

**5. TOWN CLERK'S REPORT - FINANCE AND GENERAL PURPOSES COMMITTEE – For Information – Update on resolutions from 23 January 2018**

**MINUTE 486/17 b – LYSKERRYS YOUTH - FUNDING BID FOR YOUTH**

**PROVISION** “the Council carry out an appraisal of the youth provision in the town in the next 6 months.” The proposed timetable for this will be:

- 1<sup>st</sup> May 2018 C&E Committee – a report detailing youth provision will be researched and put to the Committee with a view to the Committee making recommendations to 22<sup>nd</sup> May 2018 F&GP Committee.
- 22<sup>nd</sup> May 2018 F&GP Committee – to receive the recommendations and consider the context and approach to take with allocating the remainder of the 2018/2019 Youth Fund and possible ongoing funding of youth provision.

**7. GRANT APPLICATIONS – a). Cymaz Music – 2018/2019 Programme - £3,850 requested application and accounts attached. b). Liskeard Branch of the Royal British Legion GP90 Event - £200 requested application attached.)**

**Background** – The Committee has a 2017/2018 grants budget of £8,000. To date, £4,550 has been approved to projects. £3,420 of the budget remains to be allocated until 31<sup>st</sup> March 2018.

**RECOMMENDATIONS:** a). That the Committee consider the Cymaz Music request for grant. b). That the Committee consider the Liskeard branch of the Royal British Legion request for grant.

**8. YOUTH FUND 2018/2019 – REFERRED FROM COUNCIL MINUTE 501/17.D. 30<sup>TH</sup> JANUARY 2018. – to approve the makeup of the Youth Fund 2018/2019.**

**Background** – Council resolved to form a £20,000 Youth Fund from a combination of an underspend in the grants budget (£3,450 in the current year) and the CCTV nominated reserve (£27,000 nominated reserve) the final apportionment to be the subject of a report to Finance & General Purposes Committee.

**Update** – since the 30<sup>th</sup> January Council meeting, the Council has received two applications for grant as identified at agenda item 7. Depending upon the decisions made by Committee at the 20<sup>th</sup> March meeting, the underspend of the grant's budget might not exist. A simple approach would be to find the complete £20,000 sum for the Youth Fund 2018/2019 from the £27,000 CCTV nominated reserve. The residual £7,000 could be placed into the general reserve or perhaps held pending receipt of tenders on the Public Hall Refurbishment Project to allocate to any presently unforeseen circumstances.

**RECOMMENDATION:** That the Youth Fund 2018/2019 be funded from the CCTV nominated reserve.

**9. GENERAL DATA PROTECTION REGULATIONS (GDPR) – to consider the implications of the draft GDPR regulations. a). to approve the range of actions identified under 9.5 below. b). to nominate the Town Clerk as the Data Protection Officer (DPO).**

9.1 Background – The General Data Protection Regulations are presently going through the parliamentary scrutiny phase to enable their adoption. The date of commencement of the new regulations is 25<sup>th</sup> May 2018. The Town Clerk and Support Service Manager have attended training (most recently 9<sup>th</sup> March 2018) organised by Cornwall Council. Cornwall Council have helpfully supplied templates of the various forms required by GDPR.

9.2 Main Changes of GDPR over the Data Protection Act 1998 – These are:

- Greater clarity over the use of personal data.
- Proof of consent required for data sharing.
- Enhances rights of access for data subjects.
- Mandatory breach disclosure within 72 hours.
- A need to appoint a Data Protection Officer.

9.3 Liskeard Town Council is a “Data Controller” and is registered as such with the ICO - The Town Council has the following responsibilities GDPR data:

1. Data to be processed fairly and lawfully.
2. Data to be collected and processed for specified, explicit and legitimate purposes.
3. Data to be adequate, relevant and limited to what is necessary (data minimisation).
4. Data is to be accurate and kept up to date.
5. Data should be kept in a form that permits the identification of the data subject and must not be kept longer than necessary.
6. Data should be processed in a manner that uses technical and organisational measures to ensure the appropriate security.

9.4 “Personal Data” and “Special Categories of Data” – GDPR effects:

9.4.1 “Personal Data” – where an individual is identified – including by IP address.

9.4.2 “Special Categories of Data” – relating to:

- Racial or ethnic origin
- Political Opinions
- Religious or similar beliefs
- Trade Union membership
- Physical and mental health conditions
- Sexual life and sexual orientation
- Genetic data
- Biometric data (when processed to identify a person)

The Town Council has limited amounts of “Personal Data” and does not hold “Special Category Data”. Councillors Registers of Interest are a statutory obligation which can be held for processing terms.

9.5 Next Steps - To show that it has taken the GDPR account, the Town Council should take the following steps:

- Put in place suitable policies and procedures. (Cornwall Council have offered to supply these to Town and Parish Councils once the Policies and Procedures have been written).
- Ensure that staff are trained. – training has commenced but should extend to all staff and be updated as necessary. May be necessary for Councillors.
- Appoint a Data Protection Officer (DPO). – Council should appoint before 25<sup>th</sup> May 2018.
- Undertake Data Protection Impact Assessments when appropriate. (Cornwall Council have supplied a template)
- Record our processing activities. – Have obtained a template and coordinating consideration of which data should be included.
- Consent – where the Council holds individual information it must have a lawful reason to do so and obtain clear and unambiguous consent for holding personal data.
- Update forms, notices, websites and e-mail addresses etc. – to reflect the legislation.

9.6 Further Details – The following are recommended or noteworthy:

1. Employees and Councillors – are individuals and are classified as “vulnerable”. For example, employees individual bank and account details are held by their employer. Councillors details are held in the public domain.
2. Councillors and Staff – should not circulate “personal” and “sensitive” data beyond the Council.
3. Subject Access Requests (SAR)s – currently public bodies have 40 days to process a SAR. This could be changed to 30 days.
4. Community Groups Contact list – The Council is occasionally asked for a listing of Community Groups in the town. The Council may need to discontinue sending this list out if asked.
5. Document Retention Policy – Cornwall Council’s Legal Service advise not to retain any personal data beyond the guidance given in the Batchelors Guide.
6. Privacy Impact Assessment – after 25<sup>th</sup> May 2018, for new activities that use personal data, a Privacy Impact Assessment will need to be completed.

**RECOMMENDATIONS:** a). to approve the range of actions identified under 9.5.  
b). to nominate the Town Clerk as the Data Protection Officer (DPO).

**10. PRINTER/PHOTOCOPIER – NEW CONTRACT - to consider options for the replacement of the current printer/photocopier (revised EXCEL spreadsheet will be available).**

Background – The Council leases from Concorde, the printer/photocopier machine in the annex to the Council offices. On a parallel contract, the company also services and maintains the machine, including the provision of toner, but not paper. The present machine is now 8 years old. It was originally obtained on a 5 year agreement 2010-2015. In 2015, Concorde recommended that the Council take out a lease on a new printer/photocopier for slightly less than the rate that it was then paying.

The Council considered, that the 5 year old machine had not given any problems and was known to be a good make. The Council decided to take a 3 year extension to the contract on the current machine. This generated a significantly greater quarterly and annual saving. The total saving over the 3 years to the Council being almost £3,000 (£2,928). At the time, the Council considered that the amount saved over the three years might enable a machine to be purchased outright.

Options – These are attached. In drafting the quote, Concord have used the level of average use of the printer/copier at the time the contract was extended in 2015. This level of quarterly volume was 15,756. The most recent actual averages from July 2017 – the beginning of March this year, is 10,231 a quarter. The Council has reduced by approximately one third its use of the printer/copier. This is due to several factors including:

- Reducing the frequency of Committee meetings.
- Increasing the use of electronic based agendas, minutes and reports.
- Introduction of electronic versions of forms, invoices, “mailouts”, etc.

In addition, to reducing the annual costs of the printer/copier, the Council has reduced its stationary use. The frequency of the use of postage has declined to the point that the lease on the franking machine will not be renewed when it lapses on 26<sup>th</sup> March 2018.

It should be noted that the options are for machines that will print A3 colour. As the current machine has only black and white printing capability – there is no current use data comparison.

Further information has been requested from Concorde which will be circulated as soon as available.

**RECOMMENDATION: That the Committee considers and adopt one of the options.**

## **11. IT CONTRACTOR – EXTENSION OF CONTRACT – to consider options for extending the IT contractors’ contract.**

Background – the 28<sup>th</sup> February 2017 Council meeting considered the results of a tender exercise with regards the Council’s IT activities. Four IT contractors provided quotes. The Council placed the contract with the Pckernow.

The one year contract will finish at the end of the financial year (31st March 2018). Given the recent nature of the tender exercise, the IT contractor has been asked if the current rates (£55 per month for two hours support) would continue for the following two options.

1. a one year extension at the current rates.
2. a 3 year extension with the option to review the rates and terms in the second year of the extension that is, 2019/2020.

The IT contractor Pckernow has indicated that they would maintain the services at those rates.

**RECOMMENDATION: That the Council offer Pckernow a 3 year extension with the option to review terms and conditions in the 2019/2020 financial year.**

## **12. EMPLOYMENT LAND DEMAND ASSESSMENT – to approve the selection of Stratton Creber Commercial by the partners.**

Background – the opportunity to tender was supplied to 11 contractors. The contractors list was drawn up with companies suggested by the Local Enterprise Partnership, Cornwall Council and Cornwall Development Company which organisations have recent experience of tendering for such studies.

Stratton Creber Commercial were the only company to submit a tender for the work. The tender was considered at an initial meeting of Town Councillors and the Town Clerk and relevant partners. An additional, meeting was held with Stratton Creber Commercial Town Council representatives and our partners.

The partners present at the meeting with Stratton Creber Commercial were:

- Liskeard Town Council – 3 Councillors and the Town Clerk
- Cornwall Quality Livestock Producers – local farmers marketing co-operative
- Menheniot Parish Council – two prospective sites are within the Menheniot Parish area.
- Liskeard Chamber of Commerce – local knowledge of prospective purchasers/tenants for the employment land.

The tender comes within the sum allocated for the study. The Town Council is invoicing the partners for their contributions. The Town Council's contribution is 10% of the total cost.

Following, detailed discussions with the Stratton Creber Commercial, the partners were happy to appoint Stratton Creber Commercial to undertake the employment land demand study.

**RECOMMENDATION: That the Committee confirm the selection by the partners of Stratton Creber Commercial**

**13. SAFER CORNWALL (attached report) – to consider the attached report from Safer Cornwall regarding the launch of a Safer Liskeard initiative.**

Background – Safer Cornwall is a partnership initiative as outlined in the attached report. A meeting is scheduled with the Lucy Allison – Community Safety Officer – East Cornwall and the Town Clerk on the day of the Committee meeting. A verbal update at Committee might be necessary.

**RECOMMENDATION: That the Council supports the Safer Liskeard initiative.**

**14. INTERNAL AUDITOR ACCOUNTING ADVICE – to consider the advice of the Internal Auditor regarding the Council's accounting methodology and systems.**

Background – the Internal Auditor has been retained to carry out the internal auditor function of the Council which function he is performing and will report at the relevant times.

The chair and vice chair of one of the service committees have suggested the possibility of using SAGE reports directly to Committee rather than manually converting the info from SAGE into EXCEL. The benefit would be to avoid potential clerical mistakes in handling the data a second time. This suggestion has been discussed with the Internal Auditor on his visit on 12<sup>th</sup> March. He has made the following points:

- SAGE is not a good package from which to directly extract reports – (one Town Council that does take reports directly from SAGE had a 164 page budget and precept setting agenda for their Council this year). – This is why many Councils take data from SAGE but present it in reduced and simplified way, in most cases EXCEL is used to present the reports.
- The Internal Auditor has indicated that subject to the SAGE system being modified to do so, a revised coding system being used and relevant staff

trained, SAGE should be able to extract automatically the data into EXCEL without the ongoing need for manual input.

- The Internal Auditor also recommended that the Council adopt accrual accounting – currently EXCEL reports to Committees only list invoices that have paid. However, this does not give as useful and up to date picture, as it could as, it does not reflect those goods for which orders have been placed, but payment not yet made.

Deacon Jewells are specialists in SAGE and have given a cost of £200 to set up the accruals system on SAGE and show us how to use it, plus code changes etc. This cost can be booked to the training budget of the Finance & General Purposes Committee.

This would overcome the issues reported at the 13<sup>th</sup> March 2018 Facilities Committee meeting.

**RECOMMENDATION: That the Council adopt the recommendations made by the Internal Auditor and retain Deacon Jewell to make the necessary changes to SAGE, the coding system and to undertake the necessary staff training.**

**15. PAYMENTS SCHEDULE – to receive and approve the payments schedule.**

**RECOMMENDATION: That the Payments Schedule is approved.**