

**THURSTON PARISH COUNCIL**

Minutes of the Policy and Resources Sub-Committee Meeting held on Thursday 13<sup>th</sup> August 2020 at 10.30am via Zoom Videoconferencing.

Present: Cllrs. Fawcett, Haley and West. In Attendance: Mrs V Waples, Clerk.

Due to internet connections issues it was confirmed that the meeting scheduled for 6<sup>th</sup> August had been cancelled.

1. To elect a Chair for the meeting – it was agreed that Cllr. Fawcett would take the Chair as his appointment would provide as a point of procedure in that he had not been involved in the hearing of the original complaint.
2. To formally open the meeting including statement for the holding of virtual meetings.
3. To resolve that under the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting on the grounds that the meeting has been called to consider an appeal against a decision taken by the Sub-Committee of the Policy and Resources Committee on behalf of the Parish Council and that under the Data Protection Act 2018, a council has obligations as to how it uses personal data about the individual complainant and those named in the complaint – agreement was forthcoming that the public be excluded, aif. The Clerk confirmed that there were no persons waiting to gain access to the meeting or who had been given access to the meeting.
4. Members to hear the case for an appeal against the decision taken by the Policy and Resources Sub-Committee on Friday 13<sup>th</sup> March 2020 with reference to the Council's complaint procedure:
  - a) To consider the grounds of appeal as submitted in writing by the complainant – the committee agreed that in essence there were two areas to be considered – were all the facts of the matter laid before the sub-committee considering the complaint and were the correct procedures followed by that committee.

It was agreed, from the agenda produced, that the meeting was called in accordance with the Council's Standing Orders and that the minutes were produced in accordance with the Local Government Act 1972. It was further noted that, from the evidence taken from those on the sub-committee and the Clerk in attendance that all had access to the paperwork and that the paperwork as produced was considered in its entirety. Verbal evidence was also considered, and the sub-committee members were able to ask questions of the Clerk for clarification. It was further agreed that all were able to express an opinion and that this appeal in essence should be limited to the information that was before the sub-committee determining the complaint.

- b) To carry out a review of the procedures that were followed – the meeting noted that this was not a review of the decision given and that in terms of procedures followed, the sub-committee hearing the complaint had considered all matters relating to the complaint. As such the meeting was satisfied that the processes followed by the sub-committee dealt with all of the issues as raised in the correspondence trail prior to 13<sup>th</sup> March 2020. Furthermore, those matters raised post 13<sup>th</sup> March have been reviewed and considered by the sub-committee tasked with investigating whether an information security incident has occurred. It was agreed that a number of assumptions made by the complainant were their own and not that of the Parish Council.

The committee agreed with the statement that in essence this was personal business between those mentioned in the complaint and not parish council business. It also disputed that there was a breach of the Parish Council's Equality and Diversity Policy as this was a personal issue and that none of the actions taken in a private capacity had been done under the parish council's name.

So approved at the meeting of 30<sup>th</sup> September 2020

The meeting further agreed that although the Parish Council had a suite of policies in place, it was for someone else to judge whether the Parish Council is accountable for comments made by an individual and it is not the parish council's business to be embroiled and involved in personal issues as raised.

- c) Members to ask questions of the clerk if appropriate – there were no further questions for the Clerk
- 5. Members to consider whether or not the grounds for the appeal have been met – it was agreed by all present that the sub-committee did not uphold the grounds for the appeal as it was felt that the decision taken was fair, that the correct outcome had been achieved, that the original sub-committee and this sub-committee had considered all of the evidence submitted and that the Parish Council had dealt with appropriately and subsequently the matters that were brought to its attention.
- 6. Members to convey to the Clerk and the complainant the Council's decision which will be final – the members requested that the Clerk convey to the complainant that the grounds for an appeal had not been upheld and that the decision taken by the Parish Council on this matter was and is final.
- 7. There being no further business to transact, the Chairman closed the meeting at 11.40am.

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