel accommodation can be made when an overnight stay is unavoidable. <u>RR</u>eimbursement should not exceed £75 per night<u>for</u> accommodation outside of the M25 boundary, and £100 inside the M25 boundary and London. ⁵ but ilf these is rates -does not suffice, the employee is to please obtain the lowest rate and provide this to inform the Administration & -HR Manager to confirm for consideration approval.

Subsistence:

The subsistence allowance applies to staff who are travelling nationally on behalf of the Town <u>Council and conducting Council business.</u> attending evening meetings that end after 7pm. In these cases, a special evening meeting allowance may be claimed up to the value of £10. Subsistence reimbursements will be subject to receipts being submitted with the claim up to a value of £ per day.

Staff who are required to make overnight stays in the performance of their official duties will be reimbursed approved expenses.

Subsistence may be claimed where the following conditions apply the:

- expense arises from the proper performance of the claimant's duties
- expense is incurred whilst away from the claimant's regular place(s) of work or while staying away from home

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Part 3 - Other National Provisions:

8. Meals and Accommodation Charges

Arrangements in the former APT&C and Manual national agreements as at 31 March 1997 in relation to (i) free meals and (ii) accommodation and meal charges will remain in place unless and until alternative arrangements are agreed locally. In the meantime charges should be reviewed annually in line with movements in the appropriate sectors of the Retail Prices Index.

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Part 2 - Key National Provisions

13. Reimbursement of Expenditure

13.1 Employees necessarily incurring additional expense in the course of their work in respect of travel, meals or overnight accommodation will be reimbursed approved expenses, subject to appropriate evidence of expenditure being produced, in accordance with local arrangements.

13.2 Employees will be reimbursed the additional costs arising from a compulsory change in their place of work, according to locally negotiated schemes establishing approved items of expenditure and periods of reimbursement.

Part 3 - Other National Provisions:

8. Meals and Accommodation Charges Arrangements in the former APT&C and Manual national agreements as at 31 March 1997 in relation to (i) free meals and (ii) accommodation and meal charges will remain in place unless and until alternative arrangements are agreed leagily. Is the meantime

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- expense incurred is reasonable and additional to the employee's normal expenditure
- claim is fully supported by itemised receipts submitted with the claim so the nature of the expenditure can be verified
- claim is within the limit for each category, as set out below.

The HMRC set subsistence rate applicable at the time the expense is incurred will apply in respect of claims for subsistence expenditure.

As of February 2023, these are:

| Employee subsistence rates | Limit |
|------------------------------|------------|
| One meal (5 hour) ceiling | <u>£5</u> |
| Two meal (10 hour) ceiling | <u>£10</u> |
| Three meal (12 hour) ceiling | <u>£15</u> |
| 24 hour ceiling | <u>£20</u> |

The payment cannot be made where a meal is provided.

Subsistence payments do not apply to one_ day workshops or training courses. If lunch is notprovided the employee you will be required to take provisions with themyou or purchase your their_lunch. This cost will be met by the employee.

Employees You will not be reimbursed for the cost of any alcoholic drinks.

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Disclosures & Barring Policy

Purpose

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This policy sets out the conditions under which Biggleswade Town Council will require a Disclosures & Barring Service (DBS) check to be completed and the implications arising from their use for employees and workers. It relates to checks carried out upon recruitment and during the lifetime of employment.

Introduction

A DBS check searches personal details provided by the individual against criminal records and other sources. A basic DBS check will either:

- Confirm that the individual does not have a criminal record; or
- list any current convictions.

An enhanced DBS check will advise of any current and/or relevant convictions, cautions, reprimands, warnings and, if applicable, whether the individual has been barred from working with vulnerable groups. The police may also include non-conviction information, for example, fixed penalties, that may be relevant.

In order to protect vulnerable individuals, any employee Orchard Community Centre staff, whose role involves working where children or vulnerable adults will be present, will be asked to apply for a basic DBS Certificate, before they are eligible to begin work in that area of the business. The cost of that check will be reimbursed to the individual.

Post Eligible for Enhanced Checks

Under the Rehabilitation of Offenders' Act 1974, some offences are considered "spent" after a period of time. -Spent convictions and police cautions will not be shown on a basic DBS check but may be relevant considerations in the safeguarding of vulnerable individuals.

In order to ensure the safeguarding of vulnerable individuals, Biggleswade Town Council will apply for an enhanced DBS check for any roles that afford unsupervised access to children or vulnerable adults or roles which afford supervised access to children or vulnerable adults on a regular basis. -There may be some other roles that are eligible for an enhanced DBS check. It will be the responsibility of the Administration & HR Manager to check current Government guidance to determine which level of DBS check is appropriate in all the circumstances.

https://www.gov.uk/government/collections/dbs-eligibility-guidance

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Recruitment or New Role

Prior to recruiting for a new role, the Administration & HR Manager, in conjunction with the hiring manager, will consider whether a DBS check is required for the new role.

If a DBS check is required, the job advertisement and job description will state that "the position is subject to a satisfactory DBS check". Any offer issued to an individual will state that it is "subject to a satisfactory DBS check".

A basic DBS check will be completed, with the assistance of the Administration and HR Manager if needed, on the employee's first day. Until a basic DBS certificate has been received by the Town Council and is deemed satisfactory, the employee will not work unsupervised.

If an enhanced DBS check is required, the individual will be asked to provide the relevant information.

Returned Traces

Having a conviction will not necessarily bar an individual from working for Biggleswade Town Council. Each individual case will be considered with reference to the sentence, severity and nature of the offence and the potential risk to children or vulnerable adults.

In the event the DBS check shows any charges or convictions, the Town Clerk and Chief Executive and the Administration and HR Manager will carefully consider the following:

- Does the check reveal anything that reasonably impacts upon the individual's suitability for the position concerned? For example, if it relates to a petty theft many years ago, how relevant is that to the role?
- Does the check reveal anything that would reasonably be considered as detrimental to the business or reputation of the Council?
- If not, details should be retained securely for only as long as is necessary. -Allegations or findings of criminal activity that are not relevant should be disregarded for the purposes of the role.
- If the check reveals something that can be reasonably considered to make them unsuitable for the proposed role, the Council must consider if there are any other reasonable opportunities available to the individual. This may include amending the proposed role so that it no longer involves any duties or areas that would be of concern, or the individual being considered for any other suitable roles that may be available.
- If the DBS check is unsatisfactory and no suitable alternative can be offered, the offer of employment may be withdrawn, or disciplinary proceedings instigated. -Dependent upon all the circumstances, disciplinary proceedings may lead to termination of employment.

Retention of Documents

Biggleswade Town Council complies fully with its obligations under the Data Protection Act 20181998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information.

Storage and access

Certificate information will be kept securely, in either lockable, non-portable, storage containers, or electronically, with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Adopted: <u>DRAFTSeptember</u> 202<u>23</u> Review Date: <u>September 2023[2026]</u>

Ongoing Employment Checks

Relevant employees will be required to register for the DBS update service. Biggleswade Town Council will reimburse the charges incurred. Employees will be required to produce an updated DBS check every three years.

Referral Procedures

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In the event that any employee is found to have committed a significant breach of the Council's Safeguarding policy, Biggleswade Town Council will notify the appropriate authorities, including the Police and/or Disclosure and Barring Service.

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