

# POLICY AND RESOURCES COMMITTEE

Date: 08 October 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Richard Lewis (Chairman)  
Glenvil Greenwood-Smith (Vice Chairman)  
Steven North (Leader of the Council)  
David Jenney (Deputy Leader of the Council)

Tony Boto  
David Brackenbury  
Val Carter  
John Farrar

Roger Glithero JP  
Helen Harrison  
Rupert Reichhold  
Phillip Stearn

## 207. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Andy Mercer and Sarah Peacock.

## 208. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 3 September 2018 were approved and signed by the Chairman.

## 209. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Nature of Interest	DPI	Other Interest
Val Carter	Community Facilities Fund Working Party Minutes	Member of Thrapston Town Council		Yes
John Farrar	Minutes of the Meeting held on 3 September 2018	Member of an organisation which opposes gambling		Yes

## 210. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

## 211. MINUTES OF SUB-COMMITTEES AND WORKING PARTIES

### a) Finance and Performance Sub-Committee – 10 September 2018

The minutes of the meeting of the Finance and Performance Sub-Committee held on 10 September 2018 were received (see pages 240 to 245).

Stanwick Lakes – Funding Proposal for the Next 10 Years

**R.10 RESOLVED TO RECOMMEND TO FULL COUNCIL:**

That funding proposals for Stanwick Lakes over the next 10 years be approved through placing them into the capital programme development pool as indicated in Appendix 1 of the minutes and removing the existing allocation (see page 245).

*(Reason: To ensure ongoing maintenance of one of the Council's main assets and encourage healthy and active lifestyles across East Northamptonshire.)*

**b) Personnel Sub-Committee – 17 September 2018**

The minutes of the meeting of the Personnel Sub-Committee held on 17 September 2018 were received (see pages 246 to 249).

HR Shared Services Proposal

**RESOLVED:**

- (i) That a shared HR Service with Corby Borough Council and Borough Council of Wellingborough, where Corby Borough Council is the host authority, be approved; and
- (ii) That authority is delegated to the Executive Director (Resources and Commercial), following consultation with the Chairman of the Personnel Sub-Committee, to finalise the shared service contract, service level agreement and related documentation to create the shared service.

**R.11 RESOLVED TO RECOMMEND TO FULL COUNCIL:**

Subject to the signing of a contract with Corby Borough Council, East Northamptonshire Council delegates its Human Resources service functions to Corby Borough Council under section 101 of the Local Government Act 1972.

*(Reason: To provide the Council with the necessary resources for HR advice and to comply with legislative requirements.)*

**c) Housing Policy Sub-Committee – 20 September 2018**

The minutes of the meeting of the Housing Policy Sub-Committee held on 20 September 2018 were received (see pages 250 to 251).

Voluntary Right to Buy and Stock Transfer Restrictions

**R.12 RESOLVED TO RECOMMEND TO FULL COUNCIL:**

- (i) That approval is granted in principle for requests from Spire and RFHA to clear title restrictions in transfer agreements for any properties sold under the Midlands Voluntary Right to Buy Pilot;

- (ii) That delegated authority is given to the Executive Director (Monitoring Officer) to enable the necessary changes to the Land Register for individual pilot purchases; and
- (iii) That delegated authority is given to the Executive Director (Monitoring Officer) to commission and sign back to back legal agreements put in place to ensure that the receipts from sales under the Midlands Voluntary Right to Buy Pilot are reinvested into affordable housing in East Northamptonshire.

*(Reason: To enable the facilitation of home ownership amongst housing association tenants and the development of new affordable housing in the district.)*

#### **d) Community Facilities Fund Working Party – 24 September 2018**

The minutes of the meeting of the Community Facilities Fund Working Party held on 24 September 2018 were received (see pages 252 to 255).

During discussion on the applications, concern was raised about the submission for street lighting by a Town Council. Members were concerned that the application could set a precedent and consideration could be given to amending the criteria for future rounds if necessary.

#### **RESOLVED:**

- (i) That the following awards of CFF grants, for £10k and under, be approved:

App. No	Applicant	Project	Amount £
39	Nassington Parish Council	Playing field access and equipment improvements	7,500
24	Raunds Town Cricket Club	Replacement tractor and gang mowers	4,275
36	Thrapston Town Council	Plaza audio-visual installation	3,756.90
20	Oundle Town Business Assoc.	Bike racks for the town	5,112
25	Different Direction Choir	Amplification and public address system	3,000
29	Thrapston Bowls Club	Grounds maintenance equipment	10,000
30	Raunds Town Council	Film project	6,996
13	Islip Parish Council	Recreation ground upgrade	9,974.36
32	Huxlow Science College	Dance/drama	10,000
38	Raunds Town Council	Lighting the Market Square	10,000
41	Raunds Town Council	Sports Wall – Amos Lawrence Park	6,348.50
10	Benefield Cricket Club	Clubhouse development phase 2	8,663
21	Serve	Ron Manning Conservatory	10,000
27	Woodford Community and Sports Complex	Playing field drainage improvements	6,670
37	Raunds Town Council	Staging at Saxon Hall	7,500

- (ii) That approval is given to invite the following projects, scoring 20 points or more, to submit stage 2 applications:

App. No	Applicant	Project	Amount requested £
17	Glaphorn Parish Council	Community recreational field	50,000
1	Ringstead Parish Council	Gladstone Street recreational field MUGA	49,563
42	Newton Road School	For the love of outdoors project	50,000
44	Warmington Parish Council	Northern link of the Greenway	50,000
15	Rushden Historical Transport Museum	Development of goods shed as a community hub	50,000
19	Titchmarsh Playing Fields Association	Play area renovation and rejuvenation	33,112
26	King's Cliffe Active	Play Space	30,000
12	Rockingham Forest Trust	Reaching new heights – climbing and aerial walkway equipment	50,000
34	St James' Church Thrapston	Servery, gates and storage	32,969
40	Brigstock Cricket Club	Cricket training facility	25,200
4	Brigstock Village Hall	Village Hall extension and new chairs	35,610
5	Hope Methodist Church, Higham Ferrers	Church redevelopment	50,000
11	Rushden & Diamonds Community Benefit Society and United FC	Recommission main stand at Hayden Road	50,000
23	Rushden Heritage Chapel and Halls	Refurbishment of main halls	28,000
8	Oundle Bowling Club	Clubhouse development phase 2	50,000
18	Friend's of St Mary's Church, Higham Ferrers	Restoration of 100 year old WW1 Memorial plaque and creation of remembrance garden	15,665

### **R.13 RESOLVED TO RECOMMEND TO FULL COUNCIL:**

That the following amendments to the Community Facilities Fund Working Party's Terms of Reference be approved:

- (i) Applications seeking £10,000 and under to be taken to the Finance and Performance Sub-Committee and applications seeking between £10,001 - £50,000 to be taken to the Policy and Resources Committee; and
- (ii) The Terms of Reference shall not specify which councillors are required to be members of the Working Party.

### **212. DATA PROTECTION POLICY**

The Data Protection Officer presented a report which introduced a revised Data Protection Policy for approval by the Committee. The Policy had been revised in light of the General Data Protection Regulations and Data Protection Act, both of which were introduced this year.

In May 2018, the introduction of the General Data Protection Regulations and Data Protection Act 2018 replaced the Data Protection Act 1998. Both pieces of legislation introduced new requirements on organisations, specifically public authorities, who processed personal data and gave individuals enhanced rights over their own personal data.

The Council had now appointed a Data Protection Officer, who had reviewed the current policies and procedures in relation to Data Protection, Information Management and Security and had now recommended a revised Data Protection Policy.

It was noted that all staff and councillors were required to undertake mandatory data protection training. Training would be provided regularly to ensure all new staff were able to attend and training would also be incorporated into member induction procedures. A privacy by design approach would also be taken for any new projects, policies or procedures which involved/related to the processing of personal data to ensure that privacy and data protection were built into any new systems, processes and policies.

**RESOLVED:**

That the Data Protection Policy at Appendix 1, subject to the identified amendments being made, be approved (see pages 256 to 265).

*(Reason: To ensure compliance with current data protection legislation.)*

**213. NEW ANIMAL WELFARE REGULATIONS**

The Health Protection Manager presented a report which sought approval for the adoption of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, the approval of fees and to recommend appropriate delegations. The Regulations came into force on 1 October 2018 and replaced a number of existing laws and provided a new single licensing regime for animal licensing activities.

Those undertaking the following activities would need to be licenced under the new regime:

- Selling animals as pets
- Providing or arranging for the provision of boarding for cats and dogs (including day care)
- Hiring out horses
- Breeding of dogs
- Keeping or training animals for exhibition

**R.14 RESOLVED TO RECOMMEND TO FULL COUNCIL:**

- (i) That the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 be adopted.

*(Reason: To allow implementation of the licensing regime.)*

- (ii) That the Constitution be amended to delegate authority to grant, refuse, revoke, suspend and vary licences for animal activities to the Health Protection Manager, Senior Environmental Health Officer, Health Protection Officer, Health Protection Technical Officer and Licensing Compliance Officer that have at least one years experience in licensing and inspecting Animal Activities Businesses or have the required qualification.

(Reason: To ensure the scheme of delegation allows appropriate decision making.)

**RESOLVED:**

(iii) That the following fees and charges be approved:

**The Animal Welfare (England) Regulations 2018**

Licence Activity	Current Fee	New Application/ Renewal Application	Grant (Compliance/ Enforcement) Fee	Vet Fee	Variation - NEW (requested by licence holder)
Breeding Dogs	194.00	109.00	85.00	Price On Application *	81.00
Boarding Dogs In Kennels	230.00	143.00	87.00	N/A	83.00
Home Boarding Dogs	224.00	136.00	88.00	N/A	85.00
Dog Day Care	230.00	143.00	87.00	N/A	83.00
Boarding Cats	230.00	143.00	87.00	N/A	83.00
Hiring Out Horse(s)	253.00	160.00	93.00	Price On Application **	89.00
Selling Animals as Pets	207.00	122.00	85.00	N/A	81.00
Exhibition of Animals (note this activity cannot be combined with any others on a licence)	N/A new fee	114.00	N/A	N/A	77.00
Combined Boarding/Day Care	Equal to highest activity fee	Equal to highest activity fee	Equal to highest activity fee	N/A	Equal to highest activity fee
Combined Activities	N/A new fee	Equal to highest activity fee	Equal to highest activity fee	Price on application (if applies)	Equal to highest activity fee

VAT does not apply to these fees.

\* Under the 2018 Regulations a vet inspection is required on first application only for Breeding Dogs

\*\* Under the 2018 Regulations a vet inspection is required on first application for Hiring Out Horse(s) and annually thereafter for the duration of the licence

(Reason: To ensure full cost recovery.)

**214. SIGNING OF THE LEASE FOR TWYWELL HILLS AND DALES**

The Head of Customer and Community Services presented a report which sought delegated authority to sign a lease with the Land Trust for the management of Twywell Hills and Dales.

Twywell Hills and Dales was a former ironstone quarry recognised as being an important area for nature conservation, heritage and amenity value. The site was purchased from British Steel in 1994 and was wholly owned by ENC. It was approximately 54 hectares in size and comprised three distinct areas. On the site was a Site of Special Scientific Interest

(SSSI) identified in 1989, known as the Gullet. The Woodland Trust operated one part of the site for us on a 399 year lease, which commenced in 1997. The remainder of the site was temporarily being managed by ourselves and Rockingham Forest Trust (RFT).

Historically the part of the site which was the subject of the report had been managed through service level agreements with the Wildlife Trust (WLT) and Rockingham Forest Trust. In the last two years the management of the site had been difficult due to erection of fencing to manage the conflict between dog walkers, livestock and the SSSI requirements. As a result of this the WLT no longer wished to manage the site.

In December 2017, the Finance Sub-Committee requested that one organisation be sought to operate the site on a longer term lease arrangement. Procurement advice was obtained on that basis and potential organisations were approached to gauge interest in the site. The Land Trust were the only ones interested and as such procurement and legal advice was that we could go ahead and lease directly with them.

**R.15 RESOLVED TO RECOMMEND TO FULL COUNCIL:**

That authority is delegated to the Chief Executive to sign the lease with the Land Trust to manage Twywell Hills and Dales for the next 125 years.

*(Reason: To ensure legal compliance with SSSI standards whilst providing well-managed open spaces for our communities.)*

**Chairman**



East  
Northamptonshire  
Council

# Data Protection Policy



2018



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## Change History

Issue	Date	Comments
V0.1	August 2018	Submitted to CMT for approval
V0.2	September 2018	With CMT changes
V0.3	October 2018	Policy and Resources Committee for approval

*NB: Draft versions 0.1 - final published versions 1.0*

## Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
CMT	
Policy & Resources Committee	

## Distribution List

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
Middle Managers	All customers via Website
All Staff	

## Links to other documents

Document	Link
Privacy Impact Assessment	<a href="#">PIA for Data Protection Policy 2018</a>
Equalities Impact Assessment	<a href="#">EIA for Data Protection Policy 2018</a>
Privacy Statement	<a href="#">Council Privacy Statement</a>

## Additional Comments to note

Policy required to show how we will meet the requirements of the new Data Protection Act 2018 and General Data Protection Regulation.



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## 1.0 Introduction / foreword

The purpose of this document is to set out how the council will manage the lawful and fair handling of personal data in accordance with the Data Protection Act (DPA) 2018 and the General Data Protection Regulation 2016 (GDPR).

GDPR regulates the processing of personal data. Processing includes everything from the point we receive the data to the point we destroy it, including any sharing of information with other parties whether required by law or not. Personal information is information relating to an identified or identifiable living natural person, which is held either electronically or in manual form. GDPR and the DPA 2018 also give enhanced rights to individuals whose personal information is processed by organisations.

The council needs to collect and use personal information in order to carry out its functions effectively. Information can be held concerning its residents, current, past and prospective employees, suppliers, service users, and others with whom the council communicates.

The council, its processors (organisations we use to process personal data on our behalf) and, in some circumstances, its individual employees could face prosecution for failure to handle personal data in accordance with the legislation.

## 2.0 Scope

This policy sets out how the council will manage the lawful and fair handling of personal data in line with the current data protection legislation and ensure that all personal data processed by or for the authority is subject to appropriate safeguards to ensure compliance with the relevant data protection legislation.

It applies to all personal and special categories of personal data held by or on behalf of the council and to all persons processing this data. This includes but is not limited to staff, elected members, contractors, consultants and third party processors (collectively referred to as data users).

## 3.0 Policy outcomes

Data Protection Policy outcomes	Links to corporate outcomes
<ul style="list-style-type: none"><li>• Accurate relevant personal information protected and maintained to ensure its confidentiality, integrity, relevance and availability to enable effective delivery of services.</li><li>• Well informed staff and elected members who feel supported to ensure the accuracy and protection of the information they use.</li></ul>	<ul style="list-style-type: none"><li>• Effective management</li><li>• Effective Partnership working</li><li>• Knowledge of our customers and communities.</li> <li>• Councillors and staff with the right knowledge, skills and behaviours</li></ul>

## 4.0 Data Protection Policy

The council is committed to ensuring we meet the requirements of the current data protection legislation. The council fully endorses and adheres to the six Data Protection Principles which are set out in the GDPR and summarised below:-

Personal data must be:

- a) processed lawfully, fairly and in a transparent manner
- b) collected for specified, explicit and legitimate purposes
- c) adequate, relevant and limited to what is necessary
- d) accurate and where necessary kept up to date
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- f) processed in a manner that ensures appropriate security

The council is responsible for compliance with the principles and must be able to demonstrate this to data subjects and the Information Commissioners Office ICO.

The council will implement procedures which aim to ensure that all data users who have access to any personal data held by or on behalf of the council are fully aware of and abide by their duties under the General Data Protection Regulation, Data Protection Act and any other relevant legislation.

#### **4.1 Notification**

The council will maintain its entry in the register of notifications held by the ICO, the registrations relating to the Electoral Returns Officer, and will manage the individual councillors registration on their behalf.

#### **4.2 Information Asset Management/Records of Processing Activities**

The council will maintain an information asset register/ record of processing activities which details the types of personal data held by the organisation, why it is held, how it is used, the lawful basis for its use, who it is shared with, how long we will retain it and its disposal method.

#### **4.3 Data Protection Officer (DPO)**

As is required of all statutory bodies the council will appoint a Data Protection Officer.

The post holder will be responsible for ensuring the council works towards and maintains good standards of data protection and management in line with the current data protection legislation. The post holder will also manage complaints and breach investigations, and gather and share information/make recommendations on how the council manages information security, data protection and other related subjects.

#### **4.4 Training & Awareness**

All staff (including contractors working with the organisation for a period of more than 3 calendar months) and councillors must undertake mandatory data protection training provided by the council's Data Protection Officer. Training will be provided at regular intervals throughout the year to ensure all new staff are able to attend and will be incorporated into member induction procedures.

Staff working with third party processors (i.e. contractors who manage/process personal data on our behalf) will liaise with the Data Protection Officer to ensure processor agreements are in place and that suitable training is provided to the staff at the processing organisation.

The Data Protection Officer will undertake to provide regular awareness raising campaigns and information to support staff in ensuring personal data is processed lawfully, fairly and in a transparent manner and in line with relevant data protection

legislation.

#### **4.5 Responsibilities of individual data users**

**All data users** should familiarise themselves with the key elements of data protection including what constitutes personal data and special categories of personal data and understand how this relates to their area of work. All staff must take advice from the council's Data Protection Officer when required.

**Heads of Service and Middle Managers** must ensure data protection procedures are implemented in their service areas and that their teams are appropriately trained in Data Protection.

**Team leaders** must ensure all staff within their teams understand what constitutes personal data and are familiar with the correct procedures for secure storage and disposal of personal data, breach reporting, data protection impact assessments and information sharing in line with the guidance developed by the Data Protection Officer.

**All staff** must ensure when starting a new project, policy or way of working or reviewing a working procedure or policy that they consider whether a Data Protection Impact Assessment is required and liaise with the DPO accordingly.

**All staff** must also ensure they understand the data protection procedures and guidance provided in relation to the management, security, retention and sharing of personal data and how this relates to their role.

#### **4.6 Data Subjects Rights**

The council will ensure that appropriate procedures and guidance are in place to support any individual data subject in exercising their rights over the data the council holds about them.

These rights include:

- the right to access the data (subject access request);
- the right to have inaccurate data rectified;
- the right to erasure (unless the data controller has a legal obligation or public task reason for processing the data);
- the right to restriction of processing;
- the right to data portability (this only applies to data where consent has been given as the legal basis for processing or where the data subject has entered into a contract with the council);
- the right to object to data processing; and
- the right to prevent significant decisions being made about them by solely automated means or to prevent profiling of their personal data.

The council will publish this advice as part of their privacy statement on the public website and will make this information available via any method of collection of personal data we undertake to ensure all relevant data subjects are aware of their rights and how to exercise them.

#### **4.7 Information Sharing**

The council will only disclose personal data to third parties when it is fair and lawful to

do so in accordance with data protection legislation and with any Information Sharing Agreements.

The council undertakes to ensure appropriate security measures are in place to protect any personal data which it is required to or enabled to share with a third party.

Where sharing of information is established routinely as part of a process the council will ensure this is communicated as appropriate to our customers, staff and other data subjects via our privacy notices given at the point of collection of the data.

All routine data sharing will be appropriately documented as part of the information asset register/register of processing activities and will be monitored and reviewed by the Data Protection Officer.

#### **4.8 Information Security and Information Security Breaches**

The council will ensure that appropriate security measures are in place to protect the personal data/special categories of personal data given to us by our customers, staff, partners and elected members.

If a breach of security occurs the council and specifically the Data Protection Officer will ensure the breach management procedure is followed and, in line with guidance from the Information Commissioners Office (ICO), will self report any reportable breach within 72 hours of becoming aware of the breach.

#### **4.9 Contracts and Service Level Agreements**

The council will ensure all contracts and service level agreements where personal data is processed make reference to data protection legislation as appropriate.

The council will also undertake to carry out checks to satisfy themselves that the contractors are upholding the elements of their contract which refer to data protection.

#### **4.10 Special Category/Sensitive Personal Data**

Special Category data (sensitive personal data) is personal data revealing any of the following types of information about a data subject:

- race;
- ethnic origin;
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics (where used for ID purposes);
- health;
- sex life; or
- sexual orientation.

This type of personal data is deemed more sensitive and therefore requires additional safeguards to be put in place to protect it and for the council to be explicitly clear as to why it is being processed.

The council will ensure all personal data is processed in line with the relevant data protection legislation. All sensitive/special category personal data will only be



processed if the conditions of the Data Protection Act 2018/General Data Protection Regulation are met or where an exemption from the above legislation applies.

The council does not routinely hold data relating to criminal convictions but will apply the conditions of the Data Protection Act 2018 and the Law Enforcement Directive.

#### **4.11 Accuracy of personal data**

The council will ensure procedures are in place to check and maintain the accuracy of the personal data that we process.

The council will also ensure data shared with other agencies/partners or third party processors is accurate at the point of sharing and kept updated where appropriate.

#### **4.12 Retention of personal data**

The council will not hold personal data for longer than is required either by law or for the purposes of service delivery whichever is longer. A detailed schedule of retention periods will be maintained by the Data Protection Officer and service managers and where electronic systems allow, automated retention policies will be enforced.

Where no system is available or where data is held in manual files retention exercises will be carried out at appropriate regular intervals to ensure the council does not hold personal data it no longer requires.

#### **4.13 Privacy by design**

The council will ensure procedures are in place to ensure a privacy by design approach is taken to any new projects, policies or procedures which involve/relate to the processing of personal data. In doing so this will ensure privacy and data protection are built into any new systems/processes and policies from the start and are monitored throughout the development, implementation and beyond.

The Data Protection Officer will offer support and guidance in the completion of Data Protection Impact Assessments (DPIA) and will monitor any action plans put in place for data protection issues in conjunction with the appropriate staff.

#### **4.14 Audit & Review**

The council will audit compliance with this policy on a regular basis and ensure that any incidents involving breaches of the policy or the relevant data protection legislation are recorded, analysed and acted upon.

The council will ensure this policy is reviewed at regular intervals (at least every 3 years) to ensure relevance and to monitor compliance with relevant legislation.

#### **5.0 Next steps**

The council already has a data protection action plan in place which will continue delivery of data protection measures in line with the requirements of the relevant data protection legislation.

## 6.0 Glossary of terms

Term	Definition
General Data Protection Regulation (GDPR)	EU data protection legislation which came into force on 25/05/2018
Data Protection Act 2018 (DPA 2018)	UK enactment of GDPR including areas where member states could determine additional measures. Came into force 23/05/2018
Data users	Any individual or organisation who processes personal data on behalf of, for or in conjunction with the council.
Data subject	Any individual about whom data is held
Data Protection Impact Assessment (DPIA)	Assessment of impact of any proposed work (new project, system, policy/procedure or review of any current working arrangements including all of the above) where personal data is involved. This is a requirement of the new data protection legislation GDPR / DPA2018.
Third Party Processor/ Processor Agreements	An organisation the council contract to provide services on its behalf who process customer or staff/elected members personal data on behalf of the council. Any third party processor will need to have a clear agreement in place with the council which will detail their responsibilities and ours in relation to Data Protection Legislation (this may be built into the overall contract documents).
Information Commissioners Office (ICO)	The regulator for all data protection and freedom of information legislation in the UK.
Personal Data Breach (data security breach)	A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

### Appendices:

Appendix 2 – [Equalities impact assessment – initial assessment](#)

Appendix 3 – [Data Protection Impact Assessment – initial assessment](#)



## Finance and Performance Sub-Committee

Minutes of a meeting held on Monday 10 September 2018 at 2.00pm, East Northamptonshire House, Thrapston

<b>Present:</b>	<b>Councillors:</b>	David Brackenbury Roger Glithero JP Glenvil Greenwood-Smith David Jenney Richard Lewis Steven North
	<b>Officers:</b>	David Oliver Glenn Hammons Michelle Drewery Greg Macdonald Julia Smith Angela Hook Matthew Lineham Sandie Williams Amy Eyles
		Chief Executive Executive Director (Resources and Commercial) Head of Resources Head of Economic and Commercial Development Head of Customer and Community Services Performance Manager Facilities Manager Interim Finance Manager Finance Manager

### **1.0 APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence.

### **2.0 MINUTES**

2.1 The minutes of the meeting of the Finance and Performance Sub-Committee held on 23 July 2018 were approved and signed by the Chairman.

### **3.0 DECLARATIONS OF INTEREST**

3.1 No declarations of interest were made.

### **4.0 QUESTIONS UNDER PROCEDURE RULE 10.3**

4.1 There were no questions submitted under Procedure Rule 10.3.

### **5.0 QUARTERLY PERFORMANCE MONITORING – QUARTER 1 2018-19**

5.1 The Sub-Committee considered a report providing high level information about performance across the council in relation to agreed performance indicators, other statistics that supported the monitoring of performance, and areas of achievement.

In respect of the underperforming measure ‘% of purchase orders raised before the invoice date’, it was noted that the performance had significantly improved in recent years and that as such the target had been stretched from 90% in 2017/18 to 95% in 2018/19. At the beginning of the financial year 75% had been achieved, but this had since increased to 85% and was expected to improve further during the remainder of the year.

Members welcomed the over-performance of measures within Customer and Community Services (number of contacts made online out of total contracts) and Planning Services (major planning applications processed within 13 weeks, and non major planning applications processed within 8 weeks).

**RESOLVED:**

- a) That the performance reported for Quarter 1 2018/19 be noted;
- b) That the Head of Customer and Community Services and Head of Planning Services and their teams be congratulated on the over-performing measures within their service areas.

**6.0 BUDGET MONITORING TO 31 JULY 2018**

- 6.1 The Sub-Committee considered a report providing the first in-depth budget monitoring of the financial year against the forecast Revenue and Capital positions for the approved budgets for 2018/19 for the period ending 31 July 2018.

Members noted that the revised budget since March 2018 was now £10.2m with a projected overspend of £122k, mainly due to the under achievement of ICT savings forecast from the Transformation Programme.

In respect of business rates appeals, members further noted that a smaller financial impact was being experienced following a change in process in 2017, however potentially the rate of appeals would increase during the years to 2022.

The increase of £3.6m to the capital programme budget was welcomed, following the re-profiling of expenditure from 2017/18 since budget approval in February 2018 and approvals within year.

**RESOLVED:**

- a) That the latest revenue, capital and reserves positions for 2018/19 be noted;  
*(Reason – this is for information / monitoring purposes)*
- b) That the collection and write off performance for sundry debtors, local taxation and benefit overpayments, as set out in Appendix 3, be noted.  
*(Reason – this is for information / monitoring purposes)*
- c) That £2,476k be transferred from the Development Pool to the Capital Programme to fund the purchase of the Waste Vehicle Replacement.  
*(Reason: - To progress the contract with FCC)*

## **7.0 TREASURY MANAGEMENT REPORT TO 31 JULY 2018**

- 7.1 The Sub-Committee considered the current position for Treasury Management for the period to 31 July 2018 in the financial year 2018/19.

### **RESOLVED:**

That the Treasury Management performance for the period up to 31 July 2018 in the financial year 2018/19 be noted.

*(Reason: To accord with CIPFA guidance and best practice in Treasury Management.)*

## **8.0 STANWICK LAKES – FUNDING PROPOSAL FOR THE NEXT 10 YEARS**

- 8.1 The Sub-Committee considered a report which sought to obtain agreement of the funding arrangements for Stanwick Lakes in partnership with Rockingham Forest Trust for the next 10 years and consideration responsibility for sluice gates.

The proposals were being brought forward in advance of the normal budget approval timescale of February 2019 in order to provide Rockingham Forest Trust with a level of certainty in the contribution to the project being made by this Council and to allow it to budget for future years appropriately.

It was noted that whilst those funding requirements were over a period of 10 years, financial contributions could only be committed one year at a time and so the actual amounts were indicative at this stage. Due to the proposed local government reorganisation it was expected that the budget decisions from 2020 onwards would need to be made by the new shadow authority and then successor unitary authority.

A further report would be brought to the Sub-Committee prior to submission of the final business case to Council.

### **RESOLVED TO RECOMMEND TO FULL COUNCIL:**

- a) That funding proposals for Stanwick Lakes over the next 10 years be approved through placing them into the capital programme development pool as indicated in Appendix 1 and removing the existing allocation.

*(Reason: To ensure ongoing maintenance of one of the Council's main assets and encourage healthy and active lifestyles across East Northamptonshire)*

### **RESOLVED:**

- b) That authority be delegated to the Head of Customer and Community Services, following consultation with the Chairman of Finance and Performance Committee and the members on the Stanwick Lakes Management Board, to agree to work with RFT to fully understand the liabilities and prepare a business case for taking on responsibility for the sluice gates at Stanwick Lakes and report back to the Finance and Performance Sub-committee on progress.

*(Reason: To support Stanwick Lakes and its future sustainability)*

## **9.0 BUSINESS RATES RETENTION PILOT 2019/20**

- 9.1 The Sub-Committee received a verbal report of the Executive Director for Resources and Commercial updating on proposals for a Northamptonshire business rates retention pilot submission for 2019/20.

It was reported that the Government had now requested bids for the next financial year, but that there were various changes from the current year to 2019/20, which would affect the benefits accrued:-

- i) Nationally, the amount of resources and number of pilots available would be reduced;
- ii) The 'no detriment' clause would be removed, i.e. councils would no longer be assured of being no worse off than under the 50% retention scheme;
- iii) The current year's pilots retained 100% of business rates whilst next year they would be 75% - councils in Northamptonshire currently received 50%. The benefits across all authorities in Northamptonshire of the additional 25% received was expected to be approximately £17m;
- iv) New bids would be expected to prioritise sustainability over growth;
- v) The deadline for preparation of bids was 25 September 2018, the concept for the Northamptonshire bid being based around directing funding towards the transformation costs to the proposed new unitary structure, in order to assist the future financial sustainability of Northamptonshire;

### **RESOLVED:**

- a) That the update on business rates retention be noted;
- b) That a progress report be brought back to the next meeting, providing details of the bid made to Government.

## **10.0 EXCLUSION OF PUBLIC AND PRESS**

### **10.1 RESOLVED:**

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraph 3 of Schedule 12A of the Local Government Act 1972, may be disclosed.

- Asset Management – September 2018 Update; and
- East Northamptonshire Enterprise Centre.

## **11.0 ASSET MANAGEMENT – SEPTEMBER 2018 UPDATE**

- 11.1 The Sub-Committee received an exempt report updating it on the Council's asset management and which sought approval for various actions to be taken in relation to specific sites.

**RESOLVED:**

- a) That the updates in the report be noted;
- b) The sale of the plot of land at 51 Thorpe Street, Raunds be approved;
- c) The sale of the plot of land adjacent to 10 Brambleside, Thrapston be approved;
- d) The allocation of £5k to remove asbestos from the Station Road site be approved and for this to be funded by the reallocation of existing budgets
- e) Agree to an option analysis for Station Road site in Rushden at a cost of £2k and for this to be funded by the reallocation of existing budgets.

*(Reason: To deliver the Asset Management Strategy)*

**12.0 EAST NORTHAMPTONSHIRE ENTERPRISE CENTRE (ENEC)**

- 12.1 The Sub-Committee received an exempt report updating on progress on the Enterprise Centre with a particular focus on the initial design that would form the basis of the planning application, approval for the undertaking of procurement for a Project Manager and Quantity Surveyor (PMQS) support for RIBA stages 4-7, and for the main contractor to undertake construction.

**RESOLVED:**

- a) That the initial designs for the East Northamptonshire Enterprise Centre (ENEC), as detailed in Appendix 1, be approved as the basis for submitting a planning application;
- b) To approve the procurement of the Project Manager and Quantity Surveyor (PMQS) support for RIBA stages 4-7 for the ENEC and provide delegated authority to the Head of Economic and Commercial Development, following consultation with the Chairman of Finance and Performance Sub-Committee and Chairman of the ENEC Working Party, to procure and award the contract;
- c) That approval be given to the procurement of the main contractor to build the ENEC and provide delegated authority to the Head of Economic and Commercial Development, following consultation with the ENEC Working Party, to undertake the procurement process and make a recommendation for award for approval by (Full) Council.

*(Reason – To drive forward delivery of the ENEC project)*

**13.0 CHAIRMAN'S ANNOUNCEMENT - SANDIE WILLIAMS**

- 13.1 On behalf of the Sub-Committee, the Chairman thanked Sandie Williams for her contribution to its work since commencement of her position as Interim Finance Manager in April 2018. He wished Sandie well in her new duties.

**Chairman**

**Appendix 1**

**Stanwick Lakes Capital expenditure requirements for the ten years 2019-20 to 2028-29**

						2019-20	2020-21	2021-22	2022-23	2023-24	Total	2024-25	2025-26	2026-27	2027-28	2028-29	Total
<b>Expenditure</b>																	
Play equipment						232,500	10,000	45,000	40,000	81,000	408,500	10,000	10,000	30,000	33,000	119,000	202,000
Bridges - railway line bridges, entrance bridge, footbridges						52,000	40,500	52,000	101,000	5,000	250,500	11,000	20,000	5,000	5,000	5,000	46,000
Footpath network, including old railway line						15,000	5,000	10,000	5,000	5,000	40,000	5,000	110,000	3,000	3,000	3,000	124,000
Boundary fences & other infrastructure						1,000	107,500	28,000	13,000	39,000	188,500	105,000	20,000	65,000	27,000	73,000	290,000
Visitor building remedial works						3,000	8,000	50,000	2,000	3,000	66,000	35,000	87,000	102,000	55,000	4,000	283,000
<b>Totals</b>						<b>303,500</b>	<b>171,000</b>	<b>185,000</b>	<b>161,000</b>	<b>133,000</b>	<b>953,500</b>	<b>166,000</b>	<b>247,000</b>	<b>205,000</b>	<b>123,000</b>	<b>204,000</b>	<b>945,000</b>
RFT						65,000	50,000	60,000	50,000	45,000	270,000	48,000	55,000	50,000	40,000	45,000	238,000
RFT Fundraising						40,000	15,000	15,000	15,000	10,000	95,000	10,000	15,000	15,000	10,000	15,000	65,000
Amount requested from ENC						198,500	106,000	110,000	96,000	78,000	588,500	108,000	177,000	140,000	73,000	144,000	642,000





## Personnel Sub-Committee

**Minutes of a Meeting held on Monday 17 September 2018 at East Northamptonshire House, Thrapston**

**Present:** Councillors: Roger Glithero JP (Chairman)  
Tony Boto  
Glenvil Greenwood-Smith  
David Jenney

Officers:	David Oliver	Chief Executive
	Glenn Hammons	Executive Director (Resources & Commercial)
	Michelle Drewery	Head of Resources
	Andrew Longley	Head of Joint Planning and Delivery Unit
	Ben Smith	Democratic and Electoral Services Manager

### **1.0 APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors John Farrar, Steven North and Sarah Peacock.

### **2.0 MINUTES**

2.1 The minutes of the meeting of the Personnel Sub-Committee held on 16 July 2018 were approved and signed by the Chairman.

### **3.0 DECLARATIONS OF INTEREST**

3.1 No declarations of interest were made.

### **4.0 QUESTIONS UNDER PROCEDURE RULE 10.3**

4.1 There were no questions submitted under Procedure Rule 10.3.

### **5.0 CHANGE TO THE ORDER OF BUSINESS**

With the consent of the Sub-Committee the Chairman varied the items of business from that on the agenda for the meeting.

## **6.0 HR SHARED SERVICES PROPOSAL**

- 6.1 The Sub-Committee received a report on progress towards a shared HR service with Corby Borough Council and the Borough Council of Wellingborough, and to recommend its formal establishment.

Since the Sub-Committee's meeting in January 2018, officers had been working with their colleagues in Corby Borough Council and East Midlands Councils to review the options for a shared service. Following that, Borough Council of Wellingborough had also requested to be involved in the proposals.

Arising from the Sub-Committee's meeting in June 2018, the preferred option for a shared HR Service with Corby Borough Council and Borough Council of Wellingborough was proposed.

It was noted that the staff consultation had commenced on 19 July 2018 and ended on 14 September, having been extended by two weeks. It was confirmed to members that a local presence of HR would be retained in each council as part of the proposal.

It was further noted that a new Business Transformation Manager had recently been appointed to the Authority who would be picking up the HR Shared Service project as part of their brief.

### **RESOLVED:**

- a) That the progress on the preferred option of a shared HR service, including the staff consultation be noted;

### **RESOLVED TO RECOMMEND TO POLICY AND RESOURCES COMMITTEE:**

- b) To approve a shared HR Service with Corby Borough Council and Borough Council of Wellingborough, where Corby Borough Council is the host authority;
- c) To delegate to the Executive Director for Resources and Commercial, following consultation with the Chairman of the Personnel Sub-Committee, to finalise the shared service contract, service level agreement and related documentation to create the share service;

### **RESOLVED TO RECOMMEND TO COUNCIL:**

- d) Subject to the signing of a contract with Corby Borough Council, East Northamptonshire Council delegates its Human Resources service functions to Corby Borough Council under section 101 of the Local Government Act 1972.

*(Reason: To provide the Council with the necessary resources for HR advice and to comply with legislative requirements)*

## **7.0 EMPLOYMENT OF JDPU PLANNING POLICY OFFICER (FIXED TERM)**

7.1 The Sub-Committee considered a report of the Head of the Joint Planning and Delivery Unit which presented a proposal for a new post of Planning Policy Officer to support the work of the North Northamptonshire Joint Planning and Delivery Unit (JDPU).

It was noted that the JDPU was jointly funded by its partner local authorities and that the cost of the post, being a two year fixed contract, would be fully funded by Government capacity funding.

### **RESOLVED:**

That the new post of Planning Policy Officer be funded from the JDPU budget and employed by East Northamptonshire Council.

## **8.0 EXCLUSION OF PUBLIC AND PRESS**

### **RESOLVED:**

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraphs 2 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed:-

- Electoral Services Restructure; and
- HR Advisor.

## **9.0 ELECTORAL SERVICES RESTRUCTURE**

9.1 The Democratic and Electoral Services Manager presented an exempt report which requested members to approve a minor restructure to the Electoral Services team within Resources, with the deletion of the Electoral Services Administrator role, to be replaced with an Electoral Services Assistant.

### **RESOLVED:**

- (iii) That the change to the team structure within Democratic and Electoral Services, with the role of Electoral Services Administrator (Grade 2) being replaced with that of Electoral Services Assistant (Grade 3);
- (iv) That the increase in salary resulting from the change in role be backdated to 1 April 2018 and covered from within existing resources for 2018/19 and incorporated into budget setting processes for 2019/20 and beyond.

*(Reason: To ensure the Electoral Services team is fit for purpose and fair application for the job evaluation process.)*

**10.0 HR ADVISOR**

- 10.1 The Executive Director for Resources and Commercial presented a request for an increase in contracted hours for an HR Advisor from 14.8 to 22.5 per week.

**RESOLVED:**

- iv) That approval for the change in contracted hours for an HR Advisor to 22.5 per week be approved;

*(Reason: To build capacity in the HR function.)*

- v) That the additional hours be funded from the existing Council's revenue budget 2018/19 and incorporated into the base budget for 2019/20 as part of the annual budget process.

*(Reason: To ensure the post can be adequately funded.)*

**Chairman**



## Housing Policy Sub-Committee

**Draft Minutes of a meeting held on Thursday 20 September 2018 at 2.00pm, East Northamptonshire House, Thrapston**

**Present:** Councillors: Steven North  
David Jenney  
Richard Lewis  
Tony Boto

Officers: Chris Spong (Housing and Policy Officer)  
Carol Conway (Housing Strategy and Delivery Manager)  
Jenny Walker (Environmental Protection Manager)  
Aine Cooper (Housing Enabling Officer)

### **1.0 APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Val Carter, Sarah Peacock and David Brackenbury and officers Sharn Matthews, Executive Director and Monitoring Officer, Louise Bagley, Housing Services Officer, Paul Bland, Head of Planning Services and Richard Palmer, Planning Policy and Conservation Manager.  
Carol Conway submitted her apologies for her late arrival.

### **2.0 DECLARATIONS OF INTEREST**

2.1 No interests were declared.

### **3.0 MINUTES OF THE MEETING HELD ON 12 JUNE 2018**

3.1 The minutes of the meeting held 12<sup>th</sup> June 2018 were approved and signed by the Chairman.

### **4.0 QUESTIONS UNDER PROCEDURE RULE 10.3**

4.1 There were no questions submitted under Procedure Rule 10.3.

### **5.0 SOCIAL HOUSING GREEN PAPER 2018 REPORT**

5.1 The report was discussed, and it was agreed that responses from other local authorities in North Northamptonshire would be reviewed, with feedback to be sought at the next Chief Housing Officers Group meeting. The consultation questions would be circulated to Members after this meeting.

5.2 Members reviewed the report and noted that the recommendation at 11.1 (2) must be amended to read as 'Appendix 1'. Another minor amendment was also proposed.

#### **RESOLVED:**

- (i) That the contents of the Social Housing Green Paper 'A new deal for social housing' be noted.

- (ii) That the suggested consultation response at Appendix 1 be approved, subject to the agreed amendments being made.

*(Reason: to encourage improvements in social housing and improve conditions for tenants)*

## **6.0 VOLUNTARY RIGHT TO BUY AND STOCK TRANSFER RESTRICTIONS**

- 6.1 During discussion on the item, Members raised concerns about the potential risk of being unable to ensure that funds generated from the sale of properties in the Voluntary Right to Buy Pilot Scheme were reinvested into affordable housing in East Northamptonshire. Officers advised that a legal agreement, as detailed in the recommendation at 13.1(3), would be put in place to enforce this. Members proposed that this recommendation be amended to read as follows:  
'Delegated authority to be given to the Executive Director (Monitoring Officer) to commission and sign back to back legal agreements put in place to ensure that the receipts from sales under the Midlands Voluntary Right to Buy Pilot are reinvested into affordable housing in East Northamptonshire'.

*Carol Conway arrived to the meeting at 10.30am*

- 6.2 It was proposed to add a fourth recommendation: to note the equalities impact assessment.

### **RESOLVED TO RECOMMEND TO FULL COUNCIL:**

- (i) That approval is granted in principle for requests from Spire and RFHA to clear title restrictions in transfer agreements for any properties sold under the Midlands Voluntary Right to Buy Pilot.
- (ii) That delegated authority is given to the Executive Director (Monitoring Officer) to enable the necessary changes to the Land Register for individual pilot purchases
- (iii) That delegated authority is given to the Executive Director (Monitoring Officer) to commission and sign back to back legal agreements put in place to ensure that the receipts from sales under the Midlands Voluntary Right to Buy Pilot are reinvested into affordable housing in East Northamptonshire.

*(Reason: to enable the facilitation of home ownership amongst housing association tenants and the development of new affordable housing in the district)*

### **RESOLVED:**

- (i) That the contents of the Equalities Impact Assessment be noted.

*(Reason: to ensure that the strategic direction of the housing service is fit for purpose and accords with legislation)*

**Chairman**



# Community Facilities Fund Working Party

**Draft** Minutes of meeting held on  
Monday 24 September 2018 at 11am in the Members' Room

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## **Present:**

<b>Councillors:</b>	Councillor Steven North (Chair)	CllrSN
	Councillor Richard Lewis	CllrRL
	Councillor Roger Glithero	CllrRG
	Councillor Peter Wathen	CllwPW
	Councillor Janet Pinnock	CllrJP
	Councillor Annabel de Capell Brooke	CllrADCB
<b>Officers:</b>	Julia Smith, Head of Customer and Community Services	JS
	Lucy Hawes, Community Partnerships Officer	LH
	Sandie Williams, Interim Head of Finance	SW
<b>Minutes:</b>	Charlie Christmas	CC

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## **ACTION**

### **1. Apologies**

1.1 Apologies were received from Mike Greenway, and Amy Eyles

### **2. Minutes of the meeting 26<sup>th</sup> April 2018**

2.1 The minutes were agreed as a true and correct record of the meeting, subject to Councillor Lewis being added to the list of attendees.

### **3. Declaration of Interest**

#### **3.1 Councillor Richard Lewis**

**Item:** Eligibility Applications

**Nature of interest:** Member of Rushden Town Council  
Member of Rushden Historical Transport Society  
Member of Rushden Cricket Club  
Association with Rushden and Diamonds  
Involved with the Rushden Heritage Chapel  
Board Member at Stanwick Lakes  
Association with Friends of St Mary's Church, Higham Ferrers  
Association with Hope Methodist Church, Higham Ferrers

**DPI/Other interest** Other

#### **Councillor Peter Wathen**

**Item:** Eligibility Applications

**Nature of interest:** Raunds Cricket Club – given them some Member empowerment funding  
**DPI/Other interest** Other

Councillor Janet Pinnock

**Item:** Eligibility Applications  
**Nature of interest:** Member of Rushden Town Council  
 Member of Rushden Heritage Church  
**DPI/Other interest** Other

Councillor Steven North

**Item:** Eligibility Applications  
**Nature of interest:** Association with members of Raunds Town Council  
**DPI/Other interest** Other

#### 4. Financial position of NHB reserve

- 4.1 SW presented a summary sheet of the financial position, estimating a total allocation amount of £673,599 based on the bids received to be allocated to Stream 2. This figure will need to be increased to reflect the revised figure to cover the cost of the grants awarded, with the difference being taken from Stream 3.
- 4.2 The meeting noted concerns regarding approving funding for schemes which may not be signed off prior to 31<sup>st</sup> March 2020 when the Unitary Authority is in place. Each applicant was asked to indicate an expected start date for their project, and it is proposed that the timeline be amended to reflect a December 2019 delivery date.

#### 5. Report – Stage 1 Eligibility Applications

- 5.1 JS presented a report detailing the evaluation of the eligibility applications for the sixth round of the Community Facilities Fund. A total of 44 applications had been received and evaluated at the Eligibility Stage.
- 5.2 It was confirmed that the Working Party was required to consider the evaluation findings and recommend or reject a grant award to those applications seeking £10,000 or less. For those applications seeking between £10,001 and £50k, the Working Party would confirm which applications would be invited to submit a second stage application. These recommendations would require confirmation by Policy and Resources Committee.
- 5.3 The Working Party considered the Eligibility applications **seeking £10k or less**. Applications scoring less than 20 points were rejected.

App. No	Applicant	Project detail	Amount requested £	Recommendation
39	Nassington Parish Council	Playing field access and equipment improvements	7,500	Award Grant
24	Raunds Town Cricket Club	Replacement tractor and gang mowers	4,275	Award Grant
36	Thrapston Town	Plaza audio-visual	3,756.90	Award Grant



	Council	installation		
20	Oundle Town Business Assoc.	Bike racks for the town	5,112	Award Grant
25	Different Direction Choir	Amplification and public address system	3,000	Award Grant
29	Thrapston Bowls Club	Grounds maintenance equipment	10,000	Award Grant
30	Raunds Town Council	Film project	6,996	Award Grant
13	Islip Parish Council	Recreation ground upgrade	9,974.36	Award Grant
32	Huxlow Science College	Dance/drama	10,000	Award Grant
38	Raunds Town Council	Lighting the Market Square	10,000	Award Grant
41	Raunds Town Council	Sports Wall – Amos Lawrence Park	6,348.50	Award Grant
10	Benefield Cricket Club	Clubhouse development phase 2	8,663	Award Grant
21	Serve	Ron Manning Conservatory	10,000	Award Grant
27	Woodford Community and Sports Complex	Playing field drainage improvements	6,670	Award Grant
37	Raunds Town Council	Staging at Saxon Hall	7,500	Award Grant

5.4  
The Wor

king Party considered Eligibility applications **seeking between £10,001 and £50k.**

Members were reminded that applications were required to score a minimum of 20 points, as set out in the evaluation criteria, in order to proceed to stage 2; those scoring less than 20 points were rejected. Members considered the applications in the order of their scores starting with the highest.

Applications scoring 20 or more points				
App. No	Applicant	Project detail	Amount requested £	Recommendation (with conditions)
17	Glaphorn Parish Council	Community recreational field	50,000	Stage 2
1	Ringstead Parish Council	Gladstone Street recreational field MUGA	49,563	Stage 2
42	Newton Road School	For the love of outdoors project	50,000	Stage 2
44	Warmington Parish Council	Northern link of the Greenway	50,000	Stage 2
15	Rushden Historical Transport Museum	Development of goods shed as a community hub	50,000	Stage 2
19	Titchmarsh Playing Fields Association	Play area renovation and rejuvenation	33,112	Stage 2
26	King's Cliffe Active	Play Space	30,000	Stage 2
12	Rockingham Forest Trust	Reaching new heights – climbing and aerial walkway equipment	50,000	Stage 2
34	St James' Church Thrapston	Servery, gates and storage	32,969	Stage 2
40	Brigstock Cricket Club	Cricket training facility	25,200	Stage 2
4	Brigstock Village Hall	Village Hall extension	35,610	Stage 2

		and new chairs		
5	Hope Methodist Church, Higham Ferrers	Church redevelopment	50,000	Stage 2
11	Rushden & Diamonds Community Benefit Society and United FC	Recommission main stand at Hayden Road	50,000	Stage 2
23	Rushden Heritage Chapel and Halls	Refurbishment of main halls	28,000	Stage 2
8	Oundle Bowling Club	Clubhouse development phase 2	50,000	Stage 2
18	Friend's of St Mary's Church, Higham Ferrers	Restoration of 100 year old WW1 Memorial plaque and creation of remembrance garden	15,665	Stage 2

## 6. Confirmation of recommendations for awards £10k and under

**RESOLVED TO RECOMMEND** to Policy and Resources Committee 8th October 2018 that the awards of CFF grants to the projects set out in table 5.3 above are confirmed.

## 7. Confirmation of applications for invitation to stage 2

**RESOLVED TO RECOMMEND** to Policy and Resources Committee that approval is given for inviting those projects scoring 20 points or more (as set out in table 5.4 above) to submit stage 2 applications.

**RESOLVED TO RECOMMEND** to Policy and Resources Committee that they resolve to recommend to Council, appropriate amendments to the Terms of Reference contained in part 8 of the Council's Constitution. Applications seeking £10,000 and under to be taken to Finance and Performance Sub Committee, and applications seeking between £10,001-£50,000 to be taken to Policy and Resources Committee. The Terms or Reference shall not specify which Councillors are required as Members of the Working Party.

The Working Party **agreed** the timeline for the remainder of the awards process as set out in para 3.4 of the report, and resolved to recommend that applications should be signed off by December 2019.

## 8. Date of next meeting

8.1 The next meeting is tentatively scheduled for Monday 7<sup>th</sup> January 2019 at 11am.

8.2 The meeting thanked Lucy Hawes for her efforts with the scoring of the applications.



East  
Northamptonshire  
Council

# Data Protection Policy



2018

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## Document Version Control

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## Change History

Issue	Date	Comments
V0.1	August 2018	Submitted to CMT for approval
V0.2	September 2018	With CMT changes
V0.3	October 2018	Policy and Resources Committee for approval

*NB: Draft versions 0.1 - final published versions 1.0*

## Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
CMT	
Policy & Resources Committee	

## Distribution List

Internal	External
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Middle Managers	All customers via Website
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## Links to other documents

Document	Link
Privacy Impact Assessment	<a href="#">PIA for Data Protection Policy 2018</a>
Equalities Impact Assessment	<a href="#">EIA for Data Protection Policy 2018</a>
Privacy Statement	<a href="#">Council Privacy Statement</a>

## Additional Comments to note

Policy required to show how we will meet the requirements of the new Data Protection Act 2018 and General Data Protection Regulation.

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<b>6.0</b>	<b>Glossary of terms</b>	<b>10</b>
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## 1.0 Introduction / foreword

The purpose of this document is to set out how the council will manage the lawful and fair handling of personal data in accordance with the Data Protection Act (DPA) 2018 and the General Data Protection Regulation 2016 (GDPR).

GDPR regulates the processing of personal data. Processing includes everything from the point we receive the data to the point we destroy it, including any sharing of information with other parties whether required by law or not. Personal information is information relating to an identified or identifiable living natural person, which is held either electronically or in manual form. GDPR and the DPA 2018 also give enhanced rights to individuals whose personal information is processed by organisations.

The council needs to collect and use personal information in order to carry out its functions effectively. Information can be held concerning its residents, current, past and prospective employees, suppliers, service users, and others with whom the council communicates.

The council, its processors (organisations we use to process personal data on our behalf) and, in some circumstances, its individual employees could face prosecution for failure to handle personal data in accordance with the legislation.

## 2.0 Scope

This policy sets out how the council will manage the lawful and fair handling of personal data in line with the current data protection legislation and ensure that all personal data processed by or for the authority is subject to appropriate safeguards to ensure compliance with the relevant data protection legislation.

It applies to all personal and special categories of personal data held by or on behalf of the council and to all persons processing this data. This includes but is not limited to staff, elected members, contractors, consultants and third party processors (collectively referred to as data users).

## 3.0 Policy outcomes

Data Protection Policy outcomes	Links to corporate outcomes
<ul style="list-style-type: none"><li>• Accurate relevant personal information protected and maintained to ensure its confidentiality, integrity, relevance and availability to enable effective delivery of services.</li><li>• Well informed staff and elected members who feel supported to ensure the accuracy and protection of the information they use.</li></ul>	<ul style="list-style-type: none"><li>• Effective management</li><li>• Effective Partnership working</li><li>• Knowledge of our customers and communities.</li> <li>• Councillors and staff with the right knowledge, skills and behaviours</li></ul>

## 4.0 Data Protection Policy

The council is committed to ensuring we meet the requirements of the current data protection legislation. The council fully endorses and adheres to the six Data Protection Principles which are set out in the GDPR and summarised below:-

Personal data must be:

- a) processed lawfully, fairly and in a transparent manner
- b) collected for specified, explicit and legitimate purposes
- c) adequate, relevant and limited to what is necessary
- d) accurate and where necessary kept up to date
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- f) processed in a manner that ensures appropriate security

The council is responsible for compliance with the principles and must be able to demonstrate this to data subjects and the Information Commissioners Office ICO.

The council will implement procedures which aim to ensure that all data users who have access to any personal data held by or on behalf of the council are fully aware of and abide by their duties under the General Data Protection Regulation, Data Protection Act and any other relevant legislation.

#### **4.1 Notification**

The council will maintain its entry in the register of notifications held by the ICO, the registrations relating to the Electoral Returns Officer, and will manage the individual councillors registration on their behalf.

#### **4.2 Information Asset Management/Records of Processing Activities**

The council will maintain an information asset register/ record of processing activities which details the types of personal data held by the organisation, why it is held, how it is used, the lawful basis for its use, who it is shared with, how long we will retain it and its disposal method.

#### **4.3 Data Protection Officer (DPO)**

As is required of all statutory bodies the council will appoint a Data Protection Officer.

The post holder will be responsible for ensuring the council works towards and maintains good standards of data protection and management in line with the current data protection legislation. The post holder will also manage complaints and breach investigations, and gather and share information/make recommendations on how the council manages information security, data protection and other related subjects.

#### **4.4 Training & Awareness**

All staff (including contractors working with the organisation for a period of more than 3 calendar months) and councillors must undertake mandatory data protection training provided by the council's Data Protection Officer. Training will be provided at regular intervals throughout the year to ensure all new staff are able to attend and will be incorporated into member induction procedures.

Staff working with third party processors (i.e. contractors who manage/process personal data on our behalf) will liaise with the Data Protection Officer to ensure processor agreements are in place and that suitable training is provided to the staff at the processing organisation.

The Data Protection Officer will undertake to provide regular awareness raising campaigns and information to support staff in ensuring personal data is processed lawfully, fairly and in a transparent manner and in line with relevant data protection



legislation.

#### **4.5 Responsibilities of individual data users**

**All data users** should familiarise themselves with the key elements of data protection including what constitutes personal data and special categories of personal data and understand how this relates to their area of work. All staff must take advice from the council's Data Protection Officer when required.

**Heads of Service and Middle Managers** must ensure data protection procedures are implemented in their service areas and that their teams are appropriately trained in Data Protection.

**Team leaders** must ensure all staff within their teams understand what constitutes personal data and are familiar with the correct procedures for secure storage and disposal of personal data, breach reporting, data protection impact assessments and information sharing in line with the guidance developed by the Data Protection Officer.

**All staff** must ensure when starting a new project, policy or way of working or reviewing a working procedure or policy that they consider whether a Data Protection Impact Assessment is required and liaise with the DPO accordingly.

**All staff** must also ensure they understand the data protection procedures and guidance provided in relation to the management, security, retention and sharing of personal data and how this relates to their role.

#### **4.6 Data Subjects Rights**

The council will ensure that appropriate procedures and guidance are in place to support any individual data subject in exercising their rights over the data the council holds about them.

These rights include:

- the right to access the data (subject access request);
- the right to have inaccurate data rectified;
- the right to erasure (unless the data controller has a legal obligation or public task reason for processing the data);
- the right to restriction of processing;
- the right to data portability (this only applies to data where consent has been given as the legal basis for processing or where the data subject has entered into a contract with the council);
- the right to object to data processing; and
- the right to prevent significant decisions being made about them by solely automated means or to prevent profiling of their personal data.

The council will publish this advice as part of their privacy statement on the public website and will make this information available via any method of collection of personal data we undertake to ensure all relevant data subjects are aware of their rights and how to exercise them.

#### **4.7 Information Sharing**

The council will only disclose personal data to third parties when it is fair and lawful to

do so in accordance with data protection legislation and with any Information Sharing Agreements.

The council undertakes to ensure appropriate security measures are in place to protect any personal data which it is required to or enabled to share with a third party.

Where sharing of information is established routinely as part of a process the council will ensure this is communicated as appropriate to our customers, staff and other data subjects via our privacy notices given at the point of collection of the data.

All routine data sharing will be appropriately documented as part of the information asset register/register of processing activities and will be monitored and reviewed by the Data Protection Officer.

#### **4.8 Information Security and Information Security Breaches**

The council will ensure that appropriate security measures are in place to protect the personal data/special categories of personal data given to us by our customers, staff, partners and elected members.

If a breach of security occurs the council and specifically the Data Protection Officer will ensure the breach management procedure is followed and, in line with guidance from the Information Commissioners Office (ICO), will self report any reportable breach within 72 hours of becoming aware of the breach.

#### **4.9 Contracts and Service Level Agreements**

The council will ensure all contracts and service level agreements where personal data is processed make reference to data protection legislation as appropriate.

The council will also undertake to carry out checks to satisfy themselves that the contractors are upholding the elements of their contract which refer to data protection.

#### **4.10 Special Category/Sensitive Personal Data**

Special Category data (sensitive personal data) is personal data revealing any of the following types of information about a data subject:

- race;
- ethnic origin;
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics (where used for ID purposes);
- health;
- sex life; or
- sexual orientation.

This type of personal data is deemed more sensitive and therefore requires additional safeguards to be put in place to protect it and for the council to be explicitly clear as to why it is being processed.

The council will ensure all personal data is processed in line with the relevant data protection legislation. All sensitive/special category personal data will only be processed if the conditions of the Data Protection Act 2018/General Data Protection Regulation are met or where an exemption from the above legislation applies.

The council does not routinely hold data relating to criminal convictions but will apply the conditions of the Data Protection Act 2018 and the Law Enforcement Directive.

#### **4.11 Accuracy of personal data**

The council will ensure procedures are in place to check and maintain the accuracy of the personal data that we process.

The council will also ensure data shared with other agencies/partners or third party processors is accurate at the point of sharing and kept updated where appropriate.

#### **4.12 Retention of personal data**

The council will not hold personal data for longer than is required either by law or for the purposes of service delivery whichever is longer. A detailed schedule of retention periods will be maintained by the Data Protection Officer and service managers and where electronic systems allow, automated retention policies will be enforced.

Where no system is available or where data is held in manual files retention exercises will be carried out at appropriate regular intervals to ensure the council does not hold personal data it no longer requires.

#### **4.13 Privacy by design**

The council will ensure procedures are in place to ensure a privacy by design approach is taken to any new projects, policies or procedures which involve/relate to the processing of personal data. In doing so this will ensure privacy and data protection are built into any new systems/processes and policies from the start and are monitored throughout the development, implementation and beyond.

The Data Protection Officer will offer support and guidance in the completion of Data Protection Impact Assessments (DPIA) and will monitor any action plans put in place for data protection issues in conjunction with the appropriate staff.

#### **4.14 Audit & Review**

The council will audit compliance with this policy on a regular basis and ensure that any incidents involving breaches of the policy or the relevant data protection legislation are recorded, analysed and acted upon.

The council will ensure this policy is reviewed at regular intervals (at least every 3 years) to ensure relevance and to monitor compliance with relevant legislation.

### **5.0 Next steps**

The council already has a data protection action plan in place which will continue delivery of data protection measures in line with the requirements of the relevant data protection legislation.

## 6.0

### Glossary of terms

Term	Definition
General Data Protection Regulation (GDPR)	EU data protection legislation which came into force on 25/05/2018
Data Protection Act 2018 (DPA 2018)	UK enactment of GDPR including areas where member states could determine additional measures. Came into force 23/05/2018
Data users	Any individual or organisation who processes personal data on behalf of, for or in conjunction with the council.
Data subject	Any individual about whom data is held
Data Protection Impact Assessment (DPIA)	Assessment of impact of any proposed work (new project, system, policy/procedure or review of any current working arrangements including all of the above) where personal data is involved. This is a requirement of the new data protection legislation GDPR / DPA2018.
Third Party Processor/ Processor Agreements	An organisation the council contract to provide services on its behalf who process customer or staff/elected members personal data on behalf of the council. Any third party processor will need to have a clear agreement in place with the council which will detail their responsibilities and ours in relation to Data Protection Legislation (this may be built into the overall contract documents).
Information Commissioners Office (ICO)	The regulator for all data protection and freedom of information legislation in the UK.
Personal Data Breach (data security breach)	A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

### Appendices:

Appendix 2 – [Equalities impact assessment – initial assessment](#)

Appendix 3 – [Data Protection Impact Assessment – initial assessment](#)