

WIMBORNE MINSTER TOWN COUNCIL

MINUTES of an **EXTRAORDINARY MEETING** of the **TOWN COUNCIL** held on **TUESDAY, 19 MARCH 2019** at **6.42 pm** in the Committee Room, Town Hall, West Borough, Wimborne Minster.

MEMBERS PRESENT

Cllr Mrs K F Webb – Town Mayor & Chairman of the Council
Cllr S K Bartlett- Deputy Town Mayor & Vice-Chairman of the Council
Cllr Mrs S A Bell
Cllr J Burden
Cllr Ms C L Butter
Cllr R D Cook
Cllr Mrs S A Cook
Cllr Mrs C A Chedgy
Cllr Mrs P A Hymers
Cllr Mrs D J March
Cllr R P Nunn
Cllr W J Richmond
Cllr Mrs A E Roberts
Cllr T F Wheeler

OFFICERS PRESENT

Town Clerk
Assistant Town Clerk

208 **SUSPENSION OF STANDING ORDERS**

RESOLVED that Standing Orders Number 1 (relating to venue), 30 (standing to speak) and those parts of Number 29 relating to speaking more than once be suspended for this meeting.

209 **GRANT AID 2018/2019**

The Town Clerk submitted an application for grant aid from Sting in the Tale together with the recommendation of the Chairman and Vice Chairman of Resources Committee and their reasoning behind it, a copy of which had been circulated to each Member and a copy of which appears as **Appendix A** to these Minutes in the Minute Book.

The organisation had applied for £2,500 but the recommendation of the Chairman and Vice-Chairman of Resources Committee was for £1,000 as the higher figure was thought to be disproportionate given the grants awarded in previous years of £500 in 2015/16 and £750 in 2016/17. Also, the proposed programme for the event was far more ambitious than previous years and highly dependent on outside funding but the organisation did not intend to raise any funds itself e.g. by ticket sales.

Although some Members were in favour of awarding the full grant applied for it was

RESOLVED that a grant of £1,000 be made to the Sting in the Tale organisation.

210 GENERAL DATA PROTECTION REGULATION

The Assistant Town Clerk submitted a report, a copy of which had been circulated to each Member and a copy of which appears as **Appendix B** to these Minutes in the Minute Book.

The report set out details of what action had been taken following the coming into force of this legislation and what the Council needed to do to ensure it was fully compliant.

Although there were further documents and actions to be brought to a future meeting, the Council was asked to consider and approve the policies, procedures and protocols referred to in the report.

RESOLVED that the policies, procedures and protocols in respect of the General Data Protection Regulation set out in the report be adopted.

211 COUNCIL STRATEGY – FUTURE ARRANGEMENTS (Min 179– 19.02.19)

The Town Clerk submitted a report, a copy of which had been circulated to each Member and a copy of which appears as **Appendix C** to these Minutes in the Minute Book.

The report had been produced at the request of the Town Council at its extraordinary meeting held on 19 February 2019 and provided a response to the concerns raised at that meeting.

In the report the Town Clerk had suggested a way forward for improving strategic and policy direction by setting up a Personnel, Policy and Strategy Committee. This would replace the Projects Steering Group and the Personnel Committee.

The Town Clerk had also suggested that consideration should be given to the question as to whether the Chairman of that Committee should not necessarily be the Town Mayor/Chairman of the Council and explained in the report the advantages that this might bring.

A lengthy discussion ensued on the chairmanship question. Some Members supported the suggestion that the Chairman of the Committee should not necessarily be the Town Mayor/Chairman of the Council

whilst some felt it should always be chaired by the holder of that position.

RESOLVED

- a) **that for the 2019/20 Municipal Year, a Personnel, Policy and Strategy Committee be appointed comprising the Chairman and Vice-Chairman of the Council (chaired by the Chairman of the Council) the Committee Chairmen (or Vice-Chairmen if their Chairman is absent) with other Members being brought in to assist as necessary;**

- b) **that the terms of reference of the Committee suggested in the report be adopted and at its first meeting, the Committee determine its meetings frequency, dates and times.**

The meeting closed at 7.32 pm.

SignedDate.....
Town Mayor and Chairman of the Council

WIMBORNE MINSTER TOWN COUNCIL

To: Extraordinary Town Council

On: 19 March 2019

ASSISTANT TOWN CLERK'S REPORT

General Data Protection Regulation

Introduction

The Data Protection Act 2018 is a United Kingdom Act of Parliament which updates data protection laws in the UK making them fit for the digital age in which an ever-increasing amount of data is being processed. It is a national law which complements the European Union's General Data Protection Regulation (GDPR).

The main provisions of the Data Protection Act came into effect on 25 May 2018.

The purpose of the report is to provide an update on the progress the Town Council has made in reviewing and implementing the various aspects of the new legislation.

In addition to this report, Members will have received by email an Information Pack with all recommended GDPR Policies, Procedures and Protocols relevant to the work of the Town Council which need to be adopted at this meeting. This pack will also appear on the website as part of this agenda. In view of the amount of documents only one copy has been printed for Members to view and this can be found in a folder behind Reception.

The National Association of Local Councils (NALC) has kept the Town Council up to date with regards to the General Data Protection Regulation (GDPR). The Town Council has also sought and shared information with the Dorset Association of Town and Parish Councils (DAPTC), the Society of Local Council Clerks (SLCC), and other neighbouring authorities and networking groups.

Staff and Member Training on GDPR

The Assistant Town Clerk participated in a training webinar with the SLCC in February 2018, as well as attending a DAPTC training session in March 2018 with the Financial Administrator. In February 2019, a local, leading provider of secure ICT, technical programme management and information security services and solutions was selected to train all staff and Members on the new legislation. Staff from the Wimborne Cemetery were also in attendance at this event. Please note that individuals can be held responsible for any data breaches within an organisation, so all staff, members and volunteers need to be aware of their responsibilities and any actions they need to take. Refresher training will be provided periodically.

Council Documentation

NALC prepared a GDPR toolkit which was distributed to town and parish councils in February 2018 and documents were prepared in line with this guidance. Further to this, the consultant who provided

a. Personal Data Audit Questionnaire

This form must be completed by all staff and Councillors. This will be distributed to all Councillors with a sample completed questionnaire following the Town Council meeting.

b. ICT and Cybersecurity

The Town Council's IT support provider has submitted an overview of how our data is managed. The GDPR consultant recommended that the Town Council review the current IT set up and improve cyber security procedures to minimise risks and to protect the organisation from cyber-attacks. This will require financial investment. It would potentially include more secure Councillor emails and the use of tablets for Council related work only. In addition, the Information Commissioners Office has advised that Cyber Security Certification schemes will be a way to comply with the GDPR and enhance the organisation's transparency. The Assistant Town Clerk is currently reviewing options. Initial estimates for IT upgrades are in the region of £10,000.

c. Data Protection Impact Assessments

A Data Protection Impact Assessment (DPIA) is a process to identify and minimise the data protection risks of a project. An organisation must do a DPIA for any other major project which requires the processing of personal data. Further work will need to be completed on this.

d. Contracts and CCTV

Whenever a data controller (e.g. Wimborne Minster Town Council) uses a processor (e.g. third party such as Dorset Police), there must be a written contract (or other legal act) in place. The contract is important so that both parties understand their responsibilities and liabilities. The Town Council is currently reviewing contracts with third parties. CCTV signage will also need to be updated by Dorset Police.

e. Other policies and procedures

The Town Council will need to review and implement existing and new policies and procedures that complement the data protection legislation. For example, Freedom of Information and Social Media.

General Data Protection Regulations

Please refer to the Agenda for a copy of the Information Pack referred to in the Assistant Town Clerk's report.

WIMBORNE MINSTER TOWN COUNCIL

To: Extraordinary Town Council

On: 19 March 2019

TOWN CLERK'S REPORT

Council Strategy – Future Arrangements

1.0 Introduction

1.1 At the Extraordinary Council meeting held on 19 February 2019, the following resolution was passed:

1.2 **RESOLVED** that the principle of setting up a strategy committee or working group be approved and a further report be submitted to the Council on all the possible options including the constitutional and other implications of an officer chairing a working group.

1.3 It is clear that Members accept that in order for the Town Council to be effective in a very busy future, it needs to improve in its decision making and provide clarity in its operational strategy. It should concentrate on setting policy and give its officers the framework to carry out its wishes.

1.4 Decision-making needs to be speeded-up without losing transparency and Member input.

1.5 The staff and Council business needs strategic direction and the dilemma facing Members is how best to achieve this given the reservations expressed at the meeting on 19 February 2019.

1.6 Dealing with the concerns expressed at that meeting:

2.0 All Members are equal and should be treated as such.

2.1 Whilst this is true, in practice some Members have more involvement in issues affecting the management of the Council's operations. They will have more detailed discussions with officers and will meet them on a regular basis, particularly Chairmen and Vice-Chairmen. It is simply not practicable nor productive to involve all 14 Members to the same degree.

2.2 It is the same at principal council level. At East Dorset there is a leader of the Council and portfolio holders as well as a leader of the opposition – the only difference between this Council and the District is that these are political appointments permitted by law. However, there is also a Chairman and Vice-Chairman of the Council as well as Chairmen and Vice-Chairmen of Committees.

- 3.2 Very little progress would be made if terms of office of these bodies were annual, yet that is what tends to happen with this Council which changes its apparent strategic leader, the Town Mayor/Chairman, every year.
- 3.3 Since my appointment in 1995, there has been considerable variation of the skills of those Members elected to the position of Town Mayor/Chairman. Some have been very capable in terms of providing leadership, some have not.
- 3.4 In 1996 or thereabouts, the Council agreed to change the Committee structure and as well as reducing the number of Committees, set up a Policy & Review Committee comprising the Chairman and Vice-Chairman of the Council and Committee Chairmen (or Vice-Chairman if a Chairman was absent).

- 3.5 The main terms of reference of the Policy & Review Committee were:

Council Strategy

All personnel matters except changes to the establishment

Review of the Council's standing orders, delegation scheme and Committee structure

- 3.6 This Committee provided strategic leadership. The Chairman of the Council was usually Chairman of that Committee, but provision was made in Standing Orders for the Vice-Chairman of the Council to be Chairman of Policy & Review Committee where the Chairman of the Council did not wish to undertake that role or did not have the necessary skills.
- 3.7 Usually, Chairmen and Vice-Chairmen of Committees tended to stay in those roles throughout the 4 year term of office which provided continuity.
- 3.8 Some members who were not members of Policy & Review Committee resented the fact that Chairmen/Vice-Chairmen of Committees did not change, but from my perspective it was successful in providing leadership and continuity in a democratically accountable and acceptable way. Moreover it is the Members who elect the Chairmen and Vice-Chairmen each year. Over the years this format had been successful in the completion of a number of important projects including refurbishment of the Town Hall with the Jubilee Garden, Town Centre CCTV, new groundsmen's store, Leigh Park Community Centre, new skateboard ramp and refurbished play areas.
- 3.9 However, these and other projects were officer-led and it was not until the 2015 election and 2017 by-election that Members (some of whom were not Chairmen or Vice-Chairmen) began to become more involved in, and in some cases, lead on projects that were felt by the Council to be a priority and where other pressures meant that officers needed this additional support if progress was to be made.

4.0 Post Policy & Review Committee

- 4.1 From the 2016/17 Municipal Year, the Policy & Review Committee was removed from the Council's Committee Structure and the personnel elements of its terms of reference transferred to a newly formed Personnel Committee.

6.0 Transparency and Officer Chairing Group

- 6.1 One of the options suggested from the floor at the Extraordinary meeting was that the risk of politicisation of the Council could be avoided by an officer chairing the Group, similar to the role of a Strategic Director at District level. However, the workload of a principal council is considerably higher and more varied than that of a Town Council and recruiting at that level could not, in my view, be justified given current workloads.
- 6.2 Also, the Council would need to find in the order of £60K plus N.I. and superannuation costs (an additional £19K) in the 2019/20 budget and this could only be found by using the General Fund which would be depleted significantly. To add such a post to the 2020/21 budget would mean an increase of about 20 % based on the current tax base and band D charge.
- 6.3 This would probably be an unacceptable increase particularly as this does not take account of any other personnel who might need to be funded next year e.g. an Operations Manager.
- 6.4 In addition, the position and salary of a 'Strategic Director', as was suggested, would be at odds with what the Town Council pays its most senior member of staff.
- 6.5 An alternative would be for the Town Clerk or Assistant Town Clerk to chair the Group. As an officer-led meeting, it would be informal and not in public.
- 6.6 Members' view at the meeting in February was that transparency was a significant principle which should be adhered to. Should the Group be chaired by an officer, Terms of Reference would need to be drafted to set out the remit of the meeting, membership etc. Whilst the Group might act as an ideas forum, draft policy and help shape the strategic vision of the Council, formal decision-making would still be through the normal Committee structure. Transparency remains the foundation of local accountability and in this would ensure that the Council continues to adhere to the Local Government Transparency Code 2015 and other relevant legislation in the discharge of its functions.
- 6.7 An informal meeting does have advantages. In the case of the Project Steering Group, it was beneficial in so far as Officers could table initial ideas on strategic, operational and project details, and then hold open discussion and consultation with Members. Whilst no formal decision making took place, it provided Officers with a sounding board which proved helpful. The Project Steering Group had started to help plug the gap following the removal of the Policy and Review Committee.
- 6.8 Improving communications more generally across the Council, may also help to address the concern around transparency.

7.0 Chairman of the Council's Workload

- 7.1 A point should be made here about the workload of the Town Mayor/Chairman of the Council. If the Chairman of the Council is to chair whatever strategic group or committee emerges from the Council's deliberations, thought should be given to the burden it places on that Member if the job is to be done effectively. Any member can

- 8.6 Should this recommendation be adopted, the current Personnel Committee would be disbanded.
- 8.7 It is essential that when considering this report, Members should focus on the operational needs of the Council and what needs to be done to provide future continuity and effectiveness particularly as there are likely to be changes to the membership of the Council following the elections.
- 8.8 Members are urged to separate their own current specific interests, skills and personalities and instead concentrate on what is best for the Council and its future.

The Council's decision on this matter is requested.