



THE TOWN COUNCIL
OF
ROYAL LEAMINGTON SPA
TOWN HALL, THE PARADE,
ROYAL LEAMINGTON SPA
WARWICKSHIRE CV32 4AT
T: 01926 450 906 F: 01926 456 901
E: clerk@leamingtonspatowncouncil.gov.uk
www.leamingtonspatowncouncil.gov.uk

ROBERT NASH ACIS DMS
Clerk to the Town Council

Our Ref: RN/

Date: 2nd September 2020

Dear Councillor,

A meeting of the **POLICY AND RESOURCES COMMITTEE** will be held on **THURSDAY 10th SEPTEMBER 2020** commencing at 6.00 pm.

This meeting will be held remotely and can be accessed as follows:-

Join Zoom Meeting

<https://us02web.zoom.us/j/81229209184?pwd=RmZ5OXRBRjQ0TUplTmFKVVG4vRjhWZz09>

Meeting ID: 812 2920 9184

Passcode: 178108

The business will be as set out below.

Yours faithfully,

CLERK TO THE TOWN COUNCIL

To Councillors: Janet Alty, Sarah Boad, Alan Boad, Will Bryce, Mubarik Chowdry, Judith Clarke, Bill Gifford, Louisa Radice and Susan Rasmussen

(All other Members of the Town Council –for information. Non- members of the Committee are invited to join the meeting using the link provided above.

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**

Members of the Committee are invited to declare any interest they may have in items identified for discussion at the Meeting.

3. **PUBLIC FORUM**

Town Clerk will report any representations made to the Committee prior to the meeting.

4. MINUTES

To consider and approve as a correct record the Minutes of the Meeting held on 9TH July, 2020 (Report No.4)

5. MATTERS ARISING FROM THE MINUTES

(i) Railway Bridges – Pigeon Control Measures

Town Clerk to report response from Warwick District Council in relation to management of pigeons under railway bridges, including that at Lower Avenue.

(ii) Town Hall Service Charges

Town Clerk to report on the adjustment of service charges arising from the closure of the Town Hall during the Covid – 19 pandemic.

6. STREET CLEANSING AND GROUNDS MAINTENANCE SERVICES

To consider the attached Report (Report No 6)

7. FUTURE MANAGEMENT OF MEETINGS

To consider the attached Report (Report No.7)

8. EQUALITY AND DIVERSITY POLICY

To consider the attached Report (Report No 8)

9. ALLOCATING FUNDING IN SUPPORT OF MAYORAL EVENTS

Town Clerk to report on the current expenditure in support of civic events and seek approval in relation to the allocation of the budget in support of Mayoral fund raising.

10. 2020-21 LOCAL AUTHORITY SALARY AWARD

The Town Clerk to report on the announcement of the award of a 2.75% salary award in respect of local government employees effective from 1st April, 2020.

11. CURRENT ACCOUNT BANKING ARRANGEMENTS

Town Clerk to report on arrangements for introducing electronic banking.

12. ACCOUNTS

To approve a schedule of accounts arising for payment since the last meeting.

**MINUTES OF A MEETING OF THE POLICY AND RESOURCES COMMITTEE HELD ON
9TH JULY, 2020**

This meeting was conducted remotely in accordance with the provisions of the 2020 Coronavirus Regulations

Present: Councillors Sarah Boad (Chairman), Janet Alty, Will Bryce, Mubarik Chowdry, Judith Clarke, Bill Gifford, Jennifer McAllister and Louisa Radice.

14. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors Alan Boad and Susan Rasmussen

15. DECLARATIONS OF INTEREST

Councillor Bill Gifford declared a non – pecuniary interest in street cleansing and grounds maintenance services (Report No. 7), as a Member of Warwick District Council, indicating that he would declare his interest in this matter at any meetings of the District Council at which this was subsequently discussed and subject to a vote.

16. PUBLIC FORUM

There were no representations from Members of the public.

17. MINUTES

RESOLVED that the Minutes of the Meeting of the Policy and Resources Committee held on 10th June, 2020 (Report No.4) are confirmed as a correct record subject to amendment of Minute 10 as follows:-

“It was noted that the Communications Working Group had been ***convened to meet on the 18th June*** for the purpose of considering how the Council was utilising various media forms to communicate both internally and externally”.

18. MATTERS ARISING FROM THE MINUTES

(i) **RAILWAY BRIDGES – PIGEON CONTROL MEASURES**

It was agreed that in the absence of Councillor Alan Boad, this item is deferred for discussion at the next meeting.

(ii) **NEWBOLD COMYN MASTER PLAN**

The Committee was advised that the consultation period had now closed. There had been considerable interest shown in the range of possible uses of the Newbold Comyn website with over 2,500 respondents to the on-line survey.

19. FUTURE MANAGEMENT OF MEETINGS

Consideration was given to a Report (Report No 6) regarding the Council's management of meetings, including options for the implementing of video

conferencing and remote access to meetings arising from changes brought about by the Coronavirus Regulations 2020.

The Committee welcomed the opportunity to review the progress that had been made in moving all Council meetings to an internet platform during the period of the Covid- 19 pandemic when face to face meetings had been prohibited. It was recognised that expectations in relation to access to meetings, both by Councillors and Members of the public, had changed significantly and that a readjustment in the Council's meeting practice would need to be considered. The opportunities to promote the role of the Town Council and local government more generally was evident through use of social media channels and this should feature as part of a review the effectiveness of the Council in terms of facilitating public access to meetings.

There was an acknowledgement that greater public scrutiny would have implications for the manner in which Council conducted some business, particularly the consideration and award of Community Grants. The introduction of the direct streaming of meetings should therefore be accompanied by a thorough appraisal of the means of managing such methods and the subject matter of the relevant Committees whose work would be accessible via the internet. The need to assess and address any shortcomings in the Council's information technology capacity was also recognised.

RESOLVED

- (i) that the Communications Working Group expand its remit to consider the opportunities for enabling remote access to Council meetings, including streaming of meetings to the internet via mainstream media such as YouTube;
- (ii) that the Communications Working Group considers the implications for managing public access to meetings alongside face to face meetings, following the removal of restrictions on social distancing with a view to reporting its findings to the Council Meeting in September 2020;
- (iii) that the Town Clerk conducts a comparative exercise with other Councils locally in relation to managing public access to meetings, particularly the consideration and award of community grants.

20. STREET CLEANSING AND GROUNDS MAINTENANCE SERVICES

Consideration was given to a Report (Report No 7) setting out details of an invitation by Warwick District Council for the Town Council to consider contributing to the costs associated with two contracts currently subject to tender.

The Committee had been advised that two elements of the Street Cleansing and Grounds Maintenance contracts had been reviewed and without the provision of additional funding the current levels of service would be withdrawn:

Town Centre Barrow Operatives – providing continual street cleansing and litter bin emptying throughout the day, 7 days a week, in all Town Centre areas.

Fixed raised planters located in Town Centre areas and entrances to towns - Spring and Summer bedding displays which includes ground preparation, planting, dead heading and weeding, removal of plants and general maintenance of the beds.

The Town Clerk had subsequently obtained further information from Warwick District Council that, in order to comply with the Council's responsibilities under the Environmental Protection Act 1990, the Town Centre Barrow Operatives would continue to operate twice a day which represented a reduced level of service to that delivered currently. The proposed length of the contract had been indicated as being 8 years with the option to extend it by another eight years. The maintenance of fixed planters in the Town Centre was thought to relate to the all season plant displays outside the Town hall which were owned by the Town Council and which currently displayed perennial plant schemes.

The Committee considered that insufficient information had been obtained from Warwick District Council to facilitate detailed consideration of this proposal. In particular it was not clear why the current contract could not be extended, whether seasonal variations occurred in the delivery of the service and what was the current extent and frequency of the street cleansing contract. Concern was expressed that the length of the contract was excessive and took little account of the present uncertainties around business and the future of local government.

It was considered that in the case of the maintenance of raised planters, these facilities could form part of the Town Council's wider Leamington in Bloom portfolio and the option of maintaining them in-house should be investigated.

RESOLVED

- (i) that Warwick District Council is requested to provide additional information concerning the current contract for street cleansing to enable the matter to be considered at the Council meeting on 16th July;
- (ii) that invitation is extended to an Officer of the District Council to attend the Council meeting to provide additional clarification;
- (iii) that Officers obtain additional information concerning the scope and extent of the maintenance of raised planters in the Town centre to enable consideration of the option of this work being conducted by the Town Council outside the scope of the Grounds Maintenance Services Contract.

21. BUDGET MONITORING REPORT

Consideration was given to a Report (Report No 8) indicating the Council's expenditure and income to the end of June, 2020.

The Town Clerk indicated that with the exception of expenditure on the Neighbourhood Plan and Allotments, all areas of the budget were within the expected level of expenditure. In terms of the Neighbourhood Plan, any further planned expenditure would be subject to grant application to the funding body and Allotment rental income was due to be credited.

RESOLVED that the Report is received.

22. TOWN HALL SERVICE CHARGES

Consideration was given to a Report (Report No 9) concerning accrued expenses payable to Warwick District Council during the period that the Council Offices had been occupied due to the Covid-19 emergency.

The Town Clerk advised that costs such as Gas and Water consumption, Office cleaning and refuse disposal were based on a percentage calculation related to the floor area of the building occupied. In order to ensure that the Town Council was not charged a proportion of these costs for the period since 23rd March, a calculation had been made of the potential refund due to the Town Council based on the charges it had already paid in advance for the period in question. For the period to 30th June, 2020 this amounted to £278.57.

RESOLVED that the Town Clerk is authorised to recover the relevant proportion of service charges paid to Warwick District Council for the period in which the Council Offices were unoccupied due to Covid-19.

23. ACCOUNTS

There were no invoices or payments awaiting approval since the last meeting.

The meeting commenced at 6.00 pm and ended at

REPORT TO A MEETING OF THE POLICY AND RESOURCES COMMITTEE TO BE HELD ON 10TH SEPTEMBER, 2020

STREET CLEANSING AND GROUNDS MAINTENANCE SERVICES

1. PURPOSE OF THE REPORT

To consider the options in relation to delivery of the street cleansing and grounds maintenance service in Leamington.

2. INTRODUCTION

- 2.1 The provision of street cleansing and grounds maintenance in Leamington Spa is presently undertaken through a contract let and managed by Warwick District Council. The present Contract is due to expire in April 2021.
- 2.2 Warwick District Council is in the process of tendering for new street cleansing and grounds maintenance contracts which are due to commence on 1st April 2021. Initial tender submissions have been received which, in the context of the unprecedented pressures on the District Council's finances, have required the Council to consider which services it is able to provide.
- 2.3 The District Council has therefore undertaken a post tender examination of the following services:
- Town Centre Barrow Operatives – providing continual street cleansing and litter bin emptying throughout the day, 7 days a week, in all Town Centre areas.
 - Fixed raised planters located in Town Centre areas and entrances to towns - Spring and Summer bedding displays which includes ground preparation, planting, dead heading and weeding, removal of plants and general maintenance of the beds.
- 2.4 The District Council states that it is in a position where the continued provision of these services is unaffordable without funding support from the Town Council. The Town Council has therefore been asked to consider funding contributions as follows:

Type of provision	Anticipated annual cost of provision	Town Council requested annual contribution
Royal Leamington Spa Town Centre Barrow Operative	£40,000	£20,000
Fixed raised planters in Royal Leamington Spa town centre and entrances to town	£491	£491
TOTAL	£40,491	£20,491

- 2.5. The District Council is currently engaged in a tender negotiation process and has advised that the costs quoted above are based on the initial tender submissions received. However, the best and final offer, via revised tenders, has yet to be evaluated which means that costs may go up or down.
- 2.6 At the Council Meeting on 16th July, initial consideration was given to the District Council request and it was **RESOLVED** as follows:-
- (i) that further consideration of the street cleansing contract is deferred to await confirmation of the legal powers available to the Town Council;
 - (ii) that Warwick and Kenilworth Town Councils are invited to consider the option of a single combined contract to provide a barrow operative service for all three Towns;
 - (iii) that if necessary, a meeting of the Urgent Matters Committee is convened to determine a course of action; and
 - (iv) that the maintenance of plant displays at the entrances to the Town are accepted by the Town Council for future maintenance, subject to ownership being transferred to the Town Council
- 2.7 The District Council has been advised of the Council decision in relation to the maintenance of the plant displays at the entrance to the Town and the planters outside the Town Hall. A separate Report will be made to a future meeting on arrangements to manage these facilities from April 2021.
- 2.8 This report provides additional information requested following the Council meeting to enable the Committee to determine a course of action and recommend the Council accordingly.

3. TOWN CENTRE BARROW OPERATIVES

- 3.1 The current level of service provided by the Contract is set out in the Appendix to the Report.
- 3.2 Following discussion with the District Council it has been clarified that should the Town Council not wish to make the requested financial contribution to the Barrow Operative service, this will be curtailed. However the District Council remains responsible for removing litter from public places and a reduced level of service that is consistent with its responsibilities under the Environmental Protection Act 1990 (Section 89) will be maintained.
- 3.3 Whereas the current level of service is operated over the period of 10.00hrs to 18.00hrs Monday to Saturday inclusive and 11.00hrs to 17.00hrs on Sundays, the revised service would be limited to no more than inspections and collections of litter at the start and end of each day.
- 3.4 The Council is therefore faced with considering the following options:-

(a) Make no financial contribution

This would mean accepting the reduced level of service. Whilst this option may seem the least preferable, it would enable the Council to assess the impact of the reduced level of service over the period from 1st April 2021 and to consider possible supplementary provision at a later date if the new reduced level of service was deemed unacceptable. Options (c) and (d) below could then be considered.

(b) Provide a subsidy to Warwick District Council

This option will require the Council to budget for a recurring sum of £20,000 annually over the life of the contract which will be for a minimum period of eight years. At present this would require an increase in the Council Precept of £1.17 per property at Band D. Although the contribution would secure the same level of service as at present, the Council is unable to influence the tender specification which is now at an advanced stage of negotiation with prospective tenderers.

There remains an opportunity to have influence in relation to the monitoring of the contract through a Memorandum of Understanding which would formalise the Town Council's interest in the contract and its performance.

(c) Negotiate a new Contract

The Town Council could seek to negotiate its own contract for the provision of the service, either for Leamington solely or as a single contract for the three Towns including Warwick and Kenilworth. This would require all these Council's to jointly fund the contract and to agree arrangements for its management and monitoring. Both Kenilworth and Warwick Town Councils have been advised of this option and their respective response will be reported at the meeting. It should be remembered that the current cost of the town centre barrow operatives is £40,000 per year. Unless the Town Council is able to negotiate a reduction in the current contract price, the cost in terms of the contribution of the Town Council to maintain the same level of service will be £40,000 per annum which equates to an increase in the Precept of £2.34 per Band D, as presently calculated.

There will however be operational practicalities associated with delivering a contract that is small in terms of its size and value. It is unlikely that such a contract will be attractive to the larger companies that operate in this market. The opportunity to tender this contract will also be constrained by the capital costs associated with the start-up of the service which will be a disincentive to small operators.

In terms of the Town Council's ability to undertake the provision of this service, the Power of General Competence can be used for this purpose. Warwick District Council has further advised in relation to its legal responsibility as follows:

“Warwick District Council's duties under the EPA 1990 are not transferable. However, this does not prevent Town Councils from employing their own barrow operatives if they wanted to maintain a more continuous cleansing presence in town centre areas. Warwick District Council will continue to meet its duty to keep open spaces free of litter and refuse, so far as is practicable.”

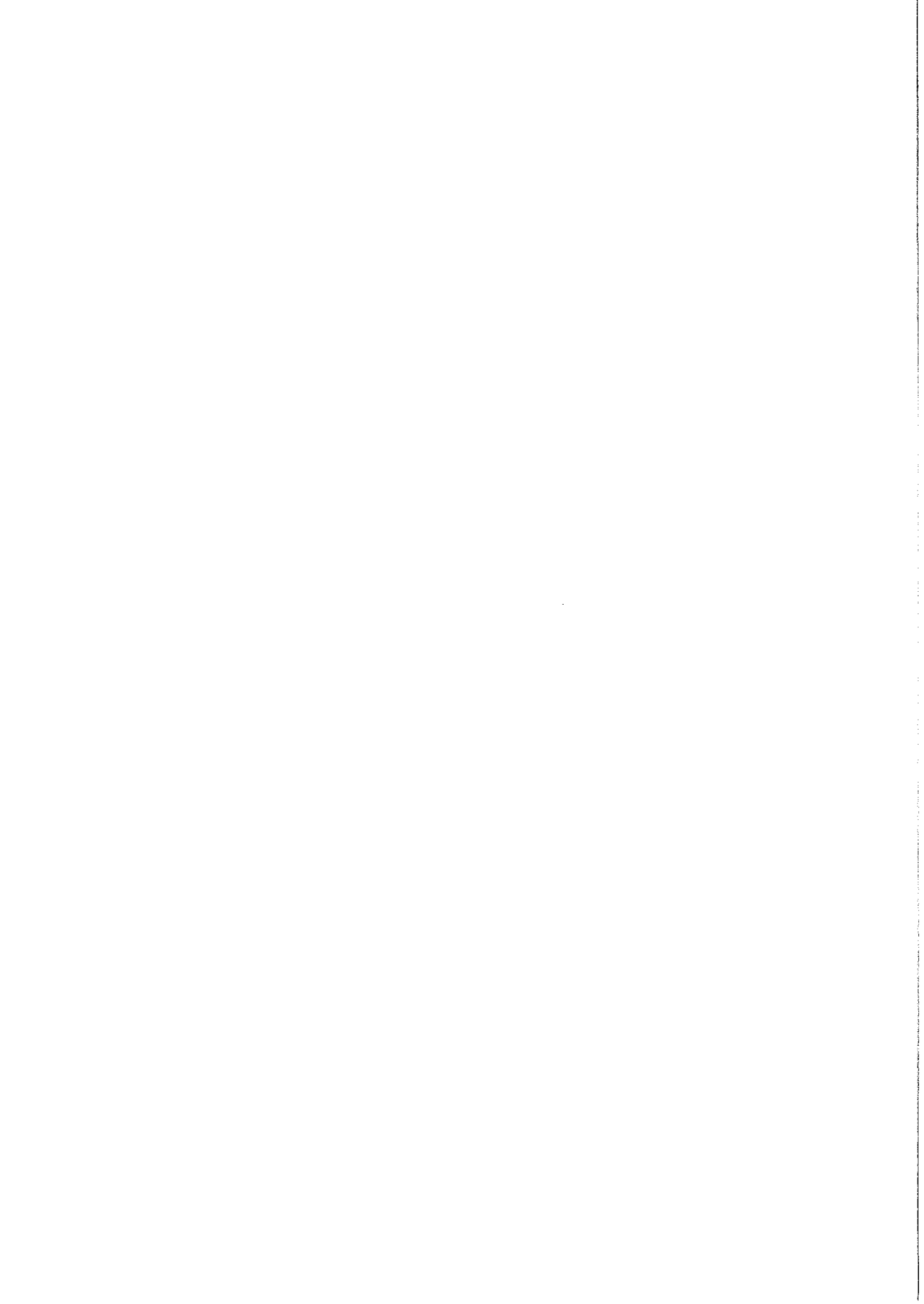
(d) Employment of operatives

The Town Council could consider taking over the delivery of the Town Centre Street sweeping service through the employment of its own employees. This option would need to be carefully costed and considered particularly as this would entail the Council assuming full responsibility for all the employee costs, including employer national insurance, pension, holiday and sick pay and other employee emoluments. In addition the Town Council would also be faced with meeting the capital start –up costs associated with acquiring the equipment to deliver the service and the storage and maintenance of these items. Before considering this option further, a detailed financial analysis will therefore need to be undertaken.

4. CONCLUSION

- 4.1 The Council has limited experience of managing and delivering contracts which is largely a reflection of the minimal role of Town Councils in the delivery of services across Warwick District. The proposal to significantly reduce the frequency of the Street sweeping and litter collection service in the Town Centre represents both an opportunity and a risk to the Town Council and both aspects will need to be considered in arriving at a decision.
- 4.2 The Council does not have access to any data regarding the performance of the current contract which presents difficulties when assessing the scope and frequency of the service. This may presume that option (a) – making no financial contribution – is advisable in order to assess whether future intervention is necessary and affordable in the longer term.
- 4.3 The potential reform of local government in terms of the role of the Town Council in the future delivery of services must also be considered. Whilst the capacity of the Town Council is presently limited in terms of managing and funding a contract for street cleansing services, the position may evolve significantly in the event of a unitary structure of local government in which Parish and Town Councils collectively acquire greater responsibilities together with funding contributions to deliver local services.

- 4.4 It is regrettable that the time scale for the street cleansing contract does not permit an assessment of these wider options, particularly as the contract is being let over a period of 8 years with the option of a further 8 year extension. The approval of funding to subsidise the service at its present level must be assessed in these terms.
- 4.5 The instructions of the Committee are requested. Should there be a preference for contributing to the costs of this service, it will be necessary to make a recommendation to a meeting of the full Council and full budgetary provision agreed for the financial year 2021/22..



Royal Leamington Spa – Town Centre Barrow Operatives

Tender Specification (current)

5.4.1. The Contractor shall provide three barrow operatives to provide a continuous Cleanse in the town centres of Kenilworth, Leamington Spa and Warwick.

5.4.2. The Town Centre Barrow Operatives will be expected to carry out the following tasks (this list is not intended to be exhaustive):

- i. Removing Litter, debris and detritus;
- ii. Removal of Dead Animals;
- iii. Removal of Graffiti and/or fly posting;
- iv. Removal of vertical litter from lamp posts and street furniture (e.g. string, cable ties, etc.);
- v. Removal of weeds;
- vi. Emptying Litter Bins
- vii. Removal of any drug related Litter (including clinical sharps)
- viii. Any other Cleansing related work at the request of the Contract Administrator.

5.4.3. The working times of the Town Centre Barrow Operatives will be 10.00hrs to 18.00hrs Monday to Saturday inclusive and 11.00hrs to 17.00hrs on Sundays. The operatives are required to work on all bank and public holidays apart from Christmas Day, Boxing Day and New Year's Day. The working times for all bank and public holidays will be 11.00hrs to 17.00hrs. The Contractor shall allow for this in the Tendered Rates and no additional payment will be made. The Contractor must ensure that the Service is fully resourced at all times and make cover arrangements for annual leave, sickness, or any other downtime.

5.4.4. The Contractor is responsible for the provision of all Equipment necessary to carry out the required Services and the Contractor shall include this in the Tendered Rates. The team will require the following Equipment as a minimum:

- i. An 'orderly barrow';
- ii. General Cleansing Equipment including Litter Pickers, brushes, rakes, hoes, spades and other hand tools;
- iii. Graffiti removal Equipment;
- iv. Vertical litter removal Equipment (e.g. scissors, etc.);
- v. Clinical sharps disposal containers.

5.4.5. All work must be carried out to Grade A Standard.

5.4.6. The Contractor is responsible for the supervision and management of the barrow operatives.

5.4.7. The Town Centre Barrow Operatives will be dedicated to the Service detailed above and will not undertake any scheduled Cleansing work or rectification work unless requested or authorized by the Contract Administrator.

REPORT TO A MEETING OF THE POLICY AND RESOURCES COMMITTEE TO BE HELD ON 10TH SEPTEMBER 2020

FUTURE MANAGEMENT OF MEETINGS

1. **PURPOSE OF THE REPORT**

- 1.1 To consider progress in relation to arrangements for the management of meetings arising from the Coronavirus emergency.

2. **INTRODUCTION**

- 2.1 At the Meeting of the Committee held on 9th July, discussion took place on considerations to be taken in the aftermath of the implementation of measures to manage Covid -19, particularly the continuation of remote access to meetings and preparation for a return to conventional meeting formats at such time as social distancing restrictions are relaxed.
- 2.2 The Committee considered that a response to the challenges would best be considered initially by the Communications Working Group and accordingly **RESOLVED** as follows:
- (i) that the Communications Working Group expand its remit to consider the opportunities for enabling remote access to Council meetings, including streaming of meetings to the internet via mainstream media such as You Tube;
 - (ii) that the Communications Working Group considers the implications for managing public access to meetings alongside face to face meetings, following the removal of restrictions on social distancing with a view to reporting its findings to the Council Meeting in September 2020;
 - (iii) that the Town Clerk conducts a comparative exercise with other Council's locally in relation to managing public access to meetings, particularly the consideration and award of community grants.
- 2.3 This Report provides information in relation to the work undertaken by the Communications Working Group, both in terms of the response to Covid-19 and its wider review of use of the Council's social media accounts.

3. **COUNCIL MEETINGS**

- 3.1 The Communications Working Group has met on two occasions and a third meeting is planned for the 8th September. The outcome of that meeting will be reported to the Committee.
- 3.2 The Council meeting on 16th July had discussed the possibilities for "live" streaming of meetings that are presently being recorded and held remotely. It was noted that the Zoom platform facilitated placing these recordings on Facebook or uploaded to

the You Tube platform. Each approach offered an opportunity to give access to Council meetings to a wider audience. It was readily acknowledged that meetings were a very direct reflection of the Council and that Councillors would need to exercise caution when engaging in debate. There was also a need to address issues such as security and compliance with measures to protect personal data.

The Working Group supported the principle of making Council meetings available to the wider public and it was therefore agreed to **RECOMMEND** the Policy and Resources Committee:

- that recorded meetings of the full Council are available for an initial trial period via the Council's Facebook account
- that consideration is given to extending access via the You tube channel following further investigation by the Town Clerk
- compliance with General Data Protection Regulations is investigated prior to commencement of the trial period
- that during the trial period, Council Committee meetings continue to be held remotely and that the public are made aware through the website of opportunities to join and participate in meetings.

3.3 The Town Council presently subscribes to Zoom for its recording of meetings. These can easily be recorded to either a Facebook account or to the You Tube channel. Should the Council wish to make full Council meetings available via this option, then it is suggested that it adopts a policy statement that clearly sets out the manner in which the recording of its proceedings will take place and the expectations it places on members of the public who attend such meetings. A suggested example reflective of that in operation by a Borough Council in the West Midlands is enclosed as an Appendix to the Report. This will be considered by the Communications Working Group at its meeting on the 8th September and any further recommendations reported to the meeting of this Committee.

3.4 In terms of compliance with the General Data Protection Regulations, imagery is personal data as defined in the Regulations since it enables an individual to be identified. The GDPR requires the Council to ensure that it processes personal data in a lawful, fair and transparent manner. In order to do this and comply with the Regulations, the general public will need to be informed that meetings are to be recorded and the action that the Council will take when an individual specifically requests that their image is not recorded.

3.5 At present the Working Group considered that meetings of Council Committees and Sub-Committees should not be recorded until a review is conducted of the trial period, during which full meetings of the Council are recorded and relayed to the general public.

4. SOCIAL MEDIA

4.1 The Working Group has reviewed current management and use of the Council's Social media pages. These can presently be found as follows:

<https://twitter.com/RLSTownClerk>

<https://www.facebook.com/Royal-Leamington-Spa-Town-Council>

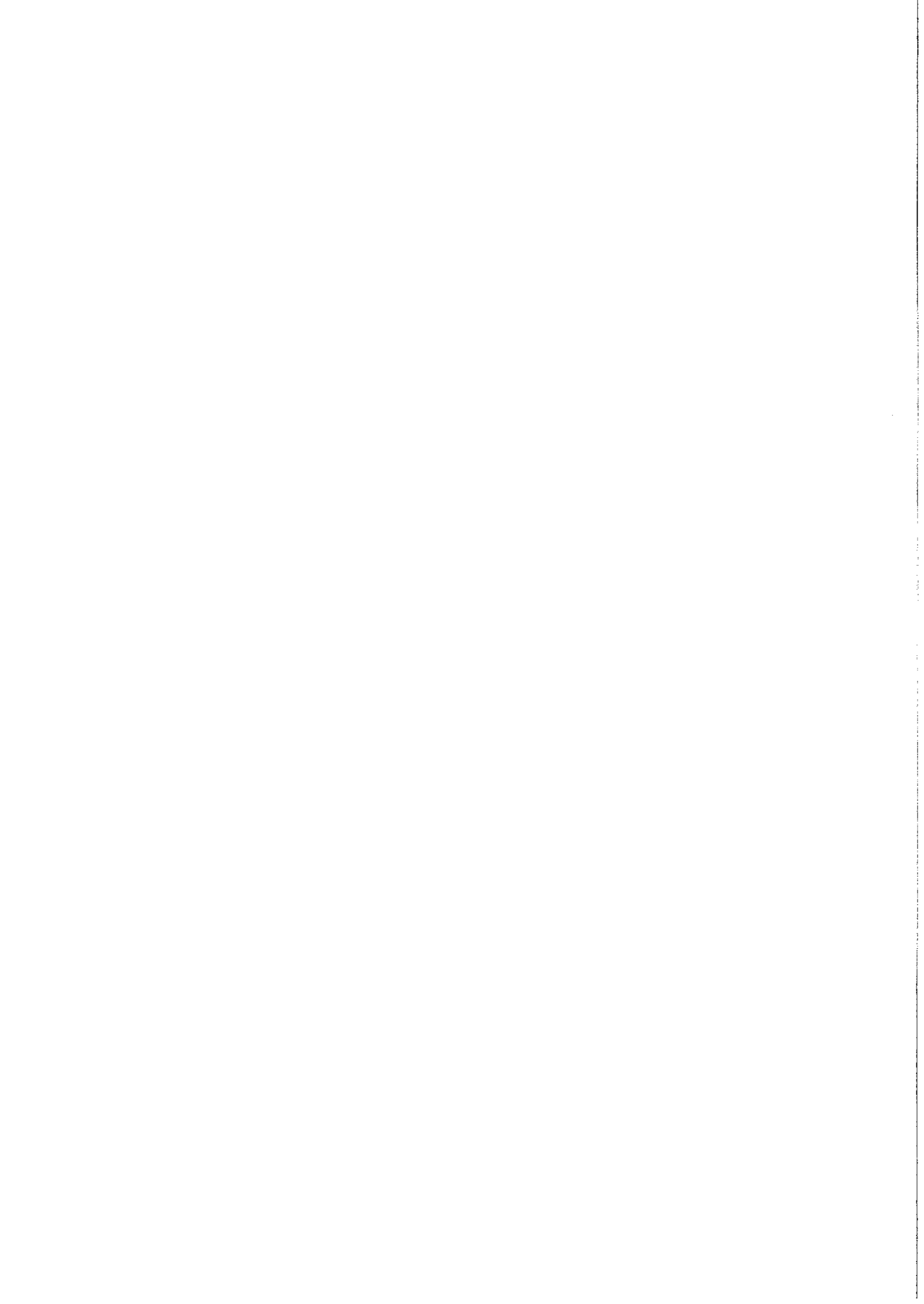
4.2 At successive meetings work has been undertaken on developing a policy in relation to use of Social Media. The Working Group has adopted and refined an example published by the Local Government Association and this is included as an Appendix to the Report.

4.3 The Communications Group is presently reviewing the content and process for updating and managing these social media accounts and further recommendations will be made to the Committee in due course.

5. RECOMMENDATION

5.1 The Committee is requested to note the work undertaken by the Communications Working Group and approve the following:-

- that recorded meetings of the full Council are made available for an initial trial period via the Council's Facebook account;
- that consideration is given to extending access to meetings via the You Tube channel following further investigation by the Town Clerk
- that participation in meetings held virtually is subject to compliance with the General Data Protection Regulations;
- that during the trial period, Council Committee meetings continue to be held remotely and that the public are made aware through the website and social media of opportunities to join and participate in meetings but that these meetings will not be recorded;
- in relation to the Management of social media, the Guidance set out at Appendix 2 is adopted as a Policy Statement
- that the work of the Communications Group is noted and that further recommendations as may arise in consideration of implementing public accessibility to meetings are taken into account when agreeing a Council Policy.



PROTOCOL FOR RECORDING AND WEBCASTING OF FORMAL COUNCIL MEETINGS.

This protocol is provided to assist in the conduct of recording and webcasting of meetings and to ensure compliance with the Council's obligations under the Data Protection Act 2018, the General Data Protection Regulations and the Human Rights Act 1998.

RECORDING OF PUBLIC COUNCIL AND COMMITTEE MEETINGS

1. Introduction

The Town Council of Royal Leamington Spa is committed to involving local residents in its decision making. However some residents may sometimes not be able to attend the meetings they are interested in.

To ensure that those residents can still get involved, the Council records and streams live, some of its meetings via the internet. These can then be watched online as the meeting happens for up to six months after the meeting. After 6 months, a recording of the meeting can be ordered from the Council.

2. Which meetings are recorded and webcast?

Only meetings of the full Council are currently recorded on the Council's Facebook and YouTube channel. The Council will review the options for availability of other meetings via this medium in due course. Details of how to access these meetings are published with the Council Agenda.

3. How do we record meetings and how long will the recording be available?

The Council presently records its meetings via the Zoom platform which produces a file that can be streamed to external sources such as Facebook and YouTube. At a future date it may be possible to record meetings via cameras that are located in the Council Chamber in order to provide a webcasting facility.

The recording of meetings of the Council will be available on the Council's social media channels for a period of 6 months after which copies of recordings may be available upon request.

4. Are there any meetings or parts of meetings which the Council may not available via the internet?

The Council wants to make sure meetings are available as far as possible to ensure full engagement with the public. However, there are instances where it may not be appropriate to record and webcast a meeting or parts thereof, for example:

- When an individual, who is presenting at a public meeting, specifically requests not to appear on the public webcast, and we agree with the request. We will always seek to accommodate such requests and work with that individual to agree an approach that is satisfactory to all parties. Any such part of a meeting that has not been webcast will not appear online or be available following the meeting.
- In considering whether or not to record contributions by children at meetings the Council will, for those aged 16 or over check with the young people themselves that they are content to be filmed and, subject to that, record and broadcast them. For children younger than 16, or those who are otherwise thought vulnerable, we will record only with the consent of the appropriate parent or guardian. If we are in any doubt we will stop the webcast whilst children are speaking.
- When Councillors at a meeting pass a resolution to exclude the press and public because there is likely to be disclosure of “ exempt” or confidential information. This will happen in situations where national rules allow the Council to exclude the press and public. You will be notified if watching from home that the webcasting has ceased for this part of the meeting and why. The Council will only do this if they have good reason as it will always try to conduct its business in public.

5. Signage of webcasting and other filming and recording at meetings

Agendas relating to meetings of the Council that are recorded and webcast include a statement to alert the public to the webcast as well as the rights of the public generally to film, record, photograph and use social media to report from the proceedings, as follows:

WEBCASTING NOTICE

This meeting will be filmed by the Council for live and/or subsequent webcasting on the Council’s Social Media account and/or website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be available for 6 months. A copy of it will also be retained in accordance with the Council’s obligations under the Data Protection Act.

If you make a representation to the meeting, unless you have specifically asked not to appear on the webcast, you are taking positive action to confirm that you consent to being filmed. You have been made aware of the webcast and entering the Council Chamber or meeting room, or upon entering the meeting virtually, you are also consenting to being filmed by the Council and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you do not wish to have your image captured, you should sit in the public gallery area. If the meeting is being held virtually, you may join the meeting without revealing your image by simply turning off the video option.

In addition, the Council is obliged by law to allow members of the public to take

photographs, film, audio-record, blog or tweet the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

If you have any queries regarding webcasting or the recording of meetings by the public, please contact the Town Clerk on 01926 450906 email clerk@leamingtonspatowncouncil.gov.uk

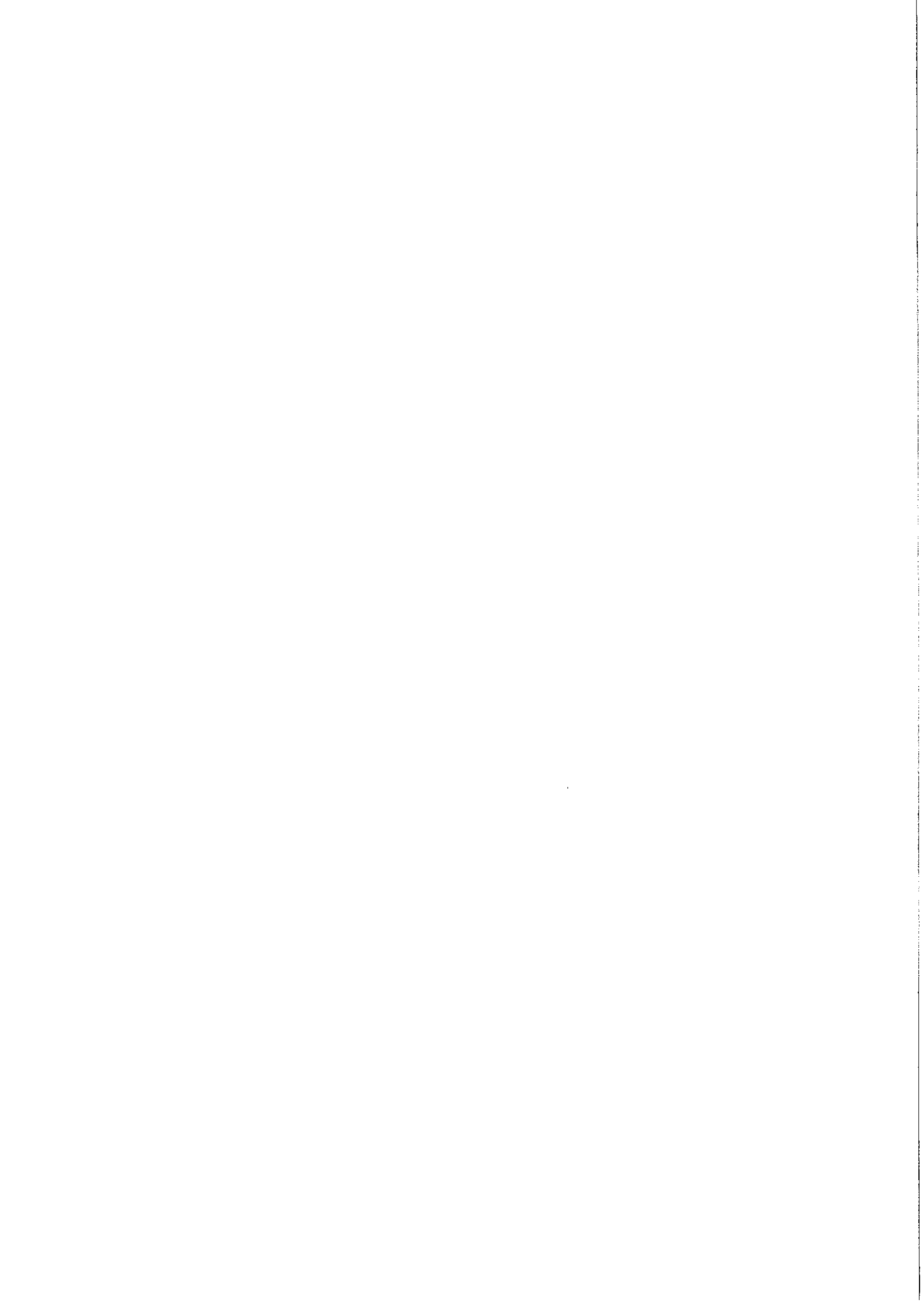
6. The Role of the Chair

The Chair of the meeting will make an announcement at the beginning of the meeting to make sure everyone understands that the meeting will be recorded and webcast and that they may also be filmed by others in the Chamber.

The Chair of the meeting has the discretion to request the termination or suspension of the webcast if continuing to webcast would prejudice the proceedings of the meeting. This would include:

- (i) Public disturbance or other suspension of the meeting;
- (ii) Exclusion of public and press being moved and supported;
- (iii) Any other reason supported by the Council

Archived recordings/webcasts or parts of webcasts shall only be removed from the Council's website and media channels if the Council considers that it is necessary because all or part of the content of the webcast is, or is likely to be, in breach of any statutory provision or common law rule, for example Data Protection and/or Human Rights legislation or provisions relating to confidential or exempt information. It is anticipated, however, that meetings will be conducted lawfully and that the need to exercise this power will occur only in an exceptional basis.



SOCIAL MEDIA GUIDANCE

The adoption of Policies for managing the use of social media varies considerably but all have the same basic message:- ***don't post any message on social media that you wouldn't happily say in a public meeting.***

The Local Government Association has however produced a simple guide of the major do's and don'ts for social media in a local government context.

Do

- talk to residents, staff and others and do answer their questions (quickly and honestly)
- trust your teams and staff to use social media
- be responsible at all times
- be respectful at all times, too
- innovate – different approaches work for different people
- have a personality – corporate speak or just issuing press releases won't work well on social media
- share other people's helpful content and links
- credit other people's work, ideas and links
- listen (social media is designed to be a two-way channel, just like any good conversation)
- ask your own questions. Seek feedback from your residents (but make sure you share the results with them)
- have a rota where appropriate – share the load and you'll get more from your accounts
- adhere to your existing HR policies – you don't need a separate HR policy especially for social media
- learn from others – there is rich learning of good practice social media use across local government via organisations such as the LGA, comms2point0 and Improvement and Efficiency West Midlands (IEWM).
- All articles must be relevant to Town Council activities or reflect interest in matters specific to Leamington Spa
- Members of the Council should generate items for posting on the Council social media pages and accompany them with photographic images where possible
- No overtly political messages
- Items must be factual

and more than anything, do use social media in the spirit in which it was intended – to engage, openly and honestly.

Don't

- broadcast or talk at people. Your residents will soon spot broadcasts and respond accordingly
- block social media – social media is not a risk, blocking its use is a risk
- try to cover up mistakes, be honest and you'll get more respect for it in the long run
- build accounts and just hope people will come – sometimes it is best to go to the places where your audiences are already having conversations
- assume that social media will look after itself – you will need to invest time, enthusiasm and energy to make it work. And don't leave your accounts unattended for long spells
- post content which will embarrass your council or yourself
- ignore legal advice, it's there to help you
- think that a disclaimer in your bio will save you from potential legal action, it won't
- expect your staff to make do with old technology which can be a barrier to effective working
- share your passwords with anyone other than your communications leads
- forget that social media is 24/7 – just because you leave at 5.00 pm doesn't mean the world stops or that residents won't be active. If your account is only staffed 9-5 then you should say so on your profile.

The above apply equally to social media sites managed by the Town Council and those that are personal sites of elected Members. It should be remembered however that in posting information in connection with a Councillor's role as an elected Member of the Town Council, messages should be of relevance to the role of the Town Council. If a topic is one of a general nature or expressing an opinion on a matter of the day, then that should be posted on an individual member's social media account not on the Town Council account. Opinions that are likely to be political in nature or likely to bring the Town Council into disrepute **must be avoided.**

**REPORT TO A MEETING OF THE POLICY AND RESOURCES COMMITTEE TO BE
HELD ON 10TH SEPTEMBER 2020**

EQUALITY AND DIVERSITY POLICY

1. PURPOSE OF THE REPORT

To consider and approve a revised Equality and Diversity Policy for the Town Council.

2. INTRODUCTION

2.1 The Council's present policy document in relation to equality and diversity issues is embodied in its Equal Opportunities Policy approved by the Council at a meeting in December 2006.

2.2 Whilst the principles embodied in that Policy document remain valid, there have been a significant number of legislative changes in recent years, most notably the Equality Act 2010 which has introduced through secondary legislation various other Regulations relating to the equitable treatment of employees, members of Council and the general public. The current Policy has therefore been reviewed and updated to take account of these legislative changes.

2.3 The Revised Policy which also recognises advice of the National Association of Local Councils is set out as an Appendix to this Report.

3. RECOMMEDATION

3.1 The Committee is asked to consider the Equality and Diversity Policy and approve its adoption in substitution of the Council's current Equal Opportunities Statement and Policy.

