



19TH September 2023

In accordance with Paragraphs 8 & 10(2) (b) of Schedule 12 of the Local Government Act 1972 I hereby summon you to attend a Meeting of PETERLEE TOWN COUNCIL to be held in the COUNCIL CHAMBER, SHOTTON HALL, PETERLEE, SR8 2PH on MONDAY 25th SEPTEMBER 2023 at 6.30pm

Ian Morris, F.S.L.C.C
Town Clerk (Proper Officer of the Council)

Members of the Committee and members of the public are reminded that the public part of the meeting may be recorded in both audio and video, and photographs may be taken.

Members of the public are very welcome to attend our meetings. We have a limited number of designated public seating and so any members of the public wishing to attend Shotton Hall to observe the meeting are advised to contact the Council in advance so that we can reserve a seat for you: council@peterlee.gov.uk or 0191 5862491

BUSINESS TO BE TRANSACTED

1. Apologies for Absence
2. Public Participation Session
Will be held to allow Members of the public an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.
3. To receive declarations of interest
Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy Town Clerk prior to the meeting if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>

4. To Approve the Minutes of the last meeting of the 21st August 2023
The minutes of the previous meeting are attached for consideration and approval as a true and correct record. (attached)
5. The notes of the Scrutiny Meeting of the 21st August 2023
The minutes of this meeting are attached for information (attached)
6. Notes of the Finance Sub Committee of the 21st August 2023
To confirm and endorse the resolution of the Finance Sub Committee to approve BACS payments paid (attached)
7. The Minutes of the Resources Meeting held on Monday 11th September 2023
The minutes of this meeting are attached for information (attached)
8. Notes of the Events working party held on 7th September 2023 (attached)
Action Point: return of Mr & Mrs Claus Outfit to the Town Council for dry cleaning etc.
9. Building Valuations – for insurance purposes
To receive a report recommending the award of a contract to provide insurance valuations for the Council's buildings.
(Report of the Town Clerk, to follow)
10. DCC Website Cessation of SLA Contract
To report that DCC have given notice that their support for the Council's website shall end on 31 March 2024 and to consider options for provision from 1st April 2024.
11. Policies
To consider and review the following policies:-
 - (a) Flexible working Policy
 - (b) Information and information Management Policy
 - (c) Lone Working PolicyThe policies are attached for Member's consideration and approval.

12. Spokeperson of the Independent Party's Report
13. Spokesperson of the North East Party's Report
14. Spokesperson of the Labour Political Party's Report

The press and public are welcome to attend this meeting. Space in the public gallery is limited and you are advised to contact the council in advance if you do wish to attend.

Contact: Ian Morris, Chief Officer & Town Clerk, Peterlee Town Council, Shotton Hall, Peterlee
Co Durham SR8 2PH

e mail: council@peterlee.gov.uk

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN COUNCIL

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 21st AUGUST 2023 at 6.30PM

PRESENT: Cllr A Laing (Chair)
Cllrs K Liddell; S Simpson; R Burnip; R Moore; H Stockport; FJ Black;
KJ Duffy; MA Cartwright

51. Apologies for Absence

Apologies for absence were offered from Councillors R Scott, S McDonnell, D Howarth, D Quinn, K Hawley, D Hawley, T Duffy, M Sanderson, B Fishwick, S Meikle. RESOLVED Council note the apologies that had been submitted.

52. Public Participation Session

There were no Members of the public present at the meeting.

53. Police

Representatives of the Neighbourhood Policing Team had previously submitted their apologies for absence from the meeting.

54. CALM CIC

Two colleagues from CALM CIC attended the meeting and provided Members with a presentation on the Lowhills Road community wellbeing facility that they operate on the Town Council's Lowhills Road site. The presentation included a summary of investment and improvements in the physical facilities on the site, activities provided, and summary information on physical, mental and emotional wellbeing improvements from a survey of 84 facility users. The CALM CIC representatives confirmed that they had delivered outreach wellbeing support to Acre Rigg school, and had also received visits from teachers and students during two wellbeing days. They confirmed that their volunteers and tutors do not include registered youth workers and so the range of youth activity that they can provide is limited, however they were open to other groups who provide youth activities potentially using the site. A number of Members acknowledged their positive experience from attending the recent open day at the site. The Chair thanked the CALM CIC representatives for an interesting and informative presentation.

55. To receive declarations of interest

Cllr MA Cartwright declared an interest as a volunteer with CALM CIC.

Cllr FJ Black declared an interest as a participant at CALM CIC.

56. To Approve the Minutes of the last meeting of the 24th July 2023
The minutes of the previous meeting were attached for consideration and approval as a true and correct record. RESOLVED the minutes be approved.
57. The notes of the Scrutiny Meeting of the 7th August 2023
The notes of this meeting were attached for information. RESOLVED the minutes be noted.
58. Notes of the Finance Sub Committee of the 24th July 2023
Members confirmed and endorsed the resolution of the Finance Sub Committee to approve BACS payments paid. RESOLVED the minutes be confirmed and endorsed.
59. DCC Consultation on proposed reduction in LCTRS grant to Parish & Town Councils for 2024/25 and 25/26
Members considered proposals by Durham County Council to reduce the LCTRS grant for Parish & Town Councils by 50% over the next two financial years, including a potential response to the formal consultation. Members discussed the substantial impact these proposals could have on the Town Council's future budgets, and concerns that the proposed budget savings by Durham County Council would have a disproportionate impact on those communities that were already suffering the most due to the economic crisis. It was noted that conversations had already begun between the larger Town and Parish Councils who were most affected by the proposed funding cuts.
RESOLVED the Town Clerk be given delegated authority to respond to the proposed cuts in LCTRS grants in consultation with the Chairs of Council, Resources and Scrutiny Committee.
60. Sale of Land at Essington Way
Members considered the details of the proposed commercial sale of Town Council land adjacent to the garage and filling station off Essington Way, Peterlee to Easington Tyre and Auto Services Ltd. It was noted that the Town Council had previously agreed the sale in principle, and that both parties were now in a position to proceed with the sale. RESOLVED the sale of the land be approved in line with the TP1 transfer document provided to Members in the meeting;
FUTHER RESOLVED the Town Clerk be given delegated authority to oversee the completion of the sale with the Town Council's appointed solicitor.
61. Appointment of a new Internal Auditor
Members were provided with details on the procurement process for a new internal auditor as well as the detailed first year and outline second and third year initial audit plans. Members noted the independence and competence of Clive Owen LLP who are a well-established regional accountancy and audit firm. RESOLVED that the Council appoint Clive Owens LLP as the Council's Internal Auditor for a three year period 2023/24 – 2025/26.

62. Proposals to install Electric Vehicle Charging Points (EVCPs) at Shotton Hall and The Pavilion Sports & Community Centre
Members discussed the proposed installation of EVCPs at Shotton Hall and The Pavilion by Durham County Council under an externally-funded county-wide scheme. Draft heads of terms and site plans had been circulated prior to the meeting. RESOLVED that the proposed installation of EVCPs at Shotton Hall and The Pavilion be approved, subject to the Town Clerk being satisfied with the 3-year lease agreement with DCC.
63. Helford Road Resurfacing
Members considered the report of the Neighbourhood Services Manager on the proposed resurfacing of the access road between The Pavilion Sports & Community Centre and Helford Road. Members noted that although the road had already been identified as being in poor repair and in need of resurfacing prior to the NWL infrastructure works in the area, NWL were providing the Town Council with a £5,000 good will contribution towards the works. RESOLVED that contract for the resurfacing of the access road to the Pavilion Sports & Community Centre be awarded to Jem Road Construction for a sum of £21,110.61 + VAT
FURTHER RESOLVED that the balance of £16,110.61 be drawn from General Reserves
64. Policies
This item was deferred to the September Council meeting.
65. Spokesperson of the Independent Party's Report
There was no report from the Independent Party.
66. Spokesperson of the North East Party's Report
Cllr MA Cartwright congratulated the Lionesses football team for reaching the World Cup final. She expressed concern about the possibility of Wilkos closing in the town centre. She confirmed that a recent litter pick involving 26 volunteers had resulted in 30 bags of rubbish being collected. She also confirmed that the clothes recycling project in the town centre had now helped over 800 families with children's school and other clothing.
67. Spokesperson of the Labour Political Party's Report
There was no report from the Labour Political Party.

The Chair Cllr AE Laing updated Members on the successful Mayor's civic programme including a 'Proms in the Church' event to be held on 9th September. Cllr Laing confirmed that the event had been very well received and that almost all tickets had been sold already. Cllr Laing stated that she had been active in attending civic events across a wide area and that people were glad to see Peterlee participating in civic activities again.

THE MINUTES OF THE MEETING OF THE SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE
ON MONDAY 21st AUGUST 2023

PRESENT: COUN K HAWLEY (CHAIR)
K Liddell, A Stockport, R Moore & A E Laing

1. Apologies for Absence

Apologies for absence were submitted by Councillor D Hawley, R Scott & D Howarth.

2. The Minutes of the Last Meeting held on 7th June 2023

The minutes of the previous meeting are attached for consideration and approval as a true and correct record. RESOLVED the minutes be accepted and signed as a true and correct record.

3. Durham County Council Consultation on reduction of LCTRS Grant Funding

Members of the Scrutiny Committee considered the proposals by Durham County Council (DCC) to reduce the Local Council Tax Reduction Scheme (LCTRS) grant funding to the Town Council by 50% over the next two financial years. The Town Clerk circulated his report to the Council and talked members through the impact of the options being proposed. In the report it was recommended PTC should make a formal response to Durham County Council and the Scrutiny Committee supported this. Members of the Committee also agreed that Options 2 would be the better of the two offered by DCC, however the preferred option was that any reductions be put on pause for another two years and be considered again by DCC after the 2025 local and national elections.

AGREED that the Scrutiny Committee support the Town Clerk's recommendations to the Council as set out in his report.

PETERLEE TOWN COUNCIL

FINANCE SUB-COMMITTEE

MONDAY 21st AUGUST 2023

Present:-

K Liddell, S Simpson & R Burnip

4. ACCOUNTS FOR PAYMENT

Members were provided with the accounts and invoices for August 2023 to be paid by BACS in the sum of £25,539.14. Following checking of the documents provided, it was RECOMMENDED that the accounts presented be paid.

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE RESOURCES COMMITTEE

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 11TH SEPTEMBER 2023 at 6.30PM

PRESENT:- COUN R MOORE (CHAIR)

Councillors: S Simpson, H Stockport, FJ Black, K Hawley, R Scott,
A Laing, D Howarth, R Burnip, K Liddell, D Hawley, K Duffy & T Duffy

34. Apologies for Absence

Apologies for absence were noted from Councillors M Cartwright, D Quinn, W Fishwick & M Sanderson.

35. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. None were disclosed.

36. To approve the minutes of the previous meeting

RESOLVED the minutes of the previous meeting of the Resources Committee held on Monday 13th March 2023, be approved as a true and correct record.

37. Use of PTC owned premises by outside bodies

This item had been raised by Councillor Rob Moore requesting the use of community facilities to be discussed by Members, in particular the use of our facilities at Woodhouse Park.

The Council suggested the Clerk meet with Direct Steps to discuss arrangements for you to cease use of the WHP building, and to explore other options for using PTC's facilities including the potential for increased use of The Pavilion Sports & Community Centre and/or hire of one of the function rooms at Shotton Hall. It was also suggested a copy of their most recent company accounts to enable them to assess the financial circumstances of the business. This would help inform future decisions about the degree of support/discount that the Council might offer in terms of hire discounts, etc.

RECOMMENDED this course of action be approved and progress be awaited.

38. Policies

Members were asked to consider and review the following policies:-

- (a) Flexible working Policy [To view the flexible working policy please use this link](#)
- (b) Information and information Management Policy [To view the Information & Information Management Policy please use this link](#)
- (c) Lone Working Policy [To view the Lone Working policy please use this link](#)

RECOMMENDED consideration of the policies be deferred until the next meeting.

39. Outstanding Debt to be written off

Members considered the report requesting approval to write a debt off. It was suggested the debt collection process be taken further and the council investigate the use of a bailiff service/court enforcement. Following discussion it was RECOMMENDED:-

- (a) This debt not be written off at this moment in time;
- (b) The collection of debts process be looked into further in terms of recovery of this amount;
- (c) In future, hire charges for facilities at both Shotton Hall and The Pavilion be paid up front/immediately for any new hires for the first three months, at least, until a business relationship could be established and then they could be invoiced monthly.

Notes of the Events Working Party held on Thursday 7th September 2023

Present at the meeting were:-

Councillors S Simpson, R Scott, K Hawley, A Stockport, M McCue & D Howarth

Lynzie Robinson & Maureen Conway – Edenhill People's Centre

PTC Officers:- Mrs L Freeman, Mrs J Hugill, Mrs L Hudson & Miss K Tweddle

Summer Fun Days & Fun and Food Events

It was reported there had been fantastic feedback from residents who attended these events. There was considerable discussion on the Fun and Food Funding stream and ideas and ways it was applied were exchanged at the meeting.

Details of future events to be held at the People's Centre/Rugby Club were:-

1 November Fun Day and Opening of the new Facility, 10 – 2pm

2nd November a Spooky Day, 10-2pm

21st December Christmas Party

Knowledge was exchanged re Fun and Food applications and events and an offer was made with possible support with volunteers from the People's Centre. Details were shared on the under 5 year old "Start for Life" Fund where details were soon to be sent out.

October Half Term Events

It was asked if alternative event(s) could be arranged as PTC were not hosting a fire works display this year and there were suggestions like a Guy Fawkes Day with a disco, glo sticks etc; perhaps a story teller type Scary/Halloween event. It was reported there were two pumpkin carving events planned by PTC and it was suggested to allow larger numbers they be held at The Pavilion. ACTION POINT book dates in with The Pavilion. A Halloween Best Dressed House was also being arranged.

It was reported Emergency Services Day was being held on Saturday 9th September 2023 at Shotton Hall and details were provided.

There were several civic events being arranged for the Mayor

Proms Night – sold out

Civic Church Service

Dining Extravaganza

Carol Service

Unsung Heroes in Peterlee

A Christmas craft fair was being arranged at the Pavilion and it was asked if the opening time could be extended . ACTION POINT

ACTION POINT It was asked if Santa and Mrs Claus could be there and there was discussion on where the outfits were that belonged to the Town Council.

ACTION POINT There was discussion on planning a Tree Lighting Event with stalls and mulled wine. Maybe a craft session making lanterns with battery operated tea lights.

The Dog Walking Event that the Sports Development Officer was organizing was discussed.

All were asked to consider Easter Events that might be held in 2024.

Report to: Peterlee Town Council

Date: 25th September 2023

Report of: Ian Morris, Town Clerk

Report Title: Award of contract for building valuations for insurance purposes

Purpose: This report seeks approval for the award of contract for building valuations to enable the Town Council to go to the market for a new insurance contract from 1st April 2024.

Background: Peterlee Town Council currently has its entire insurance portfolio provided by one of the sector's leading insurers – Zurich Municipal. The Council initially procured this insurance provision for a 5-year period which has now elapsed, and the current year's insurance cover has been purchased on a single year basis.

The Town Clerk has sought advice on the procurement of a new insurance contract from a number of sources including Zurich, other sector insurers, and colleagues from other larger Local Councils. It is clear that before the Council approaches the insurance market for a new provider it will need to arrange for insurance valuations for its insured premises. It is believed that the last time this exercise was completed was through the Valuation Office Agency approximately 16 years ago.

Quotes: The Town Clerk recently issued an invitation to quote for the provision of detailed insurance valuations to three established regional and national insurance valuation organisations. The specification is for on-site Reinstatement Cost Assessment valuations completed in line with current RICS and CIPFA guidelines for the valuation of local authority assets and for the following properties:

- Hill Rigg House
- Eden Lane Bowls Pavilion
- Cemetery Office & Depot, Eden Lane
- Shotton Hall
- Woodhouse Park community hut, park office & toilets
- Helford Road MUGA
- The Pavilion Sports & Community Centre, Helford Road

The following quotes were received:

| | |
|-----------|---|
| Company A | £12,500 + VAT |
| Company B | £4,120 + VAT |
| Company C | declined to quote due to current workload |

The quote from Company B, Barrett Corp & Harrington Ltd¹ of Market Bosworth, Warwickshire is the lowest submitted quote and appears to be fully compliant with the specification. This is the quote that is recommended for acceptance.

Budget: The cost of the recommended quote can be met from within the existing insurance budget.

¹ Website: <https://bch.uk.com/>

Recommendation:

Members are recommended to note the contents of this report and approve the award of contract for on-site RCA insurance valuations for the council's property portfolio as set out in the report to Barrett Corp & Harrington Ltd for the value of £4,120 + VAT

Appendix 1: Implications

Finance – The report sets out a proposal to award a contract for the provision of RCA insurance valuations for the Council's building portfolio. The costs of the contract will be met from within the existing insurance budget for 2023/24.

Staffing - No direct implications.

Risk – The completion of RCA insurance valuations will enable the Council to procure new insurance cover arrangements from 2024/25 and will reduce the risk of undervaluation of cover.

Equality and Diversity / Public Sector Equality Duty No direct implications.

Accommodation – This report sets out a proposal to carry out on-site insurance valuations of the Council's property portfolio.

Crime and Disorder - No direct implications.

Human Rights - No direct implications.

Consultation - No direct implications.

Procurement – The procurement process outlined in this report is in line with the Council's Financial Regulations.

Equality Issues - No direct implications.

Legal Implications - No direct implications.

Data Protection - No direct implications.



FLEXIBLE WORKING POLICY

Version 2: August 2023

ABSTRACT

This Policy sets out guidance for employees requesting flexible working and the process and procedure for requesting the various options.

Janet Hugill

Corporate Services Manager

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided
and in greyscale.

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1. Introduction

This policy aims to encourage staff to consider flexible working arrangements. The organisation recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore, the organisation wants to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The organisation is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

It is the organisation's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to contact their line manager to arrange an informal discussion to talk about the options.

2. What is flexible working?

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

The following flexible working options are considered to be the typical arrangements that employees will request but the organisation recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee:

- Compressed hours
- Home/hybrid working
- Job-sharing
- Part-time working

3. Types of flexible working

- **Compressed hours** is where an employee works their usual full time hours in fewer days by working longer blocks meaning that there is no reduction in their pay. For example, a 5-day week is compressed into four days, or a 10-day fortnight into 9 days.
- **Home/hybrid working** is when an employee regularly carries out all, or part of, their duties from home or another location rather than the employer's premises. The organisation can consider home/hybrid working being an occasional agreed day, a mix of home and office based work each week or a full time arrangement (See Homeworking Policy).

- **Job-sharing** is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements.
- **Part-time working** covers any arrangement where an employee is contracted to work anything less than typical full time hours for the type of work in question. For example, an employee who only works Monday to Wednesday. The organisation believes that all posts will be available on a part-time basis, except where a critical examination by line management proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements.

4. The needs of the organisation

The organisation is committed to providing a range of appropriate working patterns. However, employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed the organisation will need to take into account a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

5. Eligibility

Any employee with at least 26 weeks of employment service has a statutory right to request flexible working.

6. Submitting a flexible working request

An eligible employee is entitled to submit one flexible working request in a 12 month period (an employee is entitled to additional requests if they relate to a statutory entitlement, for example the Equality Act 2010 right to request reasonable adjustments).

All requests must be made by completing the application form that is available from line managers and Corporate Admin. Any request made must include:

The date of the application

The changes that the employee is seeking to their terms and conditions

The date from when the employee would like the proposed change to come into effect

What effect the employee thinks the requested change would have on the organisation

How, in their view, any such effect could be dealt with

Whether this is a statutory or non-statutory request

Whether a previous application for flexible working has been made

The dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

If an application does not contain all of the required information the line manager will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

7. Meetings regarding flexible working

Upon receiving a written request for flexible working the line manager will usually seek to arrange a meeting with the employee to:

- discuss the request

- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and organisation

If a meeting is arranged it will be held within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. If a face to face meeting is difficult to arrange then, if agreed by the employee and line manager, the meeting may be held over the telephone.

At the meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

Where a request can, without further discussion, be approved as stated in the employee's written application a meeting to discuss the request may not be necessary. The employee will be informed of the organisation's agreement to the request by a confirmation letter as outlined in the section 'Responding to a flexible working request' within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

8. Responding to a flexible working request

The line manager and Town Clerk will consider the proposed flexible working arrangements, looking at the potential benefits and adverse effects to the employee and to the organisation in implementing the proposed changes.

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

The employee will be informed in writing of the organisation's decision as soon as is reasonably practicable, but no later than 14 days after the meeting.

The request may be granted in full, in part or refused. The organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. If the request is agreed then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact the line manager within 14 days if they wish to discuss the new arrangements further or have any concerns.

9. Right to appeal decision

The employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard within 28 days. The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the line manager.

10. Trialling new working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the organisation a trial period may be agreed. If a trial period is arranged the organisation will allow sufficient time for an employee and their manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

11. Varying an employee's contract

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

If the employee has any questions or concerns about the new contract of employment they should contact the Corporate Services Manager to discuss the matter further.

Where a trial period has been arranged the organisation will provide the employee with a document that details their new working pattern and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the organisation may reduce or lengthen the trial period where necessary with the agreement of the employee). The organisation will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

12. Complaints and further information

The organisation is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with the Corporate Services Manager.

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

For further information an employee should refer to the documents listed below and/or contact the Corporate Services Manager.

For more advice about flexible working, visit the Acas website
www.acas.org.uk]

Law relating to this document:

- Employment Rights Act 1996
- Equality Act 2010
- Flexible Working Regulations 2014

| | |
|-----------------------------|-----------------------------------|
| Author of Policy; | Corporate Services Manager |
| Date effective from; | August 2023 |
| Policy review; | July 2026 |
| Version Control; | V2 |

Appendix 1

Peterlee Town Council Flexible Working Application Form

Note to the Employee

You can use this form to make an application to work flexibly under the right provided in law to eligible employees. Before completing this form, read the guidance on the right to request flexible working in the Flexible Working Policy, and check that you are eligible to make a request.

You should note that under the right it may take up to 3 months for your employer to consider a request and possibly longer where you have agreed to a longer decision period with your employer. You should therefore ensure that you submit your application to the appropriate person well in advance of the date you wish the request to take effect.

It will help your employer to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues.

Once you have completed the form, you should immediately forward it to your employer (you might want to keep a copy for your own records). If the request is granted, this will be a permanent change to your terms and conditions unless otherwise agreed.

Note to the employer

This is a formal application made under the legal right to apply for flexible working and the duty on employers to consider applications in a reasonable manner. You have three months after the day you received this application in which to decide whether to grant the request. This period can be extended if you agree to a longer deadline with the employee; any such agreement must be made either within period in which the decision is to be made or in the three months immediately following the end of that deadline.

You should confirm receipt of this application using the attached confirmation slip.

1. Personal Details

Name:

Staff or payroll number:

Manager:

National Insurance No:

To the employer

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996. I confirm I meet each of the eligibility criteria as follows:

☐ I have worked continuously as an employee of the company for the last 26 weeks.

☐ I have not made a request to work flexibly under this right during the past 12 months.

Date of any previous request to work flexibly under this right:

If you are not sure whether you meet any of the criteria, information can be found in the Flexible Working Policy

If you are unable to tick all of the relevant boxes, then you do not qualify to make a request to work flexibly under the statutory procedure. This does not mean that your request may not be considered, but you will have to explore this separately with your employer. Many employers offer flexible working to their staff as best practice.

2a. Describe your current working pattern (days/hours/times worked):

2b. Describe the working pattern you would like to work in future (days/hours/times worked):

2c. I would like this working pattern to commence from:

Date:

3 Impact of the new working pattern

I think this change in my working pattern will affect my employer and colleagues as follows:

4 Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows:

Name:

Date:

Job Title:

NOW PASS THIS APPLICATION TO YOUR EMPLOYER



Cut this slip off and return it to your employee in order to confirm your receipt of their application

Employer's Confirmation of Receipt (to be completed and returned to employee)

Dear:

I confirm that I received your request to change your work pattern on:

Date:

I shall notify you of my decision on this application within three months of this date unless we agree a longer deadline for this decision.

From:

Job title:



PETERLEE TOWN COUNCIL INFORMATION & INFORMATION SECURITY POLICY

Version 2: August 2023

EXPLANATORY NOTE

This policy sets out how Peterlee Town Council interprets the law and complies with regulations regarding information and information security. It aims to give a general overview of the legal requirements imposed on Peterlee Town Council, define how the Town Council makes information accessible and advise how it will protect, store and dispose of information.

Ian Morris, Town Clerk

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PETERLEE TOWN COUNCIL

INFORMATION & INFORMATION SECURITY POLICY

Reviewed & Adopted 21 August 2023

ABOUT THIS INFORMATION POLICY

- 1.1 This policy details how Peterlee Town Council interprets the law and makes best efforts to comply with the various regulations in place for information and information security. It aims to give a general overview of the legal requirements imposed on Peterlee Town Council, define how the Town Council makes information accessible and advise how it will protect, store and dispose of information.
- 1.2 There are various areas of legislation that provide the legal framework that governs how information and data should be held, accessed and processed. The Information Commissioner's Office (ICO)¹ is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. They rule on eligible complaints, give guidance to individuals and organisations, and take appropriate action when the law is broken. The ICO enforces and oversees the Data Protection Act, the Freedom of Information Act, the Environmental Information Regulations, and the Privacy and Electronic Communications Regulations.
- 1.3 In basic terms:
 - Personal Information falls under the Data Protection Act 1998.
 - All other information falls under the Freedom of Information Act 2000.
 - Environmental information falls under the Environmental Information Regulations 2004.
 - The Privacy and Electronic Communications Regulations 2003 govern electronic marketing.

INTRODUCTION

- 2.1 Peterlee Town Council supports the objectives of increasing openness, accountability and transparency in the public sector. As one of the largest Town Councils in the country responsible for a wide range of local functions that affect the everyday lives of residents, we understand that information held by the Town Council is of relevance and interest to the public.
- 2.2 Under the Freedom of Information Act 2000 all public authorities must adopt and maintain a Publication Scheme. The scheme details the information that the Council will routinely make available to the public, what is included in each 'class' of information, any charges applicable for retrieving the information, and how to request the information.

¹ See information commissioner's office website: <https://ico.org.uk/>

- 2.3 Peterlee Town Council published its first [Publication Scheme](#) in October 2016, in line with guidance from the Information Commissioner. This Publication Scheme is available on the council's website² and is regularly reviewed and updated as we find new ways to publish information in increasingly useful formats.
- 2.4 The Local Government Transparency Code 2014 requires the Council to publish certain information on its website. This is due to the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision-making process and help shape public services. The published 'data' must comply with the Data Protection Act 1998. In September 2016 the Council began an ongoing process of reviewing and updating the way that we respond to the various obligations that under these government requirements and we now have a section of our website dedicated to [Transparency Information](#)³.

PUBLICATION SCHEME

- 3.1 As mentioned, Peterlee Town Council has adopted the Model Publication Scheme. There are several ways to obtain information held by the Council:
- I. Self-serve a wide range of information from the searchable publication scheme table on the Council's website: <http://www.peterlee.gov.uk/transparency-information/peterlee-town-council-publication-scheme/>
 - II. Electronic version of the minutes of past Council and committee meetings for the past ten years are also available on the Council website here: <https://peterlee.gov.uk/agendas-minutes/>
 - III. Physical inspection of documents at the Town Council office. If you wish to view publicly available documents please contact the Town Clerk, either via telephone, by email council@peterlee.gov.uk or in writing. Some documents may require some time to locate, so it may be necessary to make an appointment. Please note normal working hours are Monday to Thursday 9am-5pm and Friday 9am – 4.30pm
 - IV. Request that information is sent to you in the post. Information held by the Town Council which does not fall within the Publication Scheme may be requested in writing and will be considered in line with the provisions of the Freedom of Information Act 2000. The request for information must include a name, address for correspondence, and a description of the information required. Peterlee Town Council will respond within 20 working days of receipt of a written request and confirm whether it holds the information; advise whether a fee will

² Publication scheme available here: <http://www.peterlee.gov.uk/transparency-information/peterlee-town-council-publication-scheme/>

³ Transparency Information section of the council's website here: <http://www.peterlee.gov.uk/transparency-information/>

be charged and provide the information (after relevant fee has been paid, where appropriate) unless an exemption applies.

FREEDOM OF INFORMATION

- 4.1 The Freedom of Information Act 2000 deals with access to official information, while parallel regulations deal with environmental information. The Act provides individuals or organisations with the right to request information held by a public authority. They can do this by letter or email. The Council must tell the applicant whether it holds the information, and must normally supply it within 20 working days, in the form requested.
- 4.2 However, the Town Council does not have to confirm or deny the existence of the information or provide it if an exemption applies, the request is vexatious or like a previous request, or if the cost of compliance exceeds an appropriate limit.
- 4.3 If an applicant is unhappy with a refusal to disclose information, they can complain to the ICO, after first exhausting any internal review procedure. The ICO will investigate the case and either uphold the Council's use of an exemption or decide that the information must be disclosed. The Act is fully retrospective and applies to all information, not just information filed since the Act came into force.
- 4.4 The Town Council publishes a Freedom of Information disclosure log that details historic FOIA requests: <https://peterlee.gov.uk/transparency-information/guidance-for-submitting-a-request-for-access-to-information/freedom-of-information-disclosure-log/>

ENVIRONMENTAL INFORMATION REGULATIONS 2004

- 5.1 These regulations give members of the public the right to access environmental information held by public authorities. The request can be made by letter, email, telephone or in person.
- 5.2 The regulations apply to most public authorities, but they can also apply to any organisation or person carrying out a public administration function, and any organisation or person under the control of a public authority who has environmental responsibilities. This can include some private companies or public private partnerships, for example companies involved in energy, water, waste and transport.
- 5.3 Environmental information is divided into the following six main areas:
 - I. The state of the elements of the environment, such as air, water, soil, land, fauna (including human beings)
 - II. Emissions and discharges, noise, energy, radiation, waste and other such substances

- III. Measures and activities such as policies, plans and agreements affecting or likely to affect the state of the elements of the environment
- IV. Reports, cost benefit and economic analyses
- V. The state of human health and safety, contamination of the food chain
- VI. Cultural sites and built structures (to the extent they may be affected by the state of the elements of the environment)

THE RIGHT TO KNOW

- 6.1 The right under the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR) to request information held by public authorities, known as 'the right to know', came into force from January 2005. The Act allows access to recorded information such as emails, meeting agendas and minutes, research or reports etc. held by Peterlee Town Council.
- 6.2 The Freedom of Information Act 2000 confers basically two statutory rights on applicants: Firstly, to be told whether the public authority holds information; and if so, secondly to have that information communicated to them.

EXEMPTIONS

- 7.1 Some information could be exempt from disclosure. There are 23 exemptions in the FOIA, some of which are absolute and some qualified, and 12 exceptions from disclosure in the EIR, all of which are qualified.
- 7.2 Where information falls under an absolute exemption, the harm to the public interest that would result from its disclosure is already established, for example, in relation to personal information, or if disclosure would result in an actionable breach of confidence.
- 7.3 There are five exemptions that are likely to apply to information held by the Town Council:
 - Information that is readily accessible to the applicant by other means
 - Information that constitutes Court records
 - Information that is defined as personal data under the Data Protection Act 1998
 - Information that has been provided in confidence
 - Information prohibited from disclosure by law.
- 7.4 If a public authority believes that the information is covered by a qualified exemption it must apply the public interest test. If the authority believes the information is covered by an absolute exemption the public interest test does not apply.

PUBLIC INTEREST TEST

- 8.1 The 'public interest test' applies if an exemption from disclosure is 'qualified'. In such cases the Council must weigh the public interest in maintaining the exemption against the public interest in disclosure of the information. The test favours disclosure where a qualified exemption or an exception applies. In such cases, the information may be withheld only if the Council considers that the public interest in withholding the information is greater than the public interest in disclosing it. Further information on the public interest test is available from the Information Commissioners Office⁴.

REQUESTS FOR INFORMATION

- 9.1 Requests for information should be made as specific as possible. If the request is too broad the Council will ask for clarification which could mean it takes longer to get the information. As full a description as possible must be provided of the information required along with a name and address or email address. The request for information must also be clear about the format by which the information should be supplied e.g., by email or as paper copies.

HANDLING OF REQUESTS

- 10.1 Any request for information will be treated by the Council as a formal request for information and dealt with accordingly. Under the EIR, verbal requests must be treated as formal requests for information.
- 10.2 Peterlee Town Council will respond promptly to requests and will respond as soon as practicable and in all cases within 20 working days. Under the FOIA, the Council has longer to consider whether the disclosure of normally exempt information would be in the public interest, under guidance from the Information Commissioner's Office. There is no extension to the time limit for considering the public interest test under Environmental Information Regulations, except where the request is complex and voluminous.
- 10.3 When considering the public interest test, the Council will do so 'within a reasonable time'. Applicants will be kept informed of progress as far as practicable.
- 10.4 The handling of requests under FOIA and EIR are delegated to the Town Clerk under the Town Council's Officers Scheme of Delegation.

⁴ See the ICO Public Interest Test guidance note: https://ico.org.uk/media/1183/the_public_interest_test.pdf

FEES

- 11.1 The FOIA only allows the Town Council to charge for answering Freedom of Interest requests for:
- Disbursement costs such as printing, photocopying and postage;
 - estimated staff costs involved in locating and or compiling the information exceeding £450 (based on an hourly charge-out rate of £25).
- 11.2 Peterlee Town Council will adopt Durham County Council's prevailing rates for FOIA charges as published on the County Council's website⁵. Where the costs are estimated to exceed £450, based on an hourly charge-out rate of £25, the Council can decide to:
- refuse the request; or
 - comply with the request and charge for allowable costs as prescribed in the regulations; or
 - comply with the request free of charge.
- 11.3 If the estimated cost of a request is more than £450, and it is decided to release the information and make a charge for the information then a fee notice will be sent to the applicant requesting the appropriate fee. The request for information will not be answered until the fee has been received.
- 11.4 If the actual cost of completing the request is more than the estimate, then the Council will incur the additional cost. However, where the cost is less than the estimated cost then the difference will be refunded to the applicant.

REFUSAL TO DISCLOSE INFORMATION

- 12.1 If the Town Council decides not to disclose the information requested it will give reasons for its decision, explain how the exemption or exception applies and explain the arguments under the public interest test.
- 12.2 If someone is unhappy with the Council's response or decision not to disclose information under a Freedom of Information request, then they can request a review by the Town Clerk. When requesting a review of a decision not to disclose information the request must clearly identify the grounds on which the request is based.
- 12.3 If the person requesting a review is not satisfied with the response that they receive they may appeal to the Information Commissioner's Office (ICO). Information on the appeal process is readily available on the ICO website⁶ and will be provided to the person requesting the review.

⁵ At the time of publication of this report, DCC charges can be viewed here:
<http://www.durham.gov.uk/article/2443/Freedom-of-Information-publication-scheme>

⁶ See <https://ico.org.uk/for-the-public/>

ICO APPEAL PROCESS

- 13.1 The role of the Information Commissioner's Office (ICO) is to enforce and promote the FOIA and the EIR. It has responsibility for ensuring that information is disclosed promptly and that exemptions from disclosure are applied lawfully.
- 13.2 Cases can be referred to the ICO if, for example, there has been excessive delay or if the application of an exemption or a refusal made on public interest grounds is disputed. ICO may serve a decision notice on the Council either confirming the decision or directing it to disclose information within a certain timescale. Non-compliance with a decision notice may constitute contempt of court.
- 13.3 Finally, if either the applicant or Peterlee Town Council disagrees with the ICO's decision, an appeal can be lodged within 28 days to the independent Information Tribunal. The Information Tribunal may uphold the ICO's decision notice, amend it (for example change the timeframe for release of information) or overturn it. Non-compliance with the Information Tribunal's notice may also constitute contempt of court.

DATA PROTECTION

- 14.1 Peterlee Town Council is bound by the Data Protection Act 2018⁷. The Data Protection Act establishes a framework of rights and duties which are designed to safeguard personal data. This framework balances the legitimate needs of organisations to collect and use personal data for business and other purposes against the right of individuals to respect for the privacy of their personal details.
- 14.2 As with the Freedom of Information law, Data Protection legislation is also complex and, in places, hard to understand. However, it is underpinned by a set of eight straightforward, common-sense principles⁸. The Council will ensure it handles personal data and complies with the spirit of these principles.
- 14.3 The Act works in two ways. Firstly, it states that anyone who processes personal information must comply with the eight principles and secondly it provides individuals with several rights, including the right to find out what personal information is held about them on computer and paper records.
- 14.4 Peterlee Town Council is registered with the Information Commissioner's as a personal data processor. The main purpose of notification and registration with the ICO is for transparency and openness. It is a basic principle of data protection that the public should know (or be

⁷ You can read the full data protection act here: <https://www.legislation.gov.uk/ukpga/2018/12/contents>

⁸ For the eight data protection principles please see: <https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/>

able to find out) who is processing personal data, plus other details about the processing such as why it is being carried out.

- 14.5 The Data Protection Act contains several exemptions from the rights and duties in the Act. Personal data must be processed in accordance with the Act unless one of the exemptions applies. Should an individual or organisation feel they are being denied access to personal information that they are entitled to by Peterlee Town Council or feel their information has not been handled according to the eight principles, they can contact the ICO for help.
- 14.6 Complaints are usually dealt with informally, but if this is not possible, enforcement action can be taken.

WHAT IS PERSONAL DATA?

- 15.1 Personal data may be held electronically in computerised records or manually in hard copy within filing systems. There is a fine line between determining what is personal data and what is not. The following questions can help to decide whether filed information falls within the scope of the Act - If the answers to the questions are 'yes' then the data should be considered as personal data for the purposes of the DPA:
- i. Can a living individual be 'identified' from the data or from other information in your Possession, or likely to come into your possession?
 - ii. Does the data 'relate' to the identifiable living individual, whether in personal or family life, business or profession?
 - iii. Is the data 'obviously about' a particular individual?
 - iv. Is the data 'linked to' an individual so that it provides information about that individual?
 - v. Is the data used, or is it to be used, to inform or influence actions or decisions affecting an identifiable individual?
 - vi. Does the data have any biographical significance in relation to the individual?
 - vii. Does the data focus or concentrate on the individual rather than on some other person, object, transaction or event?
 - viii. Does the data impact or have the potential to impact on an individual, whether in a personal, family, business or professional capacity?
- 15.2 It should be borne in mind that even if the information is not considered personal data, it may be information of a sensitive nature such as data about an employee's religious beliefs, medical background, sexual orientation, criminal records etc.

GENERAL RESPONSIBILITY

- 16.1 All Peterlee Town Council Officers and Members have a duty to comply with the Freedom of Information Act 2000, the Data Protection Act 1998, the Environmental Information Regulations 2004 and the Privacy and Electronic Communications Regulations 2003.
- 16.2 It is however the responsibility of the person who receives an information request to ensure that it is responded to according to the Act. In most cases this will be the Town Clerk or another designated Senior Officer of the Council.

ADDITIONAL INFORMATION

Additional guidance on the Freedom of Information Act, Environmental Information Regulations and the Data Protection Act are available on the ICO's website www.ico.gov.uk . Alternatively, the ICO can be contacted by post, telephone or email:

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Helpline telephone number: 0303 123 1113

Email: casework@ico.org.uk

INFORMATION SECURITY

- 17.1 The Council's approach to risks involved, assessment criteria and the provision of appropriate measures are based on the following principles:
- Confidentiality: Protecting sensitive information from unauthorised access or disclosure
 - Integrity: Safeguarding the accuracy and completeness of information and processes
 - Availability: Ensuring that information is available to authorised people when needed
 - Suitability: All systems are suitable for the required tasks
- 17.2 The principle of confidentiality will be upheld throughout the Council and be reflected in its protocols and system procedures.
- 17.3 Our information and IT systems and networks that support it are important business assets. Their confidentiality, integrity and availability are essential in maintaining our respected organisational image, efficiency and legal compliance.
- 17.4 Informing the client: The Council has a duty under the Data Protection Act 1998 to inform people for whom we hold information of the purpose for which information about them is collected and any organisations to which information may need to be passed. To ensure a consistent approach, the Council will include a statement on the use of information e.g., 'your personal data will only be used for the purpose for which it has been provided and will not be passed to a third party.'

- 17.5 Physical Security: Adequate and practical access controls will be provided in all areas in which personal and business data is stored or used. Staff will be expected, within their level of authority, to minimise the risk of theft or vandalism of the data and equipment through common-sense precautions. The physical environment in which data and equipment is stored will be suitable and fit for purpose to ensure the safety of the data and equipment e.g., appropriate fire precautions. The Council will comply with Health & Safety and Fire Safety legislation and policies when implementing security controls.
- 17.6 Logical Security: All computerised information and systems will be regularly backed-up. All computerised information systems will be password controlled and passwords will be prompted for change at regular intervals. Only officially purchased and approved software will be loaded onto the Council's computers to lessen the risk of virus infection.
- 17.7 Disposal and movement of equipment and media: Any media or IT equipment disposed of by the Council will not contain any data or code that could allow an individual to be identified from it. An inventory of all Council computer equipment will be maintained.
- 17.8 Internet: The Council believes that the use of the internet is beneficial to staff and will adopt a 'reasonable use' approach to its use. However, it will be a disciplinary offence to use work-provided internet connection or hardware (e.g., computers, laptops, mobile devices) to download, view or access inappropriate material or websites.
- 17.9 Staff responsibilities: The Council will make every reasonable effort to ensure that staff are aware of their responsibilities for the security of information. However, each member of staff is responsible to ensure that the security policy is adhered to and report any breaches of security.

DOCUMENT MANAGEMENT POLICY

- 18.1 This policy applies to all documents produced by the Town Council and all documents received in the Town Council's offices. Its objective is to aid sensible, timely management and disposal of all filing, paperwork, records and documentation.
- 18.2 It is important that records are carefully retained and systematically filed as they are required for inspection by several agencies such as Internal Audit, External Audit, Department of Social Security, HMRC etc.

Retention and Disposal of Documents

- 18.3 The requirements for the retention of specific records are laid down in the Accounts and Audit Regulations for Local Authorities and in the Records Management Society's 'Retention Guidelines for Local Authorities'⁹. Although the current guidelines are currently under review

⁹ See: <http://www.irms.org.uk/resources/information-guides/196-retention-guidelines-for-local-government>

Peterlee Town Council will use the guideline timescales from the most recent 2003 version¹⁰ of the guidelines for our retention periods.

- 18.4 Any documents relating to Town Council owned land and property will be retained indefinitely by the Town Council to give a complete picture of refurbishments, disposals or acquisitions. Documents produced by and readily available from other sources will be destroyed when they are outdated or superseded.
- 18.5 Any documents of an historical nature can be offered to the Durham County Records Office for safe keeping.
- 18.6 As details of planning applications are now available electronically, paper copies of applications will be destroyed once they have been considered by the relevant committee.
- 18.7 If there is likely to be a claim made against the Town Council under employment or other relevant legislation, the Personnel file will be archived until such times as any claim has been dealt with or legal advice states that it may be destroyed.

Storage of Documents

- 19.1 Documentation readily in use or where easy and regular access is required will be stored at the Town Council main office at Shotton Hall or another Town Council office if required. Since January 2017 the Council has operated an off-site storage procedure with an accredited storage company for documentation that we are required to keep but do not need easy/regular access. Details of the security and information management credentials of our off-site storage provider is available on request.
- 19.2 Officers are encouraged to scan documentation where and when appropriate so that it is stored electronically for future reference. The IT systems are automatically backed up on a regular basis to ensure the safe keeping of electronic documents. In July 2016 the Council implemented Microsoft Office 365 and as a result much of our electronic records are now held in secure cloud storage repositories rather than in on-site servers.
- 19.3 Certain specific documentation such as meeting minutes have been lodged with the County Archives at County Hall, Durham.

¹⁰ 2003 version of the retention guidelines available here:

<https://www.whatdotheyknow.com/request/19342/response/54053/attach/3/Records%20Management%20Retention%20Guidelines%20for%20LG.pdf>

Destruction of Documents

- 20.1 All confidential or sensitive documents and any documents containing personal information covered by the Data Protection Act that are earmarked for disposal, will be shredded by our approved document destruction contractor and a destruction certificate will be obtained as proof of proper disposal where appropriate.

| | |
|-----------------------------|-------------------------------|
| Author of Policy; | Ian Morris, Town Clerk |
| Date effective from: | December 2016 |
| Last Policy review: | August 2023 |
| Version Control: | V2 |



LONE WORKING POLICY

Version 1: August 2023

ABSTRACT

Peterlee Town Council provides this Lone Working Policy for employees as guidance for Lone working.

Janet Hugill

CORPORATE SERVICES MANAGER

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided
and in greyscale.

DRAFT

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Introduction

Peterlee Town Council will protect staff from the risks of lone working, as far as is reasonably practicable. Working alone is not in itself against the law and it is often safe to do so. However, the council's policy is to consider carefully and deal with any health and safety risks for those who work alone.

The council recognises that some of our staff work alone, and where this is the case, seeks to ensure the health and safety of all lone workers. This document:

- Raises awareness of the safety issues relating to lone working,
- Identifies and assesses potential risks to an individual working alone,
- Explains the importance of reasonable and practicable precautions to minimise potential risk,
- Provides appropriate support to lone workers, and,
- Encourages reporting of all incidents associated with lone working so that they can be adequately managed and used to help reduce risks and improve working arrangements for the future.

The scope of this policy

This Lone Working Policy applies to all staff, whether full time, part time or casual workers. It does not apply to Councillors.

Definition

'Lone Worker' refers to people who work by themselves without work colleagues either during or outside normal working hours. Examples include:

- A Manager who opens and closes a hall either early in the morning or late at night
- A Neighbourhood Services operative tending to green space
- Office workers who work alone in the premises, and,
- Homeworkers.

Any worker under the age of 18 years, or anyone working in confined spaces is not permitted to work on their own

Responsibilities

All staff have a responsibility for the health and safety of work colleagues. The key responsibilities are as follows:

Managers

- Will try to avoid the need for lone working as far as is reasonably practicable;
- Ensure that the worker is competent to work alone;
- Ensure that all foreseeable or routine lone working activities are formally risk assessed. This should identify the risk to lone workers; any control measures necessary to minimise those risks; and emergency procedures;
- Arrangements for lone working must be made clear to staff and the details of what can or cannot be done while working alone explained;
- Lone workers must be informed of the hazards and understand the necessary control measures that need to be put in place and have the opportunity to contribute to the risk assessment;
- Must raise the alarm if staff cannot be contacted or do not return as anticipated
- Must ensure that all staff are aware of this lone working policy and procedure and provide appropriate levels of training and guidance on lone working.

Lone workers

- Take reasonable care of themselves and others who may be affected by their work
- To follow any instruction given by their Team Leader or Manager
- Raise with their line manager any concerns they have in relation to lone working
- Inform their line manager at the earliest opportunity in the event of an accident, incident of violence or aggression whilst working alone

Staff

To be aware of colleagues working on their own and alert to unexpected changes of routine, or unanticipated periods where there is no communication.

Risk Assessments

Managers must complete (or ensure the completion of) a Lone Working Risk Assessment prior to lone working activities and updated as appropriate. The risk assessment should be reviewed by the lone worker before undertaking the work and communicated to all relevant staff or councillors.

People who work alone will of course face the same risks in their work as those doing similar roles/tasks. However, they may additionally encounter hazards such as:

- Sudden illness
- Faulty equipment
- Travelling alone
- Remote locations
- Abuse from members of the public
- Animal attacks

Ways in which lone working risks can be reduced

Every lone working environment and situation is different, and therefore it is not possible to implement a 'one size fits all' approach. Where there is regular or anticipated lone working, the Council will devise and implement a lone working plan that meets the needs and risks of their particular circumstances. The plan should be proportionate to any risks that are identified from the risk assessment. The plan for a Neighbourhood Services Operative lone working with machinery will be more detailed than a Manager working late in the office. This should be written down and communicated to all relevant staff and where appropriate, councillors.

Below are some example strategies that could be implemented (on their own or combined):

- Signing-in and Out book
- Electronic (or hard copy) diaries to be kept up to date with meeting/visit/lone working details
- Agreed times and method of contact

Lone working and Hybrid/Home working

The Town Council includes staffing roles that operate on a hybrid basis with staff based in the office and also working from home or other locations. Colleagues working away from the office may find themselves in situations considered to be 'lone working'. In these situations the general requirements of this policy will apply, with some additional mitigation actions as set out in the [Working From Home Policy](#) including:

- Workstations that are used on a regular basis (home or other office locations) will be subject to a [DSE risk assessment](#)

- All employees requesting to work from home or alternative office locations will be subject to an [eligibility check](#)
- The appropriate Manager will complete [the Managers' checklist](#) before approving home or alternative location working

Health & Wellbeing

In order to ensure your personal safety, it is important that you share any details of any aspects of your health that could lead to increased risk with your manager or specific councillors. This includes pregnancy. You can then jointly plan to mitigate any potential risks caused by your circumstances. This information will be treated on a strict 'need to know' basis with your confidentiality of the utmost importance.

Reporting Incidents

Any incidents or perceived risks encountered while lone working should be recorded, reviewed and acted upon. The report should include:

- A brief note of what happened, when, and who was involved;
- For any work-related aggression (verbal or physical) including threatening behaviour, all of the details of the incident and of the perpetrator should be captured, which could then be used if the police take any formal prosecution action. This might be particularly important for more serious incidents of work-related violence; and,
- In either instance, this might also include recording details of any circumstances you think might have contributed to the incident, e.g. the context of the interaction, perceptions about the condition of the perpetrator, or any environmental circumstances. This information will be used to review the risk assessment and to ascertain whether any additional measures are needed.

If you feel unsafe, unwell, or become injured call the emergency services if you need immediate assistance. If possible, call your manager, buddy or councillor or colleague to let them know (or ask someone to do so on your behalf).

Call your manager if your plans change because you feel unwell or if you have a domestic emergency when working alone.

This is a non-contractual procedure which will be reviewed from time to time.

Useful links

The Health and Safety Executive have extensive advice and guidance on homeworking, lone working, including guidance on the risks of lone working.

Homeworking: www.hse.gov.uk/toolbox/workers/home.htm

Lone working: www.hse.gov.uk/toolbox/workers/lone.htm

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