



Okehampton Town Council

Okehampton Town Council

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Absence Management Policy

1. Introduction & Policy Objectives

The Council is committed to providing effective, high-quality service to all its customers and to optimising the contribution of all employees. As part of this aim, it is essential that all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive, and consistent manner across all areas of the workforce.

The Council must balance the sensitive management of genuine individual sickness against its need to be publicly accountable for its resource allocation and, as such, cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short-term sickness or extended periods of absence as appropriate.

1.1 Aims

In order for the Council to meet its operational responsibilities, it will ensure that:

- It provides a supportive, safe environment for those employees affected by ill-health.
- Managers and employees strictly adhere to this policy and its tracking procedures.
- Levels of sickness absence are the subject of routine corporate monitoring.

1.2 Responsibilities

The onus for attending work on a regular basis and for reporting absence in accordance with the Council's agreed procedures rests entirely with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The responsibility for recording, monitoring, and managing absence on a day-to-day basis lies with the Town Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

1.3 Day-One Notification & Reporting Procedure

Employees who are unable to work due to illness or injury must contact the Town Clerk, or relevant line manager, personally via telephone as soon as possible.

- Notification must be given no later than 09:30am on the first day of absence or the nearest working day.
- Messages left with colleagues are not acceptable forms of notification unless in exceptional circumstances. If the Town Clerk or line manager is unavailable, the employee must contact the main council office.
- If the employee is physically incapacitated, they must arrange for a relative or representative to call on their behalf within the timeframe.

The employee must provide a clear indication of:

- The precise nature of the absence or injury.

- The date the injury/illness began (including weekends and public holidays).
- The expected duration of the absence.
- Details of any immediate public-sector commitments or council meetings that need completing or reassigning.

The employee must maintain regular contact with the Town Clerk or line manager during any period of sickness absence lasting longer than one day, ensuring the Council is aware of recovery progress and the expected date of return. Failure to follow this process without a valid reason will lead to the absence being considered unauthorised, resulting in an automatic loss of pay and possible disciplinary action up to and including dismissal.

2. Evidence of Absence & Certification

The Council requires precise tracking of all absences to remain publicly accountable for public resource spending.

2.1 Self-Certification

Where the absence is for a period of up to seven calendar days (inclusive of weekends) and is not covered by a doctor's certificate, the employee will be required to complete and sign a confidential Self-Certification/Sickness Declaration Form immediately upon their return to work. This may be managed or distributed digitally via BrightHR.

2.2 Medical Certification (Fit Notes)

If the absence exceeds seven calendar days, the employee must provide a doctor's certificate ("Fit Note") covering the remainder of the absence. The employee must ensure that consecutive certificates are submitted without gaps to cover the entire duration of the sickness period.

If a doctor's certificate states that the employee "may be fit for work," the employee must inform the Town Clerk immediately. The Town Clerk will discuss whether additional temporary adjustments, altered duties, or workplace measures can facilitate a safe return to work. If appropriate measures cannot reasonably be accommodated, the employee will remain on sick leave, and a future review date will be established.

In the event that a medical practitioner recommends a phased return to work via reduced hours over a set period of time, any unworked hours during that phased transition will be recorded and classified as sick leave.

3. Return to Work Interviews

When an employee returns to work after any period of absence, the Town Clerk or their direct line manager will arrange an informal Return to Work Meeting. This meeting will take place on the employee's first day back, or as soon as practically possible. The critical core purposes of this meeting are:

- To verify that the employee is fully fit to resume their standard operational duties.
- To give the employee a confidential forum to voice any domestic, welfare, or work-related challenges.
- To update the employee on key council business and operational decisions that occurred during their absence.
- To review, complete, and sign the official Sickness Declaration Form.

4. Sickness Absence Triggers & Monitoring

The Council proactively monitors, records, and manages sickness absence to maintain workforce efficiency and minimize disruption to community operations. A formal attendance review will be initiated if an employee triggers any of the following parameters within a rolling 12-month period:

- Four distinct episodes of short-term sickness absence.
- A total cumulative duration of 10 working days of short-term sickness absence.

- Any distinct pattern of absence that raises operational concern (e.g., persistent absences immediately preceding or following weekends, public holidays, or scheduled council committee dates).

5. Managing Attendance: Review Procedures

The core objective of the review procedure is to evaluate the causes of absence and discuss ways to support attendance improvement. If no sustained improvement occurs, the employee may face formal disciplinary action up to and including termination on capability grounds.

5.1 Right to Be Accompanied

For all formal review meetings under this policy, the employee has the right to be accompanied by a workplace colleague or a recognised Trade Union representative.

5.2 Cross-Over Conduct Protection

The Council maintains absolute discretion to review an employee's cumulative performance record. The Council reserves the right to issue the next level of warning if an employee is already subject to a live warning for conduct or attendance (e.g., if an employee has a current verbal warning for lateness and subsequently hits a trigger for sickness absence, this may result in a formal written warning being issued).

5.3 Administrative Discretion

The Council retains full discretion to vary these absence management procedures to take reasonable account of an employee's length of service, structural role, or exceptional individual circumstances.

6. Sickness Review Pathway

6.1 Initial Review Meeting

The Town Clerk or line manager will write to the employee to arrange a meeting at a convenient time, date, and venue. The employee will be provided with an exact breakdown of their absence record prior to the meeting.

At this meeting, management and the employee will discuss the attendance record, the core reasons for the absences, any support frameworks the Council can offer, and the exact improvement targets required.

- If the absence is continuous and long-term, the case will transition to the **Long-Term Sickness Procedure (Section 8)**.
- If an underlying medical issue is disclosed, the case will transition to the **Underlying Health Conditions Procedure (Section 7)**.
- If no underlying health conditions are identified, the employee will be informed that their attendance must improve. Review meetings will then be formally scheduled at 12-weekly intervals using the Sporadic Absence Process detailed below.

6.2 The Sporadic Absence Process (12-Week Cadence)

1. **First Review (12 Weeks After Initial Meeting):** The manager will write to arrange a formal meeting and provide updated absence records. If attendance has not improved to an acceptable level and no underlying medical condition is identified, the employee will be issued a Formal Verbal Warning. This will be confirmed in writing alongside their right of appeal. A further 12-week monitoring period will be set. If targets were met, no disciplinary action is taken, but tracking continues to the next 12-week checkpoint.
2. **Second Review (12 Weeks Later):** If attendance remains unacceptable and no underlying medical issues are highlighted, the employee will be issued a Formal Written Warning (or a Formal Verbal Warning if none was previously active). This is confirmed in writing with appeal rights, and a further 12-week monitoring phase is scheduled. If

attendance has improved to the required level, no further disciplinary action will be taken at this time, and a further meeting will be set in 12 weeks' time. If your attendance has reached the required level at the first and second reviews, you will no longer be subject to attend further review meetings.

3. **Third Review (12 Weeks Later):** If attendance has not improved to the required level, the employee will be issued a Final Written Warning (or escalated to a Formal Written Warning if a verbal warning was the only active penalty). Appeal parameters will be provided, and a final 12-week monitoring window is established. If attendance has been successfully met and maintained the required standard across both the second and third review periods, the employee will exit the active review pathway.
4. **Fourth Review Meeting (12 Weeks Later):** If attendance has failed to reach an acceptable level and no underlying medical conditions are active, the employee may be dismissed. You will have the right to appeal against your dismissal. If the employee did not receive a Final Written Warning at the previous turn due to fluctuating attendance, a Final Written Warning will be issued at this stage, and a final 12-week tracking period will be set with appeal details. If your attendance has reached the required level at the third and fourth reviews, you will no longer be subject to attend further review meetings.
5. **Fifth Review Meeting (12 Weeks Later):** If the individual was placed on an extended tracking track at Stage 4 and attendance remains structurally unacceptable without an underlying medical cause, they may be dismissed. You will have the right to appeal against your dismissal. If attendance has improved to the required level, no further disciplinary action will be taken at this time, and a further meeting will be scheduled in 12 weeks' time. If attendance has reached the required level at the fourth and fifth reviews, you will no longer be subject to attend further review meetings.
6. **Subsequent Review Meetings:** Should there be further cause for concern regarding your attendance levels, the above reviews may be continued or the process started again.

7. Underlying Medical Conditions & Occupational Health

If at any stage of the Managing Attendance Review Process the employee or their line manager identifies that an attendance issue may be driven by an underlying medical condition, the Town Clerk will determine whether an Occupational Health referral is required.

This process involves gaining the employee's written consent to refer them to the Council's designated Occupational Health advisor or an independent physician selected by the Council. The core purpose of this referral framework is to secure independent medical advice regarding:

- The precise nature, prognosis, and expected duration of any underlying or recurrent condition.
- Practical, objective recommendations for reasonable adjustments to the employee's workspace, hours, or duties, which the Council will evaluate under the Equality Act 2010.

Any mutually agreed workplace adjustments will be documented in writing and taken into account when executing the subsequent procedures. It may be necessary to hold regular tracking meetings over a period of time to consider how your illness or condition is affecting your attendance at work. While it is the Council's aim to offer support, if your level of attendance is still unacceptable and all other viable options (including alternative redeployment) have been completely exhausted, the Council may need to consider dismissal on the grounds of medical incapacity as a last resort. Any such decision will result in payment in lieu of notice and include formal appeal details within the dismissal letter.

8. Long-Term Sickness Absence Procedure

The Council views continuous sickness absence extending beyond four consecutive weeks as long-term absence. All such cases are handled sympathetically, with an emphasis on supporting a safe, structured return to work.

8.1 Case Management and Welfare Support

The Town Clerk will maintain proactive, regular contact with the employee throughout their absence. Around the four-week continuous mark, the Council will arrange an informal welfare meeting at a mutually convenient, accessible location (which may include the workplace, a neutral venue, or the employee's home). The employee has the right to be accompanied at this informal meeting by a colleague, friend, or relative. The aim of the meeting is to keep you in touch with events at work, to discuss your absence and offer any relevant support.

8.2 Medical Evaluation & Return Plans

To ensure decisions are made using accurate medical evidence, the Council will request the employee's consent to secure a medical report from their GP, specialist, or the Council's Occupational Health Physician.

Upon receipt of the report, a formal meeting will be held to discuss the findings and explore return pathways. You have the right to be accompanied at this meeting by a work colleague. Where a return to standard duties is supported by medical advice but requires a gradual transition, the Council will provide structured mechanisms such as:

- Temporary redeployment or modified tasks.
- A defined phased return to work plan involving reduced hours or part-time working.

These adjustments will be bound to a strictly defined, temporary trial period and will be subject to ongoing joint review. If the medical professional determines that an employee is permanently or long-term unfit to perform their specific job role but retains the capacity for other types of work, full consideration will be given to finding alternative positions within the Council. If no alternative vacancies exist or adjustments are structurally unviable, and a return to work is not foreseeable within a reasonable timescale, the Town Clerk will arrange a Final Sickness Review Meeting, which may lead to an Attendance Hearing to consider dismissal.

9. Final Sickness Review Meeting

Prior to dismissal being considered for either frequent intermittent absence or long-term absence, the Town Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:

- An employee is declared permanently unfit for work;
- An employee is declared medically unfit for their work and alternative employment cannot be found;
- A decision has been taken that the service can no longer tolerate a high level of absence; or
- A decision is taken, within the Council's disciplinary process, that an employee has wilfully abused the sickness absence/payments provisions or absented themselves without permission.

10. Attendance Hearing

To reach a final decision about whether dismissal is appropriate, an Attendance Hearing will be arranged.

10.1 Panel Composition and Documentation

- The Panel: The Hearing Panel will be comprised of three members of the Personnel Sub-Committee, who will make the decision in relation to dismissal. The Town Clerk and if necessary the line manager will attend to outline the history of absence and any relevant steps taken and advice received.

- **Notice and Representation:** The employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.
- **Evidence Pack:** All paperwork relating to the hearing will be circulated 5 days in advance of the hearing to all parties attending.

10.2 Hearing Conduct and Outcomes

Once the Panel has considered the Town Clerk, line manager's and employee's cases, and all other relevant information, it will adjourn to make a decision. The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

1. The Panel's decision:

- a. If a warning has been issued, the timescale for this and the level of improvement required;
- b. If the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this; or
- c. If the decision is to dismiss the employee, inform them of their relevant notice period (paid in lieu of notice where appropriate) and provide them with any relevant pension information; and

2. The employee's right of appeal.

11. Appeals Process

Employees have the right to appeal against any decision to issue a formal warning or dismissal under this procedure.

11.1 Lodging an Appeal

If an employee wishes to appeal, they should write to the Town Clerk setting out the grounds of their appeal. This must be done within 10 days of the date of the letter informing them of the outcome of the Attendance Hearing.

11.2 The Appeal Hearing

Appeals will be heard by a separate panel of three members, who will normally be part of the Personnel Sub-Committee and/or the Policy & Resources Committee. An appeal hearing will be held where the employee can present their appeal. The Chair of the original panel will also attend to explain the original decision. Witnesses may be called.

Once the Appeal Panel has considered all relevant information, they will make a final decision, which will be confirmed in writing within 5 working days. There is no further right of appeal.

Okehampton Town Council

Absence Management Policy

Return to Work Discussion

Name:				
Date of Meeting:				
Time of Meeting:				
Period of Sickness Absence:	From		To	
Number of Working Days Absent				

* Self Certificate / Doctors Certificate provided (*delete as appropriate) – Attached

Provide brief details of the content of the discussion:	

Signed _____ Date _____
(Employee)

Signed _____ Date _____
(Town Clerk)



Okehampton Town Council

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Allotment Policy

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Okehampton Town Council reserves the right to change the Allotments Policy, rules and procedures from time to time. Any changes will be notified to the tenants in advance and tenants will be expected to comply with any rule changes. In the event of any substantial changes, allotment holders may be consulted.

1. Introduction and Scope

Allotments and community gardens are a great way to grow your own food and enjoy the fresh air whilst learning about cultivation, observing wildlife and improving mental health and wellbeing.

Okehampton Town Council provides three allotments sites, North Road, Fatherford Road and Castle Road. Plots are allocated when they become vacant, subject to an application process to confirm eligibility and signature of a Tenancy Agreement. The Town Council operates a waiting list for all sites. (See allocation of plots.)

2. Eligibility

Applicants for tenancy of an allotment must be over the age of 18 and live within the Okehampton Town Council boundary. If a tenant moves outside of the Town boundary, they will be required to end their tenancy, with the exception of those agreed prior to the 29th September 2026 who may retain their plots.

3. Allocation of Plots

The Town Council operates a waiting list for allotments. Where a resident is added to the waiting list it is their responsibility to ensure that they notify the Town Council of any change to their contact details or eligibility.

There is a primary and secondary waiting list for each allotment site. To enquire about renting an allotment please contact us at 01837 53179 or allotments@okehampton.gov.uk.

Applicants will need to complete an application form and return it to the council either via post or email, and on certification of eligibility will be added to the waiting list.

The Primary Waiting List is for people that live within the Okehampton Town Council boundary, who do not already rent an allotment plot from the Town Council. This system operates on a first come first serve basis and takes priority over the secondary waiting list.

The Secondary Waiting List is for tenants that already rent an allotment from the Town Council and would like an additional plot. The system also operates on a first come first serve basis but will only be considered if there is no one on the primary waiting list.

When a plot becomes vacant the person at the top of the waiting list will be offered the plot in writing, usually by email. The offer should be accepted in writing within 15 working days. Where there is no response, the plot will be offered to the next person on the list, and the original offeree will be asked to confirm they wish to remain on the waiting list.

A tenant may only start work on a plot on completion of all required paperwork and payment of tenancy fees. Fees may be proportionally reduced where a plot is allocated part way through the year. If the plot requires a substantial amount of work to commence cultivation the rent may be reduced at the discretion of the Town Council.

All allotment tenants are required to acquire insurance through the appropriate Allotment Association. The Town Council accepts no liability for any loss, damage or injury to Tenants, or any other person or their belongings occurring on allotment sites.

4. Allotment Tenant Responsibilities

When signing the Tenancy Agreement, the Tenant agrees to the terms laid out in the agreement.

The tenancy will commence in full upon a successful **12-week trial** starting from the date of the signed agreement. During the trial period the landlord or future tenant will be able to withdraw from the agreement at any time without further obligations.

The allotment shall be held on a yearly tenancy from the 29th day of September.

The tenant shall keep the allotment clean, tidy and in a good state of cultivation and fertility, free from weeds, noxious and invasive plants and so deliver up at the end of the tenancy. **At least two-thirds** of the plot must be under active cultivation and the remainder tidy. Pathways must be kept clear including overhanging vegetation.

The tenant shall not cause any nuisance or annoyance to the occupier of any other allotment or obstruct any paths used in common with other allotment holders and every such path shall be kept in a properly maintained condition, including free from overhanging vegetation. Tenants must not take, remove or borrow crops, equipment or supplies that belong to other tenants without their prior consent.

The Town Council encourages chemical free, organic cultivation methods. However, where Tenants use pesticides or fertilisers on their plot they must:

- a. Only use domestic grade pesticides;
- b. Take all reasonable care to ensure that other plots, pathways, hedges and trees are not adversely affected;
- c. Select and use pesticides so that there is minimal risk to members of the public, birds and other wildlife, with the exception of vermin or pests;
- d. Comply at all times with current pesticide regulations. Tenants are advised to refer to the Health and Safety Executive database to ensure that specific products may be lawfully used.
- e. Storage of pesticides and other potentially toxic chemicals on allotment plots or in sheds is not permitted.

The tenant shall not sublet, assign or part with possession of the allotment without the written consent of the landlord.

The tenant shall not without the written consent of the landlord cut or prune any timber or other trees outside of the allocated plot or take, sell or carry away any mineral, sand or clay.

The tenant shall not deposit or allow other persons to deposit on the allotment any refuse or decaying matter (except manure and compost in reasonable quantities) or place any such refuse or decaying matter in any hedges, ditches or perimeter areas including, where applicable riverbanks, situated in the said site or any adjoining land.

The tenant shall not use the allotment to store or dispose of any materials not connected with the cultivation of the allotment.

The tenant shall not erect any fences or plant hedges on the allotment nor use barbed wire on the plot.

The tenant may erect a garden shed to a maximum size of 8' x 8' to be located on the west corner of the plot in FR or at the river end of the plot on NS and CR. The shed shall be constructed of wood treated with Cuprinol shed and fence preserver. The windows must be of plastic or polycarbonate. No non-porous base shall be constructed for the shed. The shed must be maintained in a reasonable state of repair. Residential use or sleeping is not permitted on any other the sites.

A portable toilet may be used in the shed. The tenant is responsible for its cleanliness, regular emptying off site and removal from the site at the end of the tenancy.

The tenant may erect a greenhouse to a maximum size of 8' x 6' adjacent to the shed in position to be agreed with the landlord. The greenhouse shall be constructed in metal or plastic with polycarbonate glazing. The greenhouse must be maintained in a reasonable state of repair.

Polytunnels are not permitted on the site. Cold frames must be constructed of plastic or polycarbonate. No glass is allowed on the site.

Four plastic water butts to a maximum of 210 litres each, or one IBC container (subject to the prior specific consent of the landlord, requests must detail the construction of the base the container sits on is secure and sturdy), are permitted on each plot, providing they are located adjacent to a shed.

Four plastic composters to a maximum of 330 litres each are permitted on each plot. Composters constructed of wood must be of equivalent size. Corrugated iron is not permitted on the site.

No new small (fit into a standard 14 Litres, builders' bucket) plastic materials to be kept on site. Damaged or degrading plastics to be removed from site ASAP (within 3 months).

Any dog brought onto the allotment shall be kept on a lead or tethered and shall not be allowed to cause any nuisance or annoyance to other allotment holders. Dog faeces must be removed from the site.

No animals or bees may be kept on the site.

Cars must be parked in the car park and not on the roadways between allotments. Roadways must only be used by cars and light trailers. No trailers or vehicles can be kept on site overnight. Deliveries of manure by lorry or tractor must be made to the car park of the Fatherford Road site or designated areas on the Castle Road and North Street sites and removed promptly to the allotment.

Bonfires, incinerators and BBQs are NOT permitted on site.

A key to enter the site will be provided by the landlord or their agent (a minimum £10 deposit will be taken for keys this is returnable upon the return of key) the key must not be copied, additional copies can be obtained on request. Key(s) must be returned at the end of the tenancy.

Matting used to control the growth of weeds must be of a type approved by the landlord. The current approved type is weed suppressant fabric of the specific standard; polythene with a thickness of 100 microns as a minimum, the optimum being 200 microns. Carpet is not permitted.

Any officer, employee or contractor of the landlord shall be entitled at any time to enter and inspect the allotment site and plots.

Tenants shall have responsibility for their visitors and ensure that they observe these conditions where appropriate.

The tenant is responsible for all trees, water butts and structures on their plot including any inherited from previous tenants (see clause 7.8).

Water is available on Fatherford site and managed by the Fatherford Road Allotment Association. Tenants wishing to use water must join the Association and abide by their rules.

The allotment is let as an allotment garden and is not let and shall not be used as a market garden which means that sales to the general public are prohibited. Up to four patio or cordon fruit trees are permitted per plot (pro-rata in accordance with any reduced plot size) and must be kept pruned to a size that is harvestable from the ground. No other trees shall be planted thereon, or water feature or pool created. However, this clause shall not prevent the planting of domestic fruit bushes.

Site Management

The Town Council will undertake regular site and plot inspections and reserves the right to access any plot for this purpose. Site inspections will include checking the condition of paths, gates, site boundaries and identification any other issues that need resolving. Plots will be inspected to ensure they are in active use and being cultivated.

7. Termination of the tenancy:

The landlord may re-enter and determine the tenancy on non-payment of rent for 40 days after the same shall have become due (whether formally demanded or not) whereupon a further 30 days' notice to quit shall be given.

The landlord may re-enter and determine the tenancy if the tenant is in breach of any conditions hereof. Such breaches shall be notified to the tenant giving 30 days to remedy the breach, otherwise 30 days' notice to quit shall be given.

If the tenant dies the tenancy shall be deemed to expire on the 28th September following. During the period between the death of the Tenant and 28th September the plot must be given up or worked by family or friends by agreement with the landlord. Consideration will be given to transferring the tenancy to a family member even if there is a waiting list for the site providing they reside within the Town Council boundary.

If a tenancy is in joint names the tenancy can be transferred to one tenant on the agreement or on death of the other. In the event of a dispute, the decision of the Town Clerk following liaison with a nominated Councillor, shall be final.

The tenancy may be determined, or its conditions amended, by the landlord by twelve months' notice in writing expiring on 29th day of September in any year.

The tenancy may be determined by the tenant by giving notice in writing expiring on 28th day of September in any year.

Enforcement

The following enforcement procedure will apply:

1. Informal warning – Tenants who fail to comply with their tenancy agreement will be contacted by phone and confirmed in writing and requested to address the issues of non-compliance within 14 days.
2. Formal warning – Tenants who fail to respond to an informal warning within 30 days will be issued with a formal written warning.
3. Notice to quit – Tenants who fail to respond to a formal warning within 30 days will be given notice to quit.
4. Where a Tenant has been given notice to quit and fails to vacate the allotment, the Town Council is entitled to take possession of the plot and exclude the Tenant. Any possessions left on site will be disposed of.

Threatening, abusive or violent behaviour of all parties (including allotment holders, council staff, councillors or contractors) will not be tolerated by the landlord and constitute a serious breach of the Tenancy Agreement. The Town Council reserves the right to serve immediate notice to quit. Any tenant who has been evicted from a site will not be eligible to hold another plot, and the Town Council will keep a record of this

If it appears to the Town Council that the Tenant, not less than three months after the commencement of the tenancy, is resident more than one mile outside of the Town Boundary, the Town Council may give the Tenant a month's written notice terminating the Tenancy. Where a tenant moves outside of the Town boundary, they will be required to end their tenancy, in accordance with Clause 2.

The tenant shall have the right of appeal to Parks Committee whose decision shall be final.

All sheds, greenhouses and equipment must be removed from the site unless purchased or as agreed by the incoming tenant.

Any issues or concerns should be initially notified to the relevant Allotment Association, including matters relating to vermin control which will be dealt with by the Town Council.

5. Complaints

All complaints should be directed to the Town Clerk. The Town Council's Complaints Procedure can be found on the Town Council website.

6. Personal Data

Allotment Tenants and residents who supply their personal data to be added to the Allotment Waiting List should refer to the Private Notice on the Town Council website for details about how we use your data.



Okehampton Town Council

Allotment Memorandum of Understanding Between Okehampton Town Council and Allotment Associations

(A non-binding document recording agreed expectations
between both parties)

Purpose

This document defines the working relationship between the Town Council and the Allotment Associations. It outlines how both parties communicate to ensure the successful running of the allotment sites.

The Allotment Associations acts strictly in an advisory and consultative capacity. They hold no legal interest in the land, no management powers, and no financial authority over plot rents or council budgets.

The Allotment Associations must abide by the rules and regulations as set out in the allotment Agreement, Council Policy and Procedures and any relevant Government directives.

Water

At present, only the Fatherford Road site has mains water; the other sites draw water from the river. The Allotment Associations will be responsible for managing water use, including water bills.

Contractors

The Town Council will arrange and pay for site maintenance, repairs, health and safety inspections. Community facilities are the responsibility of the Allotment Associations. The Allotment Associations will report site issues, such as broken gates or vermin, to the Council who will arrange a contractor where required.

Plot Holders' Unavailability

The Allotment Association may become aware of health or other issues that affect a plot holder's ability to work their plot, such as a broken limb or family bereavement. This information should be passed to the Town Council so that it can be considered during inspections.

Waiting lists, Tenancy Agreements and Inspections

The Town Council will manage the waiting list, allocate plots, and issue tenancy agreements. Allotment inspections will be carried out by the Town Council who will enforce tenancy rules and manage any non-compliance or evictions.

Rent and Insurance

The Town Council will set, collect, and retain all plot rental fees.

The Allotment Associations will ensure that all plot holders hold relevant insurance and will confirm annually with the council.

Community Facilities

The Allotment Association will be responsible for the upkeep and maintenance of the community sheds, toilets and other shared facilities including the Orchard at the Fatherford Road Allotment site.

Communication

The Allotment Association will act as a direct communication link between plot holders and the Council, representing the collective views and feedback of plot holders.

Council Contacts

Main contact number	01837 53179
Day-to-day management	Abi Horn allotments@okehampton.gov.uk
Park-Keeper	James McGahey parks@okehampton.gov.uk
Town Clerk	Emma James townclerk@okehampton.gov.uk

Complaints

Minor complaints and grievances should in the first instance be raised with the relevant Association. If the tenant is not satisfied with the outcome, it can be escalated to the Town Council, the Complaints Policy and Procedure is available from the Council website or obtained from the Office.

Signed:

Date:

Position:

On behalf of Allotment Association

Signed:

Date:

Position: Town Clerk/RFO

On behalf of Okehampton Town Council



Okehampton Town Council

Okehampton Town Council

Asset Register and Disposal

Policy **DRAFT**

Background

Local councils must maintain an asset register to ensure fixed assets are appropriately safeguarded.

The term fixed asset means items of a capital nature comprising of property, plant and equipment with a useful life of more than one year.

Scope of Asset Register

In order to ensure transparency and reasonableness, the following items are included in the Council's asset register, whether purchased, gifted or otherwise acquired, together with their holding location:

- land and buildings held freehold or on lease in the name of the Council
- community assets
- vehicles, plant and machinery
- assets considered to be portable, attractive or of community significance
- other assets estimated or known to have a minimum purchase or resale value of £500.00 or are of historical importance
- long term investments, shares and loans made by the Council

The values indicated in the asset register will inform the 'total fixed assets' section of the Annual Return with the exception of assets held on trust.

The following items fall outside the definition for inclusion and are therefore excluded from the Council's asset register:

- land and buildings maintained or serviced, but not owned by the Council
- assets rented by or loaned to the Council
- stationery and other consumable items
- boundaries of land owned (e.g. fences, hedges and gates)
- floor or land surfaces and drainage
- plants and trees
- assets with a purchase or resale value of less than £500 (other than items listed as for inclusion in the asset register)
- repairs
- cash, short term investments and other current assets
- intangible assets (e.g. trademarks, internet domain names, contingent assets, broadcast rights)
- negative' assets (e.g. provisions, borrowings, creditors and contingent liabilities)

A schedule of disposals will be kept. All asset disposals must comply with the Asset Disposal Procedure referenced within this policy.

Valuation of Assets

Once recorded on the asset register, the value of assets must not change from year to year until disposal. Concepts of depreciation and impairment adjustments are not

appropriate for local councils (Governance and Accountability for Local Councils: A Practitioner's Guide (England).

Assets must be valued by one of the following means based on available information:

- ideally, apply the purchase price (net of VAT if VAT has been reclaimed);
- otherwise, apply the purchase price (gross of VAT if VAT has not been reclaimed or where the VAT status of the purchase is unclear)

Where it is not possible to trace the purchase price of the asset the insurance valuation should be applied. As a last resort, a nominal value of £1 may be applied. This should also be used for assets gifted to the Council.

There is no guidance where land or buildings have been subject to substantial renovation and improvement to such an extent that the new market value bears no relation to the original purchase cost. In order to avoid renovation and improvement work being separately recorded on the asset register and in these exceptional circumstances only, a market value supplied by a qualified surveyor may be entered, if approved by the council.

Procedure for Updating the Asset Register

The start point is the asset register that has been agreed for the end of the previous financial year. The financial ledger should be reviewed for all purchases made during the year. A discussion should be held with all Council officers to identify any assets that have been gifted to the Council. Any new assets which fall in the categories above should be added to the asset register, with their values recorded at the purchase price (net of VAT if VAT is being reclaimed or at £1 if gifted to the Council).

The financial ledger should also be reviewed for all asset sales made during the year. A discussion should be held with all Council officers to identify any assets that have been lost, disposed of or gifted by the Council. Any assets which fall in the categories stated above should be removed from the asset register and recorded in the schedule of disposals. The asset register should record any assets loaned by the Council, including the person or organisation borrowing the asset, its location and the date when the loan period ends.

It is the Council's responsibility to ensure that an audit of asset register items occurs annually to confirm that items can be physically verified. A Councillor will be nominated annually to undertake this audit which should as a minimum include the silverware and paintings.

Items with a value of less than £500 listed on the Asset Register prior to the adoption of this policy in March 2023 will remain thereon.

The Asset Register and Insurance

For insurance purposes, the asset register shall include a column to record the valuation or replacement value of each asset.

The Asset Register will be used to inform the insurers of Council assets. For the purposes of insurance, the value to be used is the valuation or replacement value of items and not the acquisition price as per the Asset Register. The Council should ensure land and buildings and high value items are valued accurately for insurance purposes, therefore they should be valued every five years.

Asset Disposal

Items can be available for disposal because they are:

- no longer required due to changed procedures, functions or usage patterns
- unfit for purpose
- beyond repair

Items for disposal should be referred to the relevant Committee for consideration and recommendation to full Council in the event the estimated value is in excess of £4,000.

Assets identified for disposal may be dispensed with using the procedures listed below:

- Sale by public tender
- Donated to a community service or organisation
- Scrap

Choice of the most appropriate disposal option will normally be influenced by the nature of the goods for disposal and market value.

Where the Council has determined that goods have no residual value, and where their disposal is therefore unlikely to produce sufficient revenue, it may authorise the donation of the goods to another organisation within the parish area such as schools, charities and volunteer organisations. Donations of items valued in excess of £500 must be approved by full Council.

Where items have negligible value or where the cost and time involved in managing the sale process would exceed the financial benefit, the equipment may be scrapped.



Okehampton Town Council

Okehampton Town Council

Discretions Policy (Employer Pensions)

DRAFT

The LGPS Regulations 2013

and

The LGPS Regulations 2014

(Transitional Provisions and Savings)

and

The LGPS Regulations 2008

(Benefits, Membership and Contributions)

(as at 14th May 2018)

Employer name: Okehampton Town Council

Policy effective from: 1st October 2026

These policies may be subject to review from time to time. Affected employees will be notified of any subsequent change to this Policy Statement.

Print name of authorised officer: Emma James

Job title: Town Clerk

Signature of authorised officer: E James

Date: 21st September 2026

Mandatory LGPS 2013 & 2014 discretions

Discretionary policies from 1 April 2014 in relation to post 31 March 2014 active members and post 31 March 2014 leavers (excluding councillor members)

Power of employing authority to grant additional pension (Reg 31)

An employer can choose to grant extra annual pension* (at full cost to themselves) to:

- an active member; or
- to a member, within 6 months of leaving, whose employment was terminated on the grounds of redundancy or business efficiency

**(Please see [our website](#) for the current years maximum additional pension purchase limit)*

Policy Decision:

Okehampton Town Council will not award additional pension, including in circumstances where an employee would agree to forgo a lump sum which would otherwise be payable to an employee leaving by reason of redundancy or business efficiency and will only consider exercising these discretions in the most exceptional circumstances having regard to the following:

- The interests of the Council
- Any potential benefits or savings to the Council
- The ability of the Council to meet the cost of granting such an award
- The funding position of the Council within the LGPS Pension Fund

Shared Cost Additional Pension Contribution (Reg 16(2)(e) & Reg 16(4)(d))

Where an active member wishes to purchase extra annual pension by making additional pension contributions (APCs)*, an employer can choose to voluntarily contribute towards the cost of purchasing that extra pension through a Shared Cost Additional Pension Contribution (SCAPC)

**(Please see [our website](#) for the current years maximum additional pension purchase limit)*

Note: this discretion does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work (or a longer period if the employer allows) to pay a SCAPC to cover the amount of pension 'lost' during that period of absence. In those cases, the employer must contribute 2/3rds of the cost to a SCAPC; there is no discretion (regulation 15(5) of the LGPS Regulations 2013).

Policy Decision:

Okehampton Town Council will not fund, in whole or part, an employee's additional pension contributions and will only consider exercising these discretions in the most exceptional circumstances having regard to the following:

- The interests of the Council
- Any potential benefits or savings to the Council
- The ability of the Council to meet the cost of granting such an award
- The funding position of the Council within the LGPS Pension Fund

'Switch on' the 85-year rule TPSch 2, para 1(2) & 1(1)(c)

The 85-year rule does not automatically fully apply to members who would have had the protection under old regulations, and who choose to voluntarily draw their benefits on or after age 55 and before age 60. An employer can decide to switch the 85-year rule back on in full for such members.

Where the Scheme employer does not switch back on the 85-year rule, the member's benefits will be actuarially reduced. However, the Scheme employer can exercise a discretion to waive any actuarial reductions (at cost to the Scheme employer).

Flexible Retirement (R30(6) & TP11(2))

An employer can decide whether to permit flexible retirement for staff aged 55 or over who reduce their working hours and/or grade and wish to access their pension benefits.

In such cases, pension benefits may be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds.

The employee must reduce either their hours, and/or their grade and the employer must agree to the release of the pension.

You will need to consider:

- The minimum reduction in hours or grade required.

(The specific reduction required is not set out in the regulations, but instead must be determined by the employer and specified in this flexible retirement policy).

- Whether the employee should commit to a reduction in hours or grade for a minimum period.
- Whether the employee should commit to remaining in employment with the employer for a minimum period

You must also state whether, in addition to the benefits the member has accrued prior to 1st April

Policy Decision:

Okehampton Town Council will not 'switch on' the 85 year rule for scheme members unless there would be a financial or other benefit to the Council and will only consider exercising these discretions in the most exceptional circumstances having regard to the following:

- The interests of the Council
- Any potential benefits or savings to the Council
- The ability of the Council to meet the cost of granting such an award
- The funding position of the Council within the LGPS Pension Fund

Policy Decision:

Okehampton Town Council will consider individual applications for flexible retirement, in line with the Flexible Retirement Policy, annexed hereto, where there are no financial costs to the Council and where there is no detrimental effect on service delivery.

All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.

2008 (which the member must draw), you permit the member to choose to draw:

- All, part, or none of the benefits they accrued after 31st March 2008 and before 1st April 2014 and/or,
- All, part, or none of the benefits accrued after 31st March 2014, and,
- Whether to waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits paid on the grounds of flexible retirement before normal retirement age (R30(8)).

Note: If flexible retirement is agreed for a member aged between 55 and 60, there could be a Strain cost to be paid to the Pension Fund by the employer in respect of the pension benefits paid. There would also be a Strain cost payable by the employer where you have waived any actuarial reduction, in whole or in part.

Waive actuarial reductions to members benefits TP3(1) & TP3(5), TPSch 2 (para 2(1), 3(1), 3(2) & 9) B30(5) & B30A(5)

An employer can decide whether to waive in whole or in part any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement

This applies to:

- active members voluntarily retiring on or after age 55 and before Normal Pension Age, who elect to immediately draw benefits, and
- deferred members and suspended tier 3 ill health pensioners who elect to draw benefits (other than on ill health grounds) on or after age 55 and before Normal Pension Age.

Policy Decision:

Okehampton Town Council will only waive the actuarial reduction to members benefits in exceptional circumstances, or where there will be a financial or other benefit to the Council.

The same criteria will be applied in cases where active members choose to voluntarily draw benefits on or after age 55 and before normal pension age.

The same criteria will be applied in cases where deferred members and suspended 3 tier pensioners elect to draw benefits on or after age 55 and before normal pension age.

All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.

Recommended LGPS 2013 & 2014 discretions (non mandatory)

There is no requirement to have a written policy in respect of non-mandatory discretions. However, there are some non-mandatory discretions where it is recommended for Scheme employers to have a written policy so that both members and the Pension Fund administering authority can be clear on the employer's policy on these matters.

Shared Cost Additional Voluntary Contribution Arrangement (SCAVC) R17 (1) and TP15 (2A) and A25 (3) and definition of SCAVC in RSch 1	Policy Decision:
An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution through a shared cost arrangement (SCAVC). An employer will also need to decide how much, and in what circumstances to contribute to a SCAVC arrangement.	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery. All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.
Extend the time limit for member to elect for a Shared Cost Additional Pension Contribution (R16(16))	Policy Decision:
An employer can decide to extend the 30 day deadline for a member to elect to purchase additional pension by way of a Shared Cost Additional Pension Contribution (SCAPC) upon return from a period of unpaid absence (other than because of illness or injury, relevant child-related leave or reserve forces service leave).	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery. All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.
Extend the 12-month time limit for transfer of pension rights (R100(6))	Policy Decision:
An employer can decide to extend the 12-month time limit for a member to elect to transfer pension rights from another registered pension scheme into the LGPS, if an election has not been made within 12 months of joining the LGPS in that employment.	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery. All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.
Extend the 12-month time limit for a member to elect not to aggregate Post 31 March 2014 deferred benefits	Policy Decision:

(R22(7) and (8)) An employer can extend the 12 month time limit for a member to elect not to aggregate their Post 31 March 2014 (or combinations of Pre & Post 2014) deferred benefits with their new LGPS employment (or ongoing concurrent LGPS employment), if an election has not been made within 12 months of joining the LGPS in that employment (or within 12 months of ceasing the concurrent membership).	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery. All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.
Extend the 12-month time limit for a member to elect to aggregate Pre 1 April 2014 deferred benefits (TP 10(6) as amended by A27 (2018))	Policy Decision:
Employers can decide whether to extend the 12-month time limit for a member to elect to aggregate their Pre 1 April 2014 deferred benefits with their new LGPS employment that commenced on or after 14 May 2018 in order to purchase earned pension.	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery. All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.
How an employee's contribution band will be initially determined and thereafter reviewed (R9 and R10)	Policy Decision:
Employers must decide how the pension contribution band to which an employee is to be allocated on joining the Scheme will be determined and reviewed at each subsequent April. Circumstances in which the employer will review the pension contribution band will also need to be determined. For example, following a material change which affects the member's pensionable pay during the Scheme year (1 April to 31 March)	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery. All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.
Whether to include a regular lump sum payment when calculating assumed pensionable pay (APP) (Reg 21(4)(a)(iv), 21(4)(b)(iv) and 21(5))	Policy Decision:
When calculating assumed pensionable pay, employers can decide to include the amount of any 'regular lump sum payment' received by the member in the 12 months preceding the date the absence began or the ill health retirement or death occurred.	Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery.

A 'regular lump sum payment' is a payment for which the employer determines there is a reasonable expectation that such a payment would be paid on a regular basis.

Whether to substitute a higher level of pensionable pay when calculating assumed pensionable pay
(R21(5A) and 21(5B) backdated to 1 April 2014 by A7 2018)

When calculating assumed pensionable pay (APP), an employer can decide to substitute a higher level of pensionable pay if, in their opinion, the pensionable pay received in the 3 months/12 weeks before the commencement of APP, is materially lower than the level of pensionable pay the member would have normally received.

All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.

Policy Decision:

Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery.

All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.

Pre LGPS 2014 discretions

Discretions to be exercised on and after 1 April 2014 in relation to scheme members who ceased active membership between 1 April 2008 and 31 March 2014

'Switch on' the 85-year rule
TPSch 2, para 1(1)(c) & 1(2)

The 85-year rule does not automatically fully apply to members who would have had the protection under old regulations, and who choose to voluntarily draw their benefits on or after age 55 and before age 60. An employer can decide to switch the 85-year rule back on in full for such members.

This also applies to members with deferred benefits or a suspended tier 3 ill health pension who choose to voluntarily draw their deferred benefits (on or after 14 May 2018) on or after age 55 and before age 60.

Policy decision

Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery.

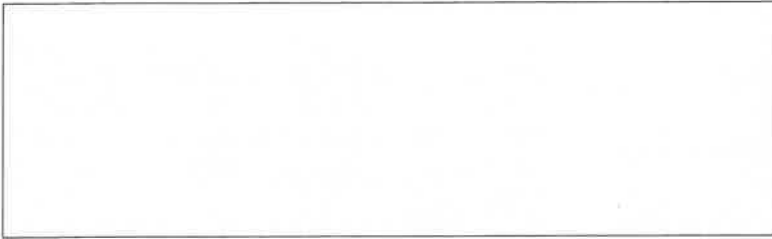
All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.

Waive actuarial reductions to members benefits
B30(5), TPsCh 2, para 2(1) B30A(5)

An employer can decide whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to deferred benefits which are paid before age 65.

Policy decision

Okehampton Town Council will consider individual applications where there are no financial costs to the Council and where there is no detrimental effect on service delivery.



All applications will be considered by three members of the Personnel Sub-Committee who will make a recommendation to Full Council for ratification.



Okehampton Town Council

Okehampton Town Council

Flexible Retirement Policy and Procedure

DRAFT

POLICY

1. Introduction

This policy should be read in conjunction with the Council's Employer Pensions Discretions Policy.

Changes to the Local Government Pension Scheme (Amendment) Regulations 2006, have enabled the Council to introduce a Flexible Retirement Policy.

This policy applies to all employees of Okehampton Town Council who are current members of the Local Government Pension Scheme age 55 and over.

Any employee who wishes to access their pension benefits may be able to reduce working hours and/or grade with employer consent.

Pension benefits may be reduced when these benefits are released before state retirement age by an actuarial reduction¹. Any cost of the actuarial reduction will need to be borne by the employee. There may also be an employer 'strain' cost² payable to the Pension Fund. However, Flexible Retirements will only be considered where there is no cost to the Authority.

Each pension estimate is specific to an individual as the estimate is based on factors such as an individual's age, length of pensionable service and possible date of flexible retirement. It is therefore important to obtain the pension benefits estimate before any final decision is taken.

Making choices about pensions are complex and therefore employees are advised to seek independent financial advice regarding their personal financial situation.

Formal Flexible Retirement requests will be considered by the Policy and Resources Committee and recommendation made to full Council who will make the final decision.

Flexible Retirement may not necessarily be available to all and individual negotiation may be required. Whilst the Council is committed to providing a balance between employees' professional and personal lives the desire to provide Flexible Retirement must be balanced with the Council's duty to maintain service delivery.

An employee wishing to release pension benefits before state retirement age will need to have been a Local Government Pension scheme member for at least 2 years or to have transferred from another pension scheme to be able to release their benefits.

¹ An actuarial reduction is applied to a member's accrued pension benefits in order to offset any additional cost arising from their payment, in advance of their normal Local Government retirement date.

² The cost to the Pension Fund when the employee releases benefits before the normal retirement age

This policy is intended to meet the requirements of the Employment Equality (Age) Regulations 2006. This policy will not discriminate against any employee regardless of race or ethnicity, disability, gender and marital status, gender identity or sexual orientation.

In line with the Local Government Pension Scheme (Amendment) (No2) Regulations 2006, this policy will be effective from: 1st October 2024.

2 Purpose

This policy is links to the current Local Government Pension Scheme and reflects the simplified tax rules governing pension schemes from 6 April 2006.

It may provide opportunity for employees aged 55 and over to make changes to their working lives, whilst enabling the Authority to retain valuable skills and experience.

3 Principles

It is the employee's responsibility to apply for flexible retirement, should they so wish. It is recognised that making choices about pensions is a complicated and difficult decision for employees to make.

Requests for flexible retirement will be considered on:

- i) A reduction of hours and/or grade, in the current post, with or without the release of benefits.
- ii) Or, an appointment to new employment with Okehampton Town Council on reduced hours and/or grade, with or without the release of pension benefits.

This would be subject to an appropriate vacancy arising and the operation of the Council's normal recruitment and selection procedures.

Flexible Retirement will be subject to:

- i) A reduction in salary similar to the level of pension to be received, such that an employee's new pay plus pension, is not significantly more than the pay prior to flexible retirement.
- ii) Employee commitment to a minimum period of continuing employment of 12 months in the reduced grade and/or hours following Flexible Retirement.
- iii) No return to the higher hours and/or grade within 12 months.

Applications for Flexible Retirement can only be made once in every 12 calendar months.

All other conditions of service, for example, annual leave will be recalculated on a pro rata basis to take account of any reduction.

Employees have the right to be accompanied by a trade union representative or a workplace colleague (not acting in a legal capacity) at any stage in the procedure. The companion can address the meeting or confer with the employee during it.

Further pension benefits can be accrued for the employment period after Flexible Retirement has been approved. Employees will automatically be enrolled into the LGPS scheme in their 'new role' but can choose to opt-out, the form for which is available on Peninsula Pension's website.

Where the employee wishes to reduce hours and receive benefits but not to continue to contribute to the Local Government Pension Scheme after Flexible Retirement approval, by completing an opt out form, available on Peninsula Pensions website, the employee must make this option at the formal written request for Flexible Retirement. A refund of contributions will not be available after 2 years of new membership. If the employee opts out within 3 months, contributions can be refunded through payroll.

PROCEDURE

1 Request Procedure

Employees should complete a Flexible Retirement Request Form (Appendix 1) and return it to the Town Clerk who will arrange to discuss this with them.

The Town Clerk should acknowledge receipt of the request by returning, to the employee, the Confirmation of Receipt slip at the bottom of the Flexible Retirement Request Form.

An application is taken to have been made on the date the form is received. Where an application is made by email, it is taken to be received on the day it was transmitted.

Any meetings should be arranged by the Town Clerk at a time and place convenient to both the employee and the line manager. This should take place within 28 calendar days.

If the employee has more than one employment for which figures are required, a separate Section 2 of the Request Form must be completed and attached.

2 Considering the Request

Individual Flexible Retirement requests will be discussed at a ~~Policy and Resources~~ ~~Personnel Sub-Committee~~ meeting.

Where employees have requested to release pension benefits a pension estimate and, if applicable, an employer strain cost evaluation will be undertaken at this stage of the process and taken into consideration by the ~~Policy & Resources~~ ~~Personnel Sub-Committee~~. Any recommendation will be passed to ~~Full Council~~ the ~~Policy & Resources~~ Committee for ratification.

The Town Clerk can then give the pension benefit estimate and any calculation of strain cost to the employee (Appendix 2). The employee should be given 14 working days to consider the estimate. They may wish to speak to an independent financial adviser at this stage.

If the employee wishes to progress with the Flexible Retirement, they should confirm this to the Town Clerk by the end of the 14 working days. Once this confirmation from the employee has been received a revised employment contract on Flexible retirement can be issued.

3 Confirmation

The confirmation letter (Appendix 3) should confirm the:

- a) start date of the new Flexible Retirement employment contract
- b) revised working hours and/or grade plus working pattern
- c) changes to any other terms and conditions of employment. For example, this will include any condition which should be pro rata for reduced hours working.

A Flexible Retirement Leavers Form should be completed.

4 Refusal of a Request

If a request is refused the Town Clerk should advise the employee in writing as soon as possible.

Where this is a result of business needs, an example letter is at Appendix 4

Where this is due to an employer strain cost being in addition to the employee's pension estimate, an example letter can be found at Appendix 5. To confirm, the Authority is unable to consider flexible retirement where there is shown to be a cost to the Authority.

5 Appeal Process

Employees have the right to appeal against a decision not to approve a Flexible Retirement. However, the Authority is unable to bear any cost for a Flexible Retirement. Therefore, where an employer strain cost is applicable the appeal process cannot be applied.

An appeal can only be based on the grounds that the decision was unfair or unreasonable.

The employee should register an appeal using the Flexible Retirement Appeal Form (Appendix 6) within 14 calendar days of receiving the written refusal for Flexible Retirement. This should be sent to the Town Clerk.

The Chairman of the ~~Policy & Resources~~ **Personnel Sub-Committee** must contact the Committee to inform them of the appeal and seek advice regarding the employee's request and the Town Clerk's grounds for refusal.

The Chairman must hold the appeal meeting within a maximum period of 14 days of the receipt of the appeal. The Chairman must notify the employee of the decision using the Flexible Retirement Appeal Reply Form within a maximum of 14 working days after the date of the meeting.

If the request is accepted the Chairman will write to the employee informing them of the detail of the agreement and the date on which the Flexible Retirement is due to take effect.

If the request is refused the Chairman will write to the employee setting out the grounds for the refusal and explaining why they apply.

Once the appeal process is complete, the Chairman should send copies of the Flexible Retirement Working Appeal Form and the Flexible Retirement Working Appeal Form Reply to the Town Clerk who deals with HR management.

This is the end of the appeal procedure, no further appeal mechanism will operate within the Council.

MANAGEMENT GUIDANCE

1 Introduction

Local authorities are required to make a policy statement and, by giving consent to Flexible Retirement requests, show a full understanding of any cost implications of these decisions.

This guidance is to assist line managers in progressing requests.

2 Financial Implications

The Flexible Retirement policy states that the Authority is unable to bear any cost of any employee taking Flexible Retirement.

Employees must therefore be made aware that where a Flexible Retirement request has been approved, any actuarial reduction³ will be borne by them.

In some cases an employer 'strain'⁴ cost may apply. The Authority can only consider Flexible Retirements where there is no cost to the Authority.

It has been clarified that an employee is not able to pay the cost of the employer strain cost.

It is important to stress that employees should contact Peninsula Pensions for clarification of the estimate or an independent financial adviser where necessary.

Managers should not advise employees on financial matters or express an opinion on the advantages or disadvantages of the estimate.

3 Factors to Consider

Employees should be advised that all Flexible Retirement requests will be given thorough consideration, but that it may not be possible to give approval in all cases. It will be Okehampton Town Council as the employer who has the final decision on the request.

The Town Council will need to consider several factors when considering an individual's request. These include

- a) the effect on the workload and how this would be managed
- b) whether service delivery could be affected by the proposed change
- c) whether recruitment will be needed to cover the remaining hours

This decision should be communicated to the employee as per the flexible retirement procedure and an example letter can be found at Appendix 5.

Any cost associated with recruiting for the remaining hours left vacant by the approval of a request will need to be contained within existing budgets. Conversely, where the remaining hours are not replaced, this could be offered up as an efficiency saving.

³ An actuarial reduction is applied to a member's accrued pension benefits in order to offset any additional cost arising from their payment, in advance of their normal Local Government retirement date.

⁴ The cost to the Pension fund when the employee releases benefits before the normal retirement age.

EMPLOYEE GUIDANCE

1 Introduction

It is important to read the Flexible Retirement Policy carefully to ensure that you are eligible to apply.

You should ensure that your Flexible Retirement Request Form (Appendix 2) is valid by checking that all the eligibility criteria are met and that you have provided all the necessary information.

The level of detail required on the application will depend on the desired changes, but in all cases it is in your interest to be as clear and explicit as possible.

2 The Impact of your Request

You must provide an explanation of what effect you think the proposed change would have on Okehampton Town Council and your team and how you think this may be dealt with.

This does not mean that you are expected to know every factor that might influence the decision, simply that you should show you have considered the factors that might influence the decision.

3 Time Constraints

You should ensure that your application is made well in advance of when you wish the Flexible Retirement and/or release of pension benefits, plus any subsequent changes to your employment contract to take effect.

4 Terms and Conditions of Employment

You should be aware that if you request to reduce your hours and/or reduce your grade, your pay and other terms and conditions will be reduced as well.

TERMS/ABBREVIATIONS

Actuarial Reduction	An actuarial reduction is applied to a member's accrued pension benefits, in order to offset any additional cost arising from their payment, in advance of their normal Local Government retirement date.
Employer Strain Cost	The cost to the Pension Fund when the employee releases benefits before the normal retirement age.

**Okehampton Town Council
Flexible Retirement Request Form**

1 PERSONAL DETAILS

Name: _____ Date of birth: _____

Home Address: _____

National Insurance No: _____

Pay Reference: _____

2(a) DETAILS OF POST(S) Where a request is being made for more than one post (ie where you have more than one employment) please give details of each post on a separate form and attach all Request Forms together.

Post Number: _____

Location of Post: _____

Proposed reduction in number of hours From: _____ To: _____

Proposed reduction of grade and spinal column point (please also add your salary amount):
From: _____ To: _____

2(b) DETAILS OF THE CHANGE

For a request to reduce hours:

Detail your current working pattern (day/hours/time worked): _____

Describe the working pattern you would like to work (days/hours/times worked): _____

2(c) HOW WOULD THIS CHANGE IMPACT ON YOUR DUTIES?

Please detail how you think this reduction in your working hours, grade or working pattern could impact on the Authority and your colleagues: _____

2(d) HOW COULD THIS IMPACT BE OVERCOME?

Please detail how the effect on the Authority and your colleagues could be overcome: _____

3 DATE OF FLEXIBLE RETIREMENT TO COMMENCE:

If approved, please state the date you would like the Flexible Retirement to start:

.....

Do you wish to release Local Government Pension Scheme benefits? Y/N*

Your proposed date of Flexible Retirement will be used for pension estimate calculations

Do you wish to continue to contribute to the Local Government Pension Scheme after your Flexible Retirement approval? Y/N*

(A refund of contributions will be possible at a later date)

*** Please delete as appropriate**

I have not made a Flexible Retirement Request during the last 12 calendar months.

Signed: Date:

Please Print Name:

NOW PASS THIS REQUEST TO THE TOWN CLERK

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

Town Clerk's Confirmation of Receipt (to be completed and returned to the employee):

Dear

I confirm that I have received your Flexible Retirement Request on:

Signature: Date:

Please Print:

I will be arranging a meeting to discuss your application within 28 calendar days following this date. In the meantime you might want to consider whether you would like a fellow colleague to accompany you at the meeting.

**Okehampton Town Council
Notification of Flexible Retirement LGPS Estimate**

Dear

**RE: Notification of Flexible Retirement LGPS Estimate
Post:**

Thank you for your request for Flexible Retirement. The Council have considered this and in principle approve the request.

Please find enclosed your Local Government Pension Scheme estimate which gives details of your pension benefits upon Flexible Retirement.

You are now advised to consider the enclosed benefit estimate. You may wish to gain further advice from an independent financial adviser.

If you wish to progress with the Flexible Retirement, please notify the Town Clerk of your decision within the next 14 working days.

Yours sincerely

Okehampton Town Council
Confirmation of Flexible Retirement

Dear

RE: Confirmation of Flexible Retirement

Post:

Thank you for confirming that you wish to proceed with your Flexible Retirement request after receiving your Local Government Pension Scheme estimate.

I confirm that the start date of your Flexible Retirement employment contract will be

.....

Your revised working hours/days/pattern will be

.....

*Remember to add any change to conditions of employment *(ie which need to be pro rata)*

Peninsula Pensions will contact you to confirm your pension benefits and the pension options available to you.

Thank you for your continued support.

Yours sincerely

Okehampton Town Council
Flexible Retirement Request Refusal Letter (Business Needs)

Dear

RE: Refusal of Request for Flexible Retirement
Post:

Thank you for your request for Flexible Retirement in the above post and attending the meeting on ADD DATE.

The Council have considered your request and unfortunately are not able to approve your request at this time for the following business reasons:

Note: You should also explain why any other working patterns discussed at the meeting are not appropriate

If you are not happy with this decision you may appeal against it. If you wish to appeal you must write to the Town Clerk, setting out your grounds for appeal, within 14 calendar days of receiving this written refusal for Flexible Retirement.

Yours sincerely

Okehampton Town Council
Flexible Retirement Request Refusal Letter (Due to an Employer Strain or Other Cost)

Dear

RE: Refusal of Request for Flexible Retirement

Post:

Thank you for your request for Flexible Retirement in the above post and attending the meeting on ADD DATE. Please find enclosed your Local Government Pension Scheme estimate which gives details of your pension benefits.

The Flexible Retirement Policy states that Flexible Retirements can only be considered where there is no cost to the Authority.

You will see that as well as your pension estimate there is a separate form which notifies you that there would be an employer strain cost. Unfortunately I therefore have to advise you that we are not able to approve your request at this time.

**Okehampton Town Council
Flexible Retirement Appeal Form**

Dear

I wish to appeal against your decision to refuse my request for Flexible Retirement. I am appealing on the following grounds:

Please continue on a blank sheet if necessary

Signed:

Date:

Please print:

Payroll reference:

NOW RETURN THIS FORM TO THE TOWN CLERK

PERSONAL DATA RETENTION POLICY EXPECTATIONS

Devon County Council Pension Fund (the "Fund")

This document has been prepared by Peninsula Pensions (the "**Scheme Administrators**") in its capacity as the Scheme Administrators of the Fund. Employers participating in the Fund are under a statutory duty to provide data to the Fund under regulation 80 of the Local Government Pension Scheme Regulations 2013. This document sets out the Fund's expectations of employers participating in the Fund in relation to the retention of personal data that is required by the Fund.

This document can also be accessed via the following link:

<https://www.peninsulapensions.org.uk/employers/guidance-3/privacy-and-data-protection/privacy-statements/> and should be read in conjunction with the Fund's privacy notice, which can be accessed via the same link.

This document largely takes the form of a template personal data retention policy for individual employers participating in the Fund to tailor to their own circumstances before adopting or incorporating into their existing personal data retention policy. In collecting and processing personal data required by the Fund, individual employers will be acting as separate, independent controllers to the Scheme Administrators. The Scheme Administrators will assume responsibility as controller of that personal data once it is provided to the Fund. However, in order that the Scheme Administrators can fulfil its legal obligations in relation to that data (as well as to pay the correct benefits to current and former employees of each individual employer and their beneficiaries), the Scheme Administrators expects individual employers to adopt certain minimum data retention periods. Those minimum periods are set out in the template personal data retention policy.

In determining what data retention period to adopt, employers should note in particular that:

- you may have to provide salary information to the Scheme Administrators for certain Members relating to the thirteen years prior to the date of ceasing pensionable service in the Fund;
- the working hours of Members who have pre-1 April 2014 pensionable service in the Fund and are entitled to final salary benefits, are used in the calculation of certain benefits - queries regarding the Member's working hours can be received many years after any change in the Member's working pattern took effect;
- you are responsible for making ill health determinations in respect of both active and deferred Members (i.e. your former employees) and, in the case of deferred Members, may need to provide job descriptions to Independent Registered Medical Practitioners many years after a Member has ceased employment with you in order to assess if the Member is permanently incapable of doing the job they were employed to do whilst in employment with you;
- queries about salary data may arise some time after the relevant pay period for which it was provided, due to the complex definitions of pensionable pay in the Local Government Pension Scheme Regulations 2013 and the interaction with the tax regime for pension benefits;
- legal and tax requirements may change, requiring the Fund to recalculate benefits for which additional personal data is needed (for example, the Government may amend the Local Government Pension Scheme Regulations 2013 to take account of recent Court cases concerning age discrimination within public sector pension schemes following benefit changes in 2014/5).

These factors mean the Fund requires some types of personal data to be available for longer periods of time than may usually be the case in relation to employees.

Employers wishing to make significant amendments to the template data retention policy are invited to discuss their policy with the Scheme Administrators before adoption, so that both parties can ensure they will be able to fulfil their legal obligations in relation to personal data required by the Fund.

Employers are responsible for providing payroll information and other data to the Scheme Administrators, even if those services are outsourced. You should provide your payroll department or provider with a copy of your data retention policy once adopted or updated and ask them to confirm that personal data will be retained in line with your policy. Employers should also ensure that they retain access to historical pay information if there is a change to the payroll provider.

Failure to provide historic salary/hours worked information or job descriptions may result in the Scheme Administrators having to make decisions or reasonable assessments in respect of a Member's benefits payable from the Fund. In the absence of such information, these could be challenged by the Member under the Internal Dispute Resolution Procedure, ultimately resulting in referral to the Pensions Ombudsman.

Issued on behalf of the Scheme Administrators by:

[Name]

[Date]

PARTICIPATING EMPLOYER PERSONAL DATA RETENTION POLICY

Okehampton Town Council ¹ (the "Employer" and "we")

This document has been prepared by the Employer, in its capacity as a scheme employer in the **LGPS²** (the "Fund") and sets out the Employer's policy on the retention of personal data relating to its employees who are members of the Fund, in accordance with data protection legislation, applicable to the Employer when processing personal data.³

This policy document can also be accessed via the following link: <https://www.okehampton.gov.uk/policies-and-procedures.php> and should be read in conjunction with the Employer's and Fund's privacy notices, which can be accessed via the following links: <https://www.okehampton.gov.uk/policies-and-procedures.php> and <https://www.peninsulapensions.org.uk/employers/guidance-3/privacy-and-data-protection/privacy-statements>

Introduction

As controllers, we are required by data protection legislation to comply with the principles of data minimisation and storage limitation. Personal data we process:

- must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed; and
- must not be kept in a form which permits identification of a data subject for longer than is necessary for the purposes for which the personal data is processed.

We are obliged to retain certain records (whether in hard copy or electronic form) for various periods of time because:

- we have a statutory obligation⁴ to do so; and/or
- the information contained in those records may be necessary for the future (for example, questions may arise about the calculation of benefits either to be put into payment or that have been paid in the past, and data that may be relevant to a possible legal claim needs to be kept until the period within which that claim could be brought has expired).

This policy document sets out the measures adopted by the Employer to comply with the principles of data minimisation and storage limitation in relation to personal data that we hold and process for the purposes of the Fund.

¹ Please insert name of the scheme employer.

² Please insert name of the Fund.

³ Please note that the relevant data protection legislation includes:

- the UK Data Protection Act 2018;
 - The UK GDPR (as defined in the Data Protection, Privacy and Electronic Communications (Amendments etc.) (EU Exit) Regulations 2019/419; and
 - To the extent relevant, the General Data Protection Regulation 2016/679 (the "EU GDPR").
- In this policy references to the "GDPR" include both the EU GDPR and UK GDPR unless expressly otherwise specified.

⁴ Scheme employers have a statutory obligation to provide information to the pension fund under regulation 80 of the Local Government Pension Scheme Regulations 2013.

Types of personal data we hold⁵

We hold and process the following types of personal data in relation to our current and former employees who are Members of the Fund:

- Contact details, including name, address, telephone numbers and email address.
- Identifying details, including date of birth, national insurance number and employee and membership numbers.
- Information that is used to calculate and assess eligibility for benefits, for example, length of service, history of hours worked or membership and salary information necessary for the calculation of the Member's benefits in the Fund.
- For current employees, information about the Member's family, dependants or personal circumstances, for example, marital status and information relevant to the distribution and allocation of benefits payable on death in service.
- Information about the Member's health, for example, to assess eligibility for benefits payable on ill health, or where the Member's health is relevant to a claim for benefits following their death.
- Information about a criminal conviction if this has resulted in the Member owing money to the Employer or the Fund and the Employer or Fund may be reimbursed from the Member's benefits.

Retention periods for personal data⁶

⁵ Please consider whether any personal data other than that listed is held or processed by the Employer. Any personal data that the Fund generates and holds independently of the Employer can be deleted (e.g. bank account details if only provided directly by Members to the Fund). This list should be conformed to the Employer's and the Fund's privacy notices.

⁶ The Article 29 Working Party guidelines on retention periods state that meaningful information about the likely period of retention should be provided to data subjects and a generic statement in the privacy notice is not appropriate. This retention policy should, therefore, set out defined periods beyond which different categories of personal data will no longer be held (and, should include separate periods for different categories of data where this is appropriate. For example, it is unlikely to be justifiable to retain bank details for beneficiaries once they cease to be entitled to receive benefit payments). The EU GDPR does not prescribe a specific time period beyond which particular categories of personal data are required to be deleted but does make it clear that data must not be kept for longer than is necessary. Scheme Employers should be aware that if they do not specify defined periods for which personal data will be held and then put measures in place to delete data after the end of the relevant period, this is unlikely to comply with the GDPR. See Articles 5(1) and 5(2), and in particular Article 5(1)(c) - (e) of the GDPR and Recital 39 of the GDPR.

Therefore, whilst we note that:

- (to the extent applicable to the scheme employer), the Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000 refers to records being kept as long as they are needed by the authority: for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests (paragraph 12.2); and
- the Information and Records Management Society states that certain records will need to be retained indefinitely where they evidence pension or other benefit entitlements;

a suggested specific default timeframe for the retention of personal data has been included in this policy. Employers will need to consider the extent to which the suggested wording matches their actual (or intended future) practice and requirements. Employers should also consider whether different retention periods should be adopted and set out here for different categories of data, if certain categories will not be required for this full default timeframe.

Retaining personal data indefinitely, either because scheme employers believe that is appropriate (e.g. because the data might need to be referred to in the future given the long term nature of pension liabilities), or because in practice it is not possible within the constraints of the personnel or administration system to implement a destruction policy for selected data relating to a particular individual, is unlikely to comply with the GDPR. Although we are not aware of the Information Commissioner having issued guidance in this area that is specific to pension schemes and we consider the risk of retrospective sanction by the ICO in this area to be low, we anticipate that this will be an area in which good practice will continue to develop. Consequently we recommend that scheme employers consider proactively putting in place a policy with defined period(s) beyond which personal data will not be held (within the constraints of an acknowledged need to retain at least some personal data for a significant period of time, in order to administer benefits and deal with potential future queries). If there are certain categories of personal data that scheme employers / funds consider are not needed for as long a period (e.g. bank account details; underlying benefit calculation information for a Member who has transferred-out more than a specified number of years ago) then it would be advisable to adopt a shorter retention period for such categories. It is possible that individual scheme employers will have shorter data retention periods for their employment personal data more generally; Funds will need to understand when personal data will be destroyed and check that the Employer's policy will allow them sufficient opportunity to obtain all personal data that the Fund requires (and enable any subsequent queries or checks for a sufficient period).

In compiling our policy on the retention of personal data, we have taken into account the guidelines on the retention of personal data as set out by / in:

- Information and Records Management Society;
- The National Archives;
- HMRC compliance handbook manual CH15400;
- Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000;⁷
- Information Commissioner's Office's guidance on storage retention; and
- The Pensions Regulator's code of practice 14 for public service pension schemes.

Data protection legislation requires that we retain personal data for no longer than is necessary in order to fulfil the purpose(s) for which it is processed. Given the long term nature of pensions, we need to ensure that personal data is retained to:

- comply with our legal and regulatory obligations as a participating employer regarding the payment of benefits from the Fund; and
- deal with any questions or complaints that we or the Fund may receive about a Member's or other beneficiary's entitlement to benefits from the Fund.

We will retain personal data for a maximum period of fifteen years⁸ after termination of employment.⁹

During any period when we retain personal data, we will keep that personal data up to date and take all reasonable steps to ensure that inaccurate data is either erased or rectified without delay. We will periodically review the personal data that we retain and consider whether it is still required; any personal data that we no longer require will be destroyed.¹⁰

Member's and beneficiary's rights

Beneficiaries form a wider category of people who receive benefits from the Fund, for example the active/deferred/pensioner member's spouse / child(ren) / dependants.¹¹ Members of the Fund and beneficiaries have a right to access and obtain a copy of the personal data that we hold about them and to ask us to correct personal data if there are any errors or it is out of date or incomplete.

In certain circumstances a Member / beneficiary has the right to:

⁷ This will only be relevant to certain categories of scheme employers (e.g. public bodies such as county councils) and therefore the Employer should consider whether the inclusion of this reference is appropriate.

⁸ The suggested period of "fifteen years after termination of employment" is based on the current maximum statutory limitation period, as any complaints about the calculation of either deferred or pensioner benefits would usually be expected to be brought within that timeframe.

⁹ This will need to be tailored to fit the circumstances of the individual scheme employer. The Fund will hold the relevant information for the greater of "100 years from date of birth" and "last payment of benefits to the Member/beneficiary plus 15 years", however the Fund is conscious that individual scheme employers may have their own individual data retention policies in place.

¹⁰ The GDPR states that while the data is being retained, the controller is also under an obligation to keep personal data up to date and to take every reasonable step to ensure that inaccurate data is either erased or rectified without delay. Consideration should also be given to "filleting" the data held, so that individual items are not retained for longer than actually required. For example, it may be appropriate to destroy bank account details within a shorter period of a benefit ceasing to be payable. We recommend that Employers adopt shorter retention periods for particular categories of data (see note 9 above) and conduct a periodic audit of personal data held, with a view to destroying any that is no longer required in relation to a particular Member or beneficiary.

¹¹ Funds to consider whether employers provide personal data about beneficiaries in practice and amend the template accordingly if required.

- object to the processing of their personal data
- restrict¹² the processing of their personal data until any errors are corrected;
- transfer their personal data; or
- erase¹³ their personal data.

If the exercise of the Member's / beneficiary's rights would prevent us from providing the personal data to the scheme administrator¹⁴ in order for the payment or continued payment benefits from the Fund, we will consider retaining a minimised version of that Member's / beneficiary's personal data in order to fulfil our legal obligations.¹⁵

Review

This policy will be reviewed by [the Employer]¹⁶ at least [annually]¹⁷.

¹² See Article 18 of the GDPR. The scheme employer should restrict the processing of the personal data (subject to certain exceptions e.g. storage or to defend a legal claim or for reasons of important public interest) in a number of circumstances specified in Article 18. These include where the individual has contested the accuracy of the personal data. The processing would also have to be restricted where the individual has raised an objection and the scheme employer's justification for the processing is based on Article 6(1)(e) or (f), i.e. the necessity to: perform a task in the public interest or pursuant to an official authority; or (if applicable) in its legitimate interests. The restriction will last until the scheme employer is able to verify the accuracy of the personal data or demonstrate an overriding justification for its processing respectively. For reference, note: Article 21(1) contains the right of the data subject to object to the processing of personal data in circumstances relating to the individual, where the controller is relying on the justifications in Article 6(1)(e) or (f), which includes those mentioned immediately above. Under Article 21(2), the right to object also includes where personal data is used for direct marketing purposes and profiling for that purpose.

¹³ See Articles 17(1) and 17(2) of the GDPR. This information should be included in the policy notwithstanding that in relation to the LGPS it is not anticipated that Members will in practice have a right of erasure (due to the legal basis for which personal data is collected and processed).

¹⁴ Insert name of administering authority.

¹⁵ See Article 17(3) of the GDPR. Article 18(2) and 18(3) provide exceptions to the right of the Member to restrict the processing of personal data in certain circumstances.

¹⁶ Amend if a specific body or individual will be responsible for the review of this policy.

¹⁷ The policy should be reviewed regularly. Amend the review period if an annual review of the policy is not suitable.



Okehampton Town Council

Okehampton Town Council

Recruitment Policy

DRAFT

Recruitment plays a crucial role in the provision of services and the continued development of Okehampton Town Council. The policy aims to:

- Enable the Council to recruit the best candidate for the post by making it clear what the post is and what skills, experience and attributes are required;
- Set professional standards for recruitment whether suitable candidates are easy or difficult to find;
- Ensure candidates are given the opportunity to demonstrate their abilities regardless of any protected characteristics
- Help to recruit the best quality candidates.

The policy seeks to cover the full range of recruitment and selection activities. Its general application to roles at all levels will be monitored to ensure it continues to provide for the best recruitment and selection decisions to be made in all circumstances.

This policy and procedure applies to all Okehampton Town Council employees and has been developed with due regard to relevant legislation.

Policy Statement

Okehampton Town Council is committed to attracting, developing and retaining a workforce with the skills, capability, commitment and potential to deliver its ambitions for the town. Okehampton Town Council is committed to the promotion of equality and elimination of discrimination; this is fundamental to the Council's approach to recruitment and selection. Okehampton Town Council has made a commitment to promote equality of opportunity and to eliminate discrimination in employment.

Okehampton Town Council will fulfil this commitment by:

- Treating all job applicants openly, honestly and fairly, with respect and according to their needs;
- Not discriminating against any person on the grounds of any protected characteristics;
- Advertising jobs openly to draw them to the attention of the widest range of potential applicants;
- Using non-discriminatory job requirements except where a genuine occupational requirement applies;
- Applying fair selection procedures;
- Making reasonable adjustments in recruitment, selection and appointment arrangements to overcome potential barriers for job applicants.

Job Description

There will be a job description which accurately describes the tasks and objectives of the job for every post. The job description will include the following:

- The main purpose of the job;
- The key areas of responsibility;
- The main tasks of the job;

- The functional links with other people in the Council and with other work being done by the Council;
- The lines of responsibility and reporting.

Person Specification

There will be a person specification for every post which states the skills, knowledge, experience and personal attributes required for the satisfactory performance of the job.

The person specification will enable candidates to be objectively measured so that their skills, attributes and experience can be assessed fairly and without bias against criteria relevant to the post. The person specification will:

- Clearly define each criterion relevant to the post;
- Only include criteria relevant to the job;
- Restrict statements of length and type of experience to what is necessary for effective performance;
- Only set educational requirements where the qualification is clearly essential for performing the job;
- Only include criteria covering personal qualities if they are directly related to the job.

Attracting Applicants

Okehampton Town Council vacancies will be displayed on the Council's website and noticeboards. Other recruitment channels such as social media, local newspapers, specialist and professional organisations and journals, local schools, colleges and the Careers Service may also be used depending on the nature of the job.

Internal recruitment will also be considered as part of the Council's commitment to training and development, and applications may be invited internally in the first instance.

The content of any advertisement of a vacancy will include:

- A description of the post, including title, grade, role and main responsibilities (reflecting the job description);
- Experience, skills, qualifications and personal qualities required (reflecting the person specification);
- Salary and benefits;
- How to apply;
- Closing date.

Recruitment and Selection Process

A vacancy presents an opportunity to consider restructuring or to reassess the requirements of the job. Vacancies for existing posts will be considered by the Town Clerk who will make an assessment of the job function, work patterns, changes since the existing post was introduced and any anticipated future changes. Recommendations will then be made to the Personnel Sub-Committee for consideration and/or Policy & Resources Committee for approval. These will include:

- The job description;
- Person specification;
- Hours of work;
- Salary and benefits;
- Recruitment channels;

In the case of a vacancy for the post of Town Clerk the Policy and Resources Committee will make recommendations to the Full Council for approval.

Recommendation for any new posts will be initially made to Full Council for approval. Policy and Resources Committee or Personnel Sub-Committee will then follow the recruitment and selection process above.

Application Form

All applications for a vacancy at Okehampton Town Council must be made using the Council's application form. The application form will be sent as part of the application pack to all applicants upon request to the Town Council offices. The application pack will include the job description, person specification and application form.

All applications will be treated confidentially and circulated only to those individuals involved in the recruitment process.

Shortlisting

Applicants will be shortlisted for all vacancies as follows:

- Office, Caretaking staff and the Park-keeper - by two Councillors from the Personnel Sub-Committee and the Town Clerk.
- Parks staff, with the exception of the Park-Keeper – by one Councillor from the Personnel Sub-Committee, the Park-Keeper and the Town Clerk.
- In the case of a vacancy for the Town Clerk - the Chairmen of the Standing Committees and the Mayor.

The Vice Chairman of the relevant Committee and Deputy Mayor may substitute if necessary.

In all cases the shortlisting criteria will be clearly set out in the person specification; each applicant will be assessed against the criteria and scored as follows:

- 1 – Poor or no evidence
- 2 – Some evidence
- 3 – Good evidence
- 4 – Excellent evidence

The Town Clerk will arrange for letters to be sent to candidates to be invited for interview immediately following shortlisting and for letters of regret to be sent to those who have been unsuccessful.

No Councillor or employee should be involved in an appointment where they are related to the applicant or have a close personal relationship outside of work with them. In this circumstance, the Councillor or employee should declare that this applies and remove themselves from the process. Alternative arrangements for selection will then be arranged.

Interviews

Where possible, interviews will be conducted by the same panel which shortlisted applicants for the vacancy. Interviews will be carefully planned and questions prepared in advance using the person specification. The panel will also assign roles in advance of the interview process.

All applicants will be questioned on the same areas of knowledge, experience etc and using the scoring matrix. Additional assessment methods may be used, depending on the post, to test skills in relation to job duties and to enable candidates to show their full abilities. Any special requirements that a candidate may have (eg due to a disability) will be accommodated as much as possible.

Selection

The panel will make a recommendation of appointment to the Policy & Resources Committee as soon as possible following the interviews. The Clerk will contact the

applicants to inform them of the decision as soon as possible. In the case of a vacancy for the post of Town Clerk, recommendations will be made to Full Council for approval and the Mayor, or Chairman of Policy & Resources Committee, will contact the applicants.

Any offer of employment is conditional, subject to references and pre-employment clearance including DBS checks where relevant; this must be clearly stated in the verbal offer and subsequent offer letter that will be sent. A pre-employment questionnaire will also be sent with the conditional offer. Once a conditional offer has been made and accepted, references will be taken up and a pre-employment medical assessment arranged if there is any concern following completion of the form at the discretion of the Clerk in consultation with the Chairman of the Policy & Resources Committee. Any adjustments to the post or environment that are needed because the person has declared a disability, or as a result of the medical assessment, will be assessed by Occupational Health. Okehampton Town Council will work, as much as possible, with the candidate to ensure all reasonable adjustments are made.

The Town Clerk will send a final offer letter and statement of particulars subject to all checks proving to be satisfactory. Employment will not commence until this final offer letter has been sent and written confirmation of acceptance received.

Recruitment and Selection Records

Each person taking part in the selection process must keep adequate and sufficient records of applicants, shortlists and selected candidates so that the Council will be able to respond to any claims of unlawful discrimination. These must be passed to the Clerk for safe keeping once the interview process has been concluded. The selection panel must be able to demonstrate why candidates were and were not shortlisted or selected by reference to the person specification and notes taken during the selection process.

Criminal records checks will be made where appropriate and in line with the Council's Safeguarding Policy.

Retention of Recruitment Documents

All original application forms, references and interview notes/assessments must be returned to the Town Clerk who will keep them for six months. Information relating to employees will be kept on their personnel file.

All records will be kept securely in the Clerk's Office in accordance with the Council's Data Protection Policies.

Probation

All employees joining the Council will be placed on a **four**-month probationary period which may be reduced or extended by one month at the discretion of the Town Clerk. During this time employees are expected to settle into their role and demonstrate that they meet standards required in terms of performance, conduct and attendance. Confirmation of the appointment will be at the made at the discretion of the Town Clerk.

Okehampton Town Council
PRE-EMPLOYMENT QUESTIONNAIRE

Name:

Job title:

		Yes	No
1	Have you a medical condition that may impact on your ability to undertake your new role?		
2	Are you currently receiving / waiting for any treatment or medication for any medical condition that may impact on your ability to undertake your new role?		
3	Have you ever had any health conditions which may have been caused, or made worse, by work?		
4	Do you have a health condition that may require adjustments or accommodations to the workplace or job role in order for you to undertake your new role?		
5	Have you had an illness or absence lasting 4 weeks or more during the last 2 years or total absence of 10 days or more over the last year or 4 or more separate episodes of absence over the last year?		
6	Do you have any medical condition that may require regular absence from the work place in order to facilitate treatment or investigations?		
7	Have you been previously ill health retired from any job?		

I confirm that the declaration provided is correct to the best of my knowledge and I understand that making a false declaration could jeopardise my employment with Okehampton Town Council.

Signature of applicant **Date**

Print name

Signature of Manager / interviewer **Date**

Print Name

Further pre-employment screening needed? YES / NO

Assessment details	
Date of Assessment	10 th August 2026
Risk Assessment Reference	Sexual Harassment 2026
Risk Assessor	Abi Horn
People involved in making this assessment	Abi Horn, Emma James
People at risk	Staff, councillors', members of the public
Risks identified	
Risks identified of worker-to-worker sexual harassment	Inappropriate comments, jokes, banter or innuendo Risk of inappropriate comments, jokes, banter or innuendo made by elected officials, employees, or public attendees that could be perceived as harassment Unwanted physical contact Risk of unwanted physical contact by Councillors, employees, contractors or members of the public during meetings or events Off-site Any of the above when off-site – meetings, events, work social settings Misuse of power dynamics Risk of elected officials or employees using positions of authority to exert undue influence or engage in inappropriate behaviour Inappropriate digital communication Risk of harassing or inappropriate messages sent via council-owned email, social media, or digital channels by or to employees, Councillors or members of the public Retaliation or intimidation post complaint Risk of retaliation against individuals (employees, Councillors or public) following a harassment complaint Failure to address complaints properly Risk of mishandling complaints involving Councillors, employees or the public, potentially leading to legal or reputational consequences Inadequate knowledge of Sexual Harassment policies Risk that Councillors, employees, volunteers, contractors or public attendees do not fully understand what constitutes sexual harassment
Risks identified of third-party sexual harassment	Public misconduct towards elected officials and staff Risk of harassment by members of the public towards Councillors or employees during public events or meetings

Control measures

Reasonable steps to be taken to reduce risk

Communicate our policy to third parties including customers, suppliers and contractors

Clear hierarchy and defined reporting structures.

Clear behavioural expectations for public attendees

Protocol on public participation in meetings published on website, emailed to registered speakers and available in hard copy at meetings

Post conduct expectations visibly at all public events

Policies:

- Employee Handbook which includes social media policy issued to all employees
- Social media policy agreed by full council and distributed to all Councillors
- Anti-sexual harassment, Code of Conduct, dignity at work whistleblowing, equality and diversity policies disseminated to all
- we will communicate our policies to third parties including customers, suppliers and contractors
- "No retaliation" clause included in council policy and employee handbook. Retaliation is strictly prohibited and will result in disciplinary action, up to and including termination (employees only)
- Sexual Harassment policy in place for employees, councillors and contractors to read and adhere to.
- The Councillor Code of Conduct includes respectful behaviour standards prohibits unwelcome physical contact and refers to respectful behaviour standards.
- Council have agreed to the Civility & Respect pledge

Complaints:

- reporting procedure in place and accessible to all parties
- disciplinary procedures in place
- Complaint handling processes regularly reviewed and updated in line with current legislation and best practice
- open to elected officials, staff and public attendees
- reports of unwanted or inappropriate behaviour can be made verbally and will be kept confidential where possible.
- Engage local law enforcement if repeated intimidation occurs

Monitoring:

- Obtain periodic feedback to gauge perceived fairness and safety
- We will regularly review reports of incidents and assess risk levels.
- We will conduct staff surveys to gauge effectiveness of harassment prevention measures and will update training and policies based on emerging risks and staff feedback.
- We will review and update digital conduct policies regularly
- Assign a designated complaints officer at large events

Training to cover:

- power dynamics and boundaries

	• maintaining personal boundaries • social media • Mandatory training for employees, and Councillors (where possible) as collective employer • de-escalation for council staff • complaint procedures • guidance on dealing with the public • Established guidelines for digital communication
Assessment review date	September 2027
Risk assessor signature	A Horn

Okehampton Town Council - Sexual Harassment Action Plan

Reasonable Step	Actions required	Date completed	Review date	Reaction to implementation	Any barriers faced?	Updates to step required?
<i>Developing a protocol for how any reports of sexual harassment, including third-party harassment, will be dealt with</i>	Council agree policy	February 2026	2027		- Elections in May 2027 may require further training provision for councillors. - Councillor training is not legally mandatory at local council level - Timescales and course availability may be an issue	
	Identify managers to be given responsibilities	June 2026				
	Train managers with responsibilities under protocol	September/October 2026				
	Training for all staff and offered to councillors	November/December 2026				
<i>Hirers are advised of the zero-tolerance policy when they book</i>	Add wording to Hallmaster emails	October 2026				
	Add wording into website and hiring policy	October 2026				
<i>Contractors are advised of relevant policies and zero-tolerance policy</i>	Include in documentation within the Approved Contractors Scheme	January 2027				
	Develop and implement a process for advising all other contractors	January 2027				



Okehampton Town Council

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Work Experience Policy

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Okehampton Town Council occasionally receives requests to provide students with work experience opportunities. Work experience introduces students to the work environment, and it can be a valuable part of their education.

Requests will be considered for those students who meet the following criteria:

- students aged 14 years of age or older through their education provider as part of their curriculum
- where the education provider guarantees to provide ongoing review and support for the work experience student, throughout the period of work experience
- placement will be of a practical nature within the Parks team or council office
- any special requirements, **allergies, medical conditions and disabilities** are disclosed **prior to approval being granted. This is so that** that the Council can carry out a risk assessment to determine the support/adjustments and supervision that will be needed, the tasks that can appropriately be allocated, **and to ensure the placement, which can be physically demanding, can be accommodated safely.**

Consideration of requests:

Okehampton Town Council's work experience policy is to satisfy such requests wherever possible and the Town Clerk and/or Park-Keeper, who will be the nominated Line Manager, have been delegated the authority to approve, or otherwise, requests that meet the above criteria on the following basis:

- that it is safe and practical to do so,
- that the needs of the student can reasonably be met
- that no unbudgeted costs will be incurred with the exception of the provision of minor items of PPE, for example gloves
- that at least two members of the Parks team or office staff are scheduled to be working on the requested dates
- that the work schedules for the proposed dates are suitable
- that the Park-Keeper, Town Clerk or other nominated line manager who will be responsible for supervising the student/s, has suitable DBS clearance.

Only one work experience student will be accepted at each location at any one time **and priority will be given to those who attend schools within Okehampton.**

Other Information

Staff are encouraged to provide support as required to all work experience placements, and in some cases, employees may be requested to provide supervision for the student in addition to their normal duties.

A list of duties they are expected to undertake will be drawn up by the Line Manager and an appropriate risk assessment will be undertaken. The Council's Insurers will be notified. The educational setting will be expected to provide their own Risk Assessment, and a signed consent form must be received from the parent or guardian at least five working days prior to the start of the placement.

Any issues arising during a work experience placement will be dealt with by the relevant Line Manager in conjunction with the education provider and/or the parent/guardian as deemed necessary.

The Council reserves the right to terminate the placement in the event of a member of staff with DBS clearance is absent, unsuitable behaviour of the student or irresolvable matters that have arisen.