



CYNGOR TREF MACHYNLLETH TOWN COUNCIL

ORDINARY MEETING of FULL COUNCIL

You are hereby summoned to attend a meeting
of the Machynlleth Town Council
in the Vane Tempest Room – Y Plas
on **Monday 19th May 2025** at 6:30pm.

or follow on zoom :

<https://us06web.zoom.us/j/83718878664?pwd=L3liK2w2cXVYOHhjU1R6M3Z6THZTZz09>

Meeting ID: 837 1887 8664

Passcode: 035458

AGENDA

1. APOLOGIES :

To receive apologies as reported to the Clerk before the meeting.

2. DECLARATION of INTEREST :

To receive any declaration of interest in the following matters to be discussed.

3. PUBLIC PARTICIPATION :

None

4. MAYOR's REPORT :

To receive a report from Cllr J.Paige

5. MINUTES to be agreed :

5.1 : Minutes of the Ordinary Full Council meeting held on 28th April 2025.

6. MOTIONS/Matters arising :

6.1 :

7. COUNTY COUNCILLOR's REPORT :

County Cllr A.Evans to report from his meetings with PCC and his monthly surgery meeting held in the foyer at Y Plas.

8. PLANNING :

8.1: 25/0662/FUL Replacement shed for storage of gold equipment, Machynlleth Golf Club

9. FINANCE :

9.1 : To approve invoices for payment as per list given.

10. REPORTS from NOMINATED REPRESENTATIVES on OUTSIDE BODIES :

10.1 :

11. CLERK's REPORT :

- 11.1 : Car park loos recurrent poonami.
- 11.2 : Very quiet May 8th 80th anniversary celebration
- 11.3 : Code of Conduct policy for review
- 11.4 : GDPR policy for review
- 11.5 : Safeguarding policy for review

12. MEMBERS ITEMS :

12.1 :

13. CORRESPONDENCE for Info :

13.1 :

14. ITEMS for NEXT AGENDA :

14.1 :

15. DATES of the NEXT MEETINGS :

15.1 : FULL Council meeting to be held on 30th June 2025 in the Vane Tempest room at Y Plas.

***The Chairperson shall propose that the press and public be excluded from the meeting during the discussion of the following items as it is likely exempt information, as defined in part 4, Schedule 12A, Local Government Act 1972, will be revealed.**

16. Committees & Staffing matters

Y Plas, Heol Aberystwyth Road, Machynlleth, Powys, SY20 8ER

Telephone : 01654 702 571

E-mail : town-clerk@machynlleth-tc.gov.uk

MINUTES OF THE ORDINARY MEETING OF MACHYNLLETH TOWN COUNCIL
on Monday 28th April 2025 at 6.30pm in the Vane Tempest room at the Plas

PRESENT :

Cllr J. Paige (Chair of the meeting), Cllr A. MacGarry, Cllr J. Honeybill, Cllr N. McCarten, Cllr G. Phillips, Cllr A. Evans, Cllr Ll. Griffith, Cllr K. Bryan, Cllr G. Jones, Cllr M. Atkins, Cllr R. Hughes, Cllr G. Jones

APOLOGIES : Cllr P. Jones

ALSO IN ATTENDANCE:

Nicole Beaumont (Clerk) & Catrin Willetts (Minutes taker)

No member of the press

1 member of the public

1. ATTENDANCE AND APOLOGIES: See list above.

2. DECLARATION of INTERESTS:

Cllr G. Jones declared an interest in staffing matters.

3. PUBLIC PARTICIPATION:

None

4. MAYOR'S REPORT:

None

5. MINUTES OF LAST MEETING:

5.1: Minutes of the Ordinary Full council meeting held on 31st of March 2025 were agreed with some minor amendments. Majority vote.

5.2: Minutes of the Finance meeting held on 17th April 2025 were agreed. Majority vote.

5.3: Minutes of the Facilities meeting held on 17th April 2025 were agreed. Majority vote.

6. MOTIONS/MATTERS ARISING:

6.1: With reference to 5.1 (meeting 31/3/25) above amendments raised by Cllr. MacGarry regarding the Climate Change meeting. Amended from Supporting People to Supporting People with Energy in the Home.

6.2: With reference to 5.1 (meeting 31/3/2025) At 10.1 of this meeting Cllr Ll. Griffith, not Cllr McCarten invited Llais to attend a council meeting.

6.3: With reference to 5.1 (meeting 31/3/2025) At 10.3 of this meeting Cllr MacGarry reported that One Voice Wales committees were having difficulty getting enough attendees and is arranging an emergency meeting to suggest standing orders.

6.4: With reference to Facilities meeting (17/4/2025) Cllr J. Paige thanked the working group for the Public Conveniences for their hard work and proposed a motion to move the future running and maintenance of the site back to the Town Council office. Majority vote.

6.5: With reference to Facilities meeting (17/4/2025) Cllr J. Paige offered to investigate by-laws in regards to dogs being on leads within the Plas grounds. Suggestions were put forward for extra signage and a publicity campaign. Councillors agreed to him looking into the matter.

6.6: With reference to Facilities meeting (17/5/2025) Quote No2 was agreed for the new defibrillators to be installed around the town. Signs with location for information purposes will be organised. The Spar and Top Shop Fish&Chips have been contacted for their permission as 2 of the defibs will be affixed to their properties.

7: COUNTY COUNCILLOR'S REPORT:

7.1: Hywel Dda Health Board will have consultation periods regarding the stroke unit at Bronglais in June and July. They have agreed to an open consultation in July to give the people of Machynlleth a say.

Other matters/concerns that have arisen from Cllr A. Evans drop-in sessions are street lighting, dog fouling, unsafe pavements, cleanliness and untidiness of the town as well as Powys County Council (PCC) tree project by the clock. Cllr Evans has been in contact with PCC regarding the pavements, with no response as yet. Councillors are concerned as to why PCC are not maintaining the town, as they seem to be doing in other towns in Powys.

Discussion was had regarding flower pots at Trem Yr Allt flats, their poor condition and their impact on the elderly and vulnerable people living there. Cllr K. Bryan to approach the gardeners' group to ask if they could help.

It was added by Cllr G. Jones that the dangerous drain on the corner of Maengwyn and Penrallt streets, previously reported by Cllr P. Jones has been fixed today.

8: PLANNING:

8.1: 25/0584/FUL & 25/0585/LBC: Agreed to support. Voted unanimous.

9: FINANCE:

9.1: 3 payments were not authorised : 2 bills for scaffolding on the Plas roof and at the Allotment project. 1 bill concerning the election of a town Cllr and a County Cllr for Machynlleth. Clerk to investigate further on these items.

10. REPORTS from NOMINATED REPRESENTATIVES on OUTSIDE BODIES:

10.1: Cllr N. McCarten's reported on Machynlleth Patients Forum. The complaint to Llais has been accepted. The elderly day care centre remains closed since Covid. Cllr A. Evans to email Sian Cox to query. Clerk to write to surrounding community councils for support to demand answers from PCC as to why the centre remains shut at Machynlleth.

10.2: Clerk to write and show MTC's support for the campaign Protect Bronglais Services.

10.3: Cllr A. Macgarry attended One Voice Wales meeting. There is a proposal to set-up a booking time-slot system at the recycling centre in Newtown but no plans to charge for domestic waste. Email sent to councillors for upcoming Sustainable Powys meeting.

11: Clerk's Report :

11.1 : FY2024-25 papers have been submitted to the internal auditor. The final report should be ready by end of May certainly on time for the June meeting when it will need to be ratified by Council.

11.2 : Clerk attended on Wednesday 9th April, a survey for the proposed siting of bollards to stop people parking their vehicles on the pavement. Richard Williams for North & Mid Wales Trunk Road

Agency, Keith Nixon (PCC), Fergus Scott (Mach market representative) were also attending. See the map attached in your packs.

11.3 : On that same day, Clerk raised yet again the problem of the signposts by the Clock Tower. Richard Williams (see above) asked to send him all the particulars to take it up to the relevant places.

11.4 : Carpark loos have been causing a few headaches :

- The door to the service area at the back has had to be temporarily welded as a hinge had broken. A new door will need to be purchased soon.
- The disable loo area, next to that door, this last weekend developed a serious leak. Facilities manager called a plumber to repair.
- The flush system has been set as a "low flush" to economise on water and electricity (flush system being electronically activated) This doesn't give enough pressure to properly evacuate the foul matter.
- As a further safety measure "one way" pressure air valves will be fitted on all foul evacuation outlets.

Costs to all the above will be taken from the Carpark loos maintenance budget.

The biggest problem is the foul drain. There seem to be an almost weekly problem of sewerage backing up into the service area. Cllrs did receive a video of this "poonami" that they better understand the problem. This blockage has been traced to the main foul drain manhole in the street leading up to the main carpark. That drain area is solidly blocked. Facilities manager called on Hafren Dyfrdwy who are looking into it.

11.5 : Facilities Manager put out for quotes to have the annual health check survey to be carried out on all the trees within the Plas curtilage. Only one person replied with a quote, **Quote accepted by Cllrs.**

11.6 : A member of the Public sent a request to have a memorial bench for a relative to be situated on the edge of the front lawn near the Football club area. **Proposal accepted.**

11.7 : Thanks to be sent to the White Lion Inn and the Machynlleth Paramedics team who have helped an elderly couple in need whilst on a holiday visit to Machynlleth.

11.8 : Had a reminder by PCC from Llandrindod for an event about "Sustainable Powys" to be held at the Theatre Hafren Newtown, on 1st May from 7pm. This event is opened to the Chair and the Clerk and if either can't go then 2 Cllrs can attend instead. The email was circulated late last week to all Cllrs to consult between themselves and contact directly to register on the provided link.

11.9 : The Tabernacle/MOMA is sending an invitation to all Cllrs for a late afternoon/early evening event for the showing of their 40th anniversary film as well as a short talk by Denis Jones. The exhibition galleries will also be open during that event and a buffet (£10 each) will be available. Please contact Clerk if you are interested to arrange a date and time. **Invitation accepted by Cllrs and Clerk to organise with Tabernacle/MOMA for a suitable date.**

12 : Members items :

12.1: Cllr K. Bryan update on the Brilliant Basics has been moved to committee.

13: Correspondence:

14: Items for the next agenda :

15 : DATES of the Next Meetings :

15.1 : ANNUAL Meeting (AGM) to be held on 19th May at 6.00pm Vane Tempest room at Y Plas.

15.2 : FULL Council meeting to be held on 19th May 2025 immediately after the Annual Meeting in the Vane Tempest room at Y Plas.

***The Chairperson shall propose that the press and public be excluded from the meeting during the discussion of the following items as it is likely exempt information, as defined in part 4, Schedule 12A, Local Government Act 1972, will be revealed.**

Unanimous.

RECEIVED
COUNCIL
CLERK
11/11/2019

Item 8 1/2



Sian Teleri Butler
Machynlleth Community
Y Plas
Aberystwyth Road
Machynlleth
Powys
SY20 8ER

town-clerk@machynlleth-tc.gov.uk

Gwilym Davies

Pennaeth Gwasanaethau Cynllunio a Rheoleiddiol
Head of Planning and Regulatory Services

Neuadd y Sir/County Hall
Spa Road East
Llandrindod
LD1 5LG

Ein Cyf/Our Ref: 25/0662/FUL

Dyddiad/Date: 7 May 2025

Ffon/Telephone: 01597 82 6000

E-bost/Email:

planning.consultations@powys.gov.uk

Annwyl Cyngor Cymuned,

**Ymgynghoriad Deddf Cynllunio Gwlad
a Thref 1990
Gorchymyn (Gweithdrefn Rheoli
Datblygu) (Cymru) 2012 (fel y'i
diwygiwyd)**

Cyfeirnod: 25/0662/FUL
Cyfeirnod Grid: **E:275789 N:300734**
Cynnig: Replacement shed to store golf
course machinery and equipment
Cyfeiriad y Safle: Machynlleth Golf Club ,
Newtown Road, Machynlleth, SY20 8UH

Mae'r cais ar gael i'w weld ar wefan y
Cyngor (<http://pa.powys.gov.uk/online-applications/>). Wedi derbyn yr amodau a
thelerau, dilynwch y cyfarwyddiadau ar-
lein i weld yr achos.

Rhoddir rhybudd drwy hyn fod rhaid
gwneud unrhyw sylwadau yr ydych yn
dymuno eu gwneud o fewn 21 diwrnod o
ddyddiad y llythyr hwn. Os na wneir hyn,
fe dybir nad ydych yn dymuno gwneud
sylwadau a bydd y cais yn mynd yn ei
flaen tan dod i benderfyniad.

Dear Community Council,

**Town and Country Planning Act 1990
Town and Country Planning
(Development Management Procedure)
(Wales) Order 2012 (as amended)
Consultation**

Application Reference: 25/0662/FUL
Grid Reference: **E:275789 N: 300734**
Proposal: Replacement shed to store golf
course machinery and equipment
Site Address: Machynlleth Golf Club ,
Newtown Road, Machynlleth, SY20 8UH

The application is available to view on the
Council's website
(<http://pa.powys.gov.uk/online-applications/>). After accepting the terms
and conditions please follow the online
instructions to view the case.

Notice is hereby given that any
observations you may wish to make must
be returned to me within 21 days of the
date of this letter. If this is not done it will
be assumed that you do not wish to
comment and the application will proceed
to determination.

Cofiwch y dylid gwneud sylwadau'n ysgrifenedig, ac y bydd unrhyw sylwadau'n cael eu cadw ar ffeil i'w weld gan y cyhoedd.

Os ydych yn credu nad yw'r cais hwn yn dod o fewn ardal eich Cyngor Cymuned, a allwch dynnu fy sylw at hyn ar unwaith.

Bydd yr holl ohebiaeth yn cael ei gyhoeddi ar-lein. Gofynnir ichi sicrhau fod eich ymateb yn cydymffurfio â gofynion GDPR trwy beidio â chynnwys unrhyw ddata personol neu sensitif. Peidiwch â chynnwys eich llofnod nac unrhyw wybodaeth breifat arall megis cyfeiriadau e-bost na rhifau ffôn personol yn eich ymateb, gan y gall y rhain ymddangos ar ein gwefan.

Croeso i chi gysylltu â ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg, heb oedi.

Cyfeiriwch yr holl ymatebion ymgynghori i Adran Gynllunio Cyngor Sir Powys at planning.consultations@powys.gov.uk yn hytrach nag at unigolion a enwir gan gynnwys y cyfeirnod cynllunio 25/0662/FUL, o fewn testun yr e-bost.

Yn gywir,

Aled Williams
Planner

Please note that comments must be made in writing and that such comments will be held on a file that will become open to public inspection.

If you believe this application does not fall within your Community Council area can you please bring this to my attention immediately.

All correspondence will be published online. Please ensure your response adheres to GDPR regulations by excluding any personal or sensitive data. Please do not include your signature or any other private information such as personal email addresses or telephone numbers in your response, as these may appear on our website.

You are welcome to contact us in Welsh. We will respond in Welsh, without delay.

Please direct all consultation responses for Powys County Council's Planning Department to planning.consultations@powys.gov.uk rather than to named individuals, including the planning reference, 25/0662/FUL, within the email subject.

Yours faithfully,

Aled Williams
Planner

List of Invoices For Payment

15th April - 13th May 2025

Dyddiad Talu / Paid by Direct Debit	Enw / Name	Manylion / Particulars	Swm /Amount	Sylwadau / Observations
04/05/2025	Avena	Confidential waste disposal	£ 162.00	
30/04/2025	YGP	Building at remembrance garden - Electricity	£ 45.82	
01/05/2025	YGP	Café kitchen - electric 30/03-30/04/25	£ 144.38	
22/04/2025	Rijo	Rijo - parts for coffee machine	£ 34.04	
22/04/2025	Harlech	Harlech - supplies for café	£ 122.19	
22/04/2025	BNP-Paribas	Coffee machine lease for May	£ 221.83	
30/04/2025	Castell Howell Foods	Café supplies	£5,277.79	
Paid under delegated powers before council meeting				
22/04/2025	C. Willetts & N. Beaumont	Travelling & Parking Expenses - staff	£ 162.20	Auditor & Food shows
02/05/2025	Squeaky Clean	Y Plas - cleaning - April	£ 1,269.00	
02/05/2025	Squeaky Clean	Car park toilets -cleaning - April	£ 810.00	
02/05/2025	Defib Store	New defibs & storage cabinets	£ 6,352.80	
02/05/2025	SKS-JMA Ltd	carpark loos locks	£ 98.02	
24/04/2025	Dysynni Drain Services	Car park toilets drains	£305.00	
To be authorised for payment				
15/04/2025	One Voice Wales	Staff training and Councillor Induction	£ 84.00	
16/04/2025	Initial Hygiene Services	Contract janitorial supplies - Plas	£ 152.72	
16/04/2025	Initial Hygiene Services	Contract janitorial supplies - Carpark loos	£ 91.54	
24/04/2025	Travis Perkins	Hen Stablau - Muriel Project	£ 224.74	
24/04/2025	Travis Perkins	Y Plas - Maintenance	£ 61.02	
30/04/2025	The Store	Hen Stablau - Mural Project	£ 65.92	
30/04/2025	The Store	Town Clock - maintenance	£ 14.04	
28/04/2025	Criw Compostio	Food waste collection Feb-April - Café	£ 130.00	
01/05/2025	Gaskells	Waste collection for May	£ 350.43	
30/04/2025	WR Partners	Payroll for April	£ 190.80	
26/03/2025	Archeo Domus	Written Investigation and Fieldwork	£ 2,346.00	
01/05/2025	Sage	Finance & Accounts package for May 25	£ 148.80	
02/05/2025	Positive Energy	Electricity bills for March & April 25 Hen Stablau	£ 174.16	

Total carried forward

£ 19,039.24

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2/2

Other statutory authorised payments made				Total carried forward
Wages / Pensions / HMRC contributions / Deductions				
30/04/2025	April payroll	Staff wages		
30/04/2025	April payroll	PCC pensions	£ 13,133.31	
30/04/2025	April payroll	NI/PAYE HMRC Shipley	£ 3,787.36	
30/04/2025	April payroll	PCC (3rd party deductions from wages)	£ 2,796.90	
30/04/2025	April payroll	DWP (3rd party deductions from wages)	£ 13.05	
30/04/2025	April payroll		£ 20.51	

TOTAL £ 38,790.37

INCOME / Incwm		
From / Gan Bwy		£ Sum / swm
Precept		£ 121,396.19
Grants		£ 30,373.22
Worldpay & Amex café credcard takings	CIC Hen Stablau	£ 12,593.82
Vat refund		£ 5,118.86
Café cash takings		£ 3,055.68
Market stall fees		£ 2,310.00
recharges to tenants		£ 1,006.23
Allotments		£ 420.00
Office rentals		£ 850.00
Room hires		£ 812.50
Car park loos		£ 524.00
Hall hires		£ 440.20
TOTAL		£ 178,900.70

total income £ 178,900.70
total expenditure -£ 38,790.37
var +/- £ 140,110.33

Code of Conduct Principles

1. The Local Government Act empowered the National Assembly to issue principles to which you must have regard in undertaking your role as a member of the Machynlleth Town Council.

The Code is based on the principles which are designed to promote the highest possible standards. These principles draw on the 7 Principles of Public Life which were set out in the Nolan Report "Standards of Conduct in Local Government in England, Scotland and Wales".

Three more were added to these:

- a duty to uphold the law,
- proper stewardship of the Council's resources
- equality and respect for others.

2. Members elected to local authorities give generously of their time and commitment for the benefit of their communities. The principles provide a framework for channelling your commitment in a way which will reflect well on you and your council and which will give your communities confidence in the way that your council is governed.

3. The individual sections of the Code are designed to support the implementation of the Principles. For example, the Selflessness principle is covered by Section 7 of the Code – Selflessness and Stewardship.

The current principles were set out in a statutory instrument and are detailed below :

A) Selflessness

Members of Machynlleth Town Council must act solely in the public interest. They must never use their position as members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

B) Honesty

Members of Machynlleth Town Council must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

C) Integrity and Propriety

Members of Machynlleth Town Council must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

D) Duty to Uphold the Law

Members of Machynlleth Town Council must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

E) Stewardship

In discharging their duties and responsibilities members of Machynlleth Town Council must ensure that their authority's resources are used both lawfully and prudently.

F) Objectivity in Decision-making

In carrying out their responsibilities, including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Members of Machynlleth Town Council must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

G) Equality and Respect

Members of Machynlleth Town Council must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion and show respect and consideration for others.

H) Openness

Members of Machynlleth Town Council must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

I) Accountability

Members of Machynlleth Town Council are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

J) Leadership

Members of Machynlleth Town Council must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

4. The principles are not part of the Model Code, failure to comply with these Principles is not of itself, therefore, indicative of a breach of the Code. However, it is likely that a failure, for example, to adhere to the principle concerning equality and respect would constitute a breach of the requirements at paragraphs 4 (a) and (b) in the Code in respect of equality of opportunity and respect.

In any event, the Principles offer a sound basis for your conduct in office and Members of Machynlleth Town Council should strive to uphold them at all times.

To be adopted

GDPR – Code of Conduct**Data Protection and the Council and Councillors**

Significant new obligations are being demanded from Councillors.

The amended data Protection Legislation ("the Legislation") and advices and guides from the Information Commissioner's Office (ICO) www.ico.org.uk, set out how Councils and Councillors must deal with personal data/information (personal data).

What personal data is included and protected by the Legislation?

The Legislation applies to '*personal data*', which means any information relating to "an identifiable person who can be directly or indirectly identified by reference to an identifier" (the individual(s)). A fuller definition is set out in Appendix 1.

A good starting point is to assume that if you have personal data you are subject to the Legislation. However, there is an exception found in the ICO guide to elections if the Councillor only holds paper records (see below).

The definition includes a wide range of personal identifiers to constitute personal data, including name, identification number, location personal data or online identifier reflecting changes in technology and the way organisations collect information about people.

Both automated personal data and manual filing systems are included in the Legislation where personal data is accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data.

The Legislation requires "good information" handling by the Council and the Councillor.

What is 'good information' handling?

The Legislation is based around eight principles of '*good information*' handling. These give the individuals specific rights in relation to their personal information and place certain obligations on Councils/Councillors. The eight principles are set out in Appendix 2. These give individuals specific rights in relation to their personal data and place specific obligations on the Council when processing it. The Legislation places the individual in charge.

How does the Legislation relate to the Council and the Councillors?

The Personal Data Protection Bill is highly likely to define public authorities as at present but will add to existing obligations. Town and Community Councils therefore will continue to be included in the definition and as presently the Council will be a "personal data controller".

The Council being a data controller does and will determine '*the purposes and means*' of processing personal data. PCC is registered as a personal data controller because it holds personal data. There are substantial fines for breaches of the Legislation.

As it is a personal data controller, the Legislation also requires that there is in place a "personal data processor" appointed by the Council. It has not yet been confirmed that the personal data processor can be the Council clerk who will be responsible to implement the "purposes", "the means" and '*to process*' the personal data policies. An agreement will need to be in place to appoint the Clerk or an external individual or organization as the DPO.

How does the Legislation involve and affect Councillors?

Normally Councillors are considered to have three different roles:

- as members of the Council;
- as representatives of individuals such as when dealing with complaints; or

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- when they may represent a political party, particularly at election time.

When using personal information Councillors should consider the context in which that information was collected to decide whether their use of the information will be fair and lawful as required by the Legislation.

As members of the Council

Councillors may have access to, and process, personal data similarly to employees. In this instance it is the Council rather than the Councillor that determines what personal data is used for and how it is processed. For example, if a member of a committee has access to personal data files in order to decide whether the Council should undertake action, the Councillors are carrying out the Council's functions and so do not need to register in their own right.

As representatives of individuals

When Councillors represent individuals, they are likely to have to register in their own right. For example, if they use personal information to timetable "surgery" appointments or take forward complaints made by local residents.

However, where a Councillor is representing an individual, who has made a complaint, the Councillor in consequence will usually have the implied consent of the resident/individual to retain the relevant personal data provided and to disclose it as appropriate. The individual will also expect that the Council (or organisation) the subject of the complaint will disclose personal data to the Councillor. If there is any uncertainty regarding the resident's wishes, it would be appropriate to make direct contact with the individual to confirm the position.

Note:

Sensitive personal information (see Appendix 1) is treated differently; for example, where consent is being relied on, this should be explicit in nature. However, in the context of a complaint, Councillors – and organisations making disclosures to them – will usually be able to rely on the Personal Data Protection (Processing of Sensitive Personal data) (Elected Representatives) Order 2002 as a condition for processing.

Political purposes/Elections

When acting on behalf of a political party, for instance as an office holder, a Councillors is entitled to rely upon the registration made by '*the party*'.

When candidates campaign on behalf of political parties to be a Councillor, they can rely on the parties' registration if the party determines how and why the personal information is processed for the purpose of their individual campaigns.

Similarly, candidates can use personal information, such as mailing lists, legitimately held by their parties. However, personal data they hold in their role as representative of residents, such as complaints or on file should not be used without the consent of the individual.

When campaigning for election to an office in a political party, Councillors should only use personal information controlled by the party if its rules allow this. It would be wrong, for instance, to use personal data which the candidate might have in their capacity as the local membership secretary, unless the party itself has sanctioned.

If a prospective Councillor is not part of any political party but campaigning to be an independent Councillor for a ward, there will be a need to have registration with ICO.

Note:

Personal information held by the Council should not be used for political purposes unless

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both the Council and the individuals concerned agree. It would not, for example, be possible to use a list of the users of a particular service for electioneering purposes without their consent. An example would be using a Council list of library/community hall/museum users to canvass for re-election claiming say a Councillor or candidate had previously opposed the closure of local libraries.

-Candidates for election should be aware that political campaigning falls within the definition of direct marketing. Consequently, they should have regard to the requirements of the legislation which set out specific rules that must be complied with for each type of marketing communication.

For further information on elections, the Information Commissioner has produced "Guidance on Political Campaigning".

Multi-member wards.

When Councillors are elected under a multi-member system where more than one Councillor represents a ward there may be situations where a Councillor who represents an individual may need to pass on that particular individual's personal information to another Councillor in the same ward. The Councillor will only be allowed to disclose to the other ward Councillor the necessary personal data, for example, to deal with the individual's(s) concerns, where the particular issue raises a matter which concerns other elected members in the same ward, or where the individual has been made aware that this is going to take place and why it is necessary.

If an individual(s) objects to a use or disclosure of the information, the objection should normally be honoured.

Should a Councillor pass on personal information which is not connected to the resident's case?

Where a Councillor wishes to share an individual's complaint with another Councillor(s) because it is an issue of general concern, the Councillor should let the resident know of the intent to provide the details of the complaint to the other ward Councillor rather than give a general description of the complaint to the other ward Councillor.

If the resident objects, then the wish is to be respected and only the general nature of the complaint is shared.

Payment of a personal data protection fee/registration?

When considering whether a Councillor needs to register the processing with the Commissioner, Councillors must first decide in which role they are processing personal information (see above).

It might well be that registration and payment of a fee is required and the ICO has a form for registration by Councillors to simplify the registration.

Note:

According to paragraph 11 of the ICO "Advice for Elected and Prospective Councillors" an exemption from registration exists where the only personal information which is processed takes the form of paper records.

What Security arrangements should be used?

A Councillor should arrange appropriate security to protect personal data and must consider the nature of the personal data and the "harm" and consequences for the individual that

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could result. ICO advises that Councillors “consider technical and organisational measures, such as the use of passwords, computer access privileges, procedures and training” to keep the personal data safe. Councils should also take appropriate measures in the same way and provide training.

Offences

The Legislation contains a number of criminal offences not only for Councils but also for Councillors for breaches of the Legislation, including:

- Failure to register when required to do so. For example, Councillors who hold computerised records of individuals’ details for casework purposes would commit an offence if they had not registered this use of personal data;
- Making unauthorised disclosures of personal data. For example, a Councillor who discloses personal information held by the Council to the “party” for electioneering purposes without the Council’s consent;
- Procuring unauthorised disclosures of personal data. For example, a Councillor who obtains a copy of personal data for Council purposes allegedly, but in reality for the Councillor’s own personal use (or the use of a political party), is likely to have committed an offence.

Does the Council need to appoint a Personal Data Protection Officer?

Attached at Appendix 3 is guidance on this topic extracted from the ICO advice “General Personal Data Protection Regulation (GDPR) FAQs for small local authorities”. Advice has also been provided by One Voice Wales and SLCC (Society of Local Council Clerks).

Additional information

Further information and detail can be obtained from the ICO at www.ico.org.uk.

Appendix 1 Personal data

-Personal data

“The GDPR applies to ‘personal data’ meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location personal data or online identifier, reflecting changes in technology and the way organisations collect information about people. The GDPR applies to both automated personal personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data. Personal data that has been pseudonymised – e.g. key-coded – can fall within the scope of the GDPR depending on how difficult it is to attribute the pseudonym to a particular individual.

-Sensitive personal data

The GDPR refers to sensitive personal data as “special categories of personal data”. The special categories specifically include genetic personal data, and biometric personal data where processed to uniquely identify an individual.

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Personal data relating to criminal convictions and offences are not included, but similar extra safeguards apply to its processing (see Article 10)."

Note:

GDPR is the General Data Protection Regulation.

Appendix 2 The Eight Principles

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless
 - (a) at least one of the conditions in Schedule 2 is met, and
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of personal data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of personal data subjects in relation to the processing of personal data.

Appendix 3 ICO Guidance Data Protection Officer

"I work for a small local council, do I need to appoint a personal data protection officer (DPO)?"

Yes. Under the GDPR, you **must** appoint a DPO if you:

- are a public authority (except for courts acting in their judicial capacity);
- Your core activities include large scale systematic monitoring of individuals (for example, online behaviour tracking); or
- Your core activities include large scale processing of special categories of personal data or personal data relating to criminal convictions and offences.
- There's a section on DPOs and when they need to be appointed in our Guide to the GDPR.

Can organisations share a DPO?

You may appoint a single personal data protection officer to act for a group of public authorities or bodies, taking into account their organisational structure and size. There is more on appointing a DPO in our section on DPOs and when they need to be appointed in our Guide to the GDPR.

Can the DPO be an existing employee?

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The person you appoint as a DPO can be an existing employee, provided the professional duties of the employee are compatible with the duties of the DPO and do not lead to a conflict of interest.

What is a conflict of interest in relation to a DPO?

Conflict of interest means a conflict with possible other tasks and duties. This means the DPO cannot hold a position within the organisation that leads him or her to determine the purposes and the means of the processing of personal data. More information on this can be found at questions 9 and 10 of the Article 29 DPO FAQ's and in the Article 29 guidelines on DPO's

What are the legal implications for a DPO?

DPO's are not personally responsible for non-compliance with the GDPR. The GDPR makes it clear that it is the controller or the processor who must demonstrate that processing is undertaken in compliance with the GDPR. Personal data protection compliance is the responsibility of the controller or processor."

GDPR – General Privacy Notice

Your personal data – what is it?

'*Personal data*' is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Aberystwyth Town Council which is the data controller for your data.

Other data controllers the council works with:

- Carmarthenshire County Council
- Ceredigion County Council
- Community groups
- Charities
- Other not for profit entities
- Contractors

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data

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controllers may be '*joint data controllers*' which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as "Special categories of data" and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you

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can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the

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discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases, the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

The right to access personal data we hold on you

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will

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respond within one month.

- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

The right to correct and update the personal data we hold on you

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

The right to have your personal data erased

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

The right to object to processing of your personal data or to restrict it to certain purposes only

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

The right to data portability

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

The right to lodge a complaint with the Information Commissioner's Office.

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliff House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

GDPR – Website Privacy Policy**Privacy notice**

This Policy covers the treatment of personally identifiable information (PID) that the Council collects when you are using the website, when you email us, or when you complete and submit an online form via our website.

The Council holds and processes personal data in accordance with all current legislation relating to data protection and complies with Data Protection legislation and will be updated along with new legislation.

Information collection and use

You can visit the site and use many of the services without telling the Council who you are or giving us any personally identifiable information. If you make a request for information or to answer a query the Council will keep your PID but only for as long as required and to improve the site.

Information sharing and disclosure

The Council will not sell or rent your personally identifiable information to anyone.

The Council will only send personally identifiable information about you to other organisations when it has your consent or have a legal reason to do so.

Cookies

The Council uses a cookie to identify you if you use or return to the site.

It is only when you complete a form that requests personal information or email the Council that you can be identified. When completing any forms, you may be asked for a variety of personal information such as name, address, post code etc.

The Council may use videos from YouTube and feeds from other websites such as Facebook and Twitter. These websites place cookies on your device when watching or viewing these pages and their policies can be seen on their sites.

You can stop cookies being downloaded on to your computer or other device by selecting the appropriate settings on your browser. If you do this you may not be able to use the full functionality of this website. There is more information about how to delete or stop using cookies on AboutCookies.org.



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Safeguarding policy

Mission statement

Machynlleth Town Council (the Council) strives to provide services and activities that minimise risk and are as safe as we can make them for the public, children, young people and adults. We aim to protect them from harm or abuse, prevent disruption to health or development and ensure safe and effective provision. We will work in partnership with local and national agencies to put in place suitable procedures for reporting, making referrals, accessing training and specialist support, when required. We will give priority to ensuring that everyone who works for us, paid or voluntary, is selected and trained with the objectives of this mission in mind.

Recruitment

When recruiting we will use appropriate procedures, safeguards and checks:

- We will request references for all posts and voluntary roles before appointment.
- We will use Disclosure and Barring Service (DBS) checks to help us assess suitability and when it is eligible to do so by determining which roles are regulated activity and are therefore subject to an enhanced check of the barred lists and those roles that are eligible only for the standard DBS check.
- We will assess any disclosed criminal record information in accordance with our data protection and equalities policies (treating ex-offenders fairly).
- We will provide an induction program for all new volunteers and staff, appropriate training to enable all volunteers and staff to carry out their duties safely and confidently, and ongoing training for the benefit of individuals' personal and professional development and the development of our organisation.
- We regularly review our recruitment procedures in response to changes in legislation and systems external to our organisation e.g. DBS checks and checklist checks.

Volunteers

We will ensure that all volunteers are treated fairly, have clear expectations of their role and are supported to fulfill that role. The Town Clerk will support all voluntary roles.

- Volunteers will be treated equally alongside any paid staff, and all volunteers will be offered the same opportunities in terms of development, responsibility, training and qualifications, and recognition for their contribution to our projects.
- Our volunteers will always adhere to the Code of Conduct when representing the Projects. Any voluntary roles, which would be an unsupervised regulated activity, will be appropriately supervised in accordance with statutory guidance.

Safeguarding Officer

We will appoint and nominate a safeguarding officer, with the role of supporting service users and other employees:



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- He / she will be available to all staff, volunteers and service users to discuss any safety concerns, issues or complaints, the welfare or behavior of service users, volunteers and staff.
- He / she will have access to appropriate training to support them in these roles.
- He / she will liaise with local and national agencies, contribute to relevant policies, maintain records and maintain confidentiality, adhering to and promoting this policy within the Council.
- He / she will provide help or access to support for individuals who suffer harm or abuse.

Harm and abuse

The Council will demonstrate an understanding of harm and abuse, and we will have a legal duty to act if it occurs in our Projects. Harm may be caused by accidents, intentional abuse (physical, sexual, emotional, financial), neglect (willful or not) or factors such as bullying, prejudicial attitudes or failure to enable an individual to participate in activities that are open to the majority of his contemporaries.

We will respond appropriately to all incidents of harm to anyone connected with our service in order to reduce risks and improve our service. Deliberate acts of harm (physical, sexual, emotional and financial) and neglect are abusive to the individual and will be subject to disciplinary action, as well as reports and referrals to social services, the police, other professional bodies and the Disclosure and Barring Service (DBS) if in a regulated activity.

Significant harm

Where there is a risk of significant harm, the Safeguarding Officer will have the power to act accordingly, taking the following steps:

- Record all discussions regarding issue
- Sign and request signatures on reports and statements
- Seek confidential advice from specialist sources
- Share concerns (with consent when necessary and appropriate) internally with the Council Chair.
- Share concerns and make referrals to Social Services or Police as appropriate
- Make a referral to the Disclosure and Barring Service regarding staff or volunteers in a regulated activity whose behavior is detrimental to service users and when removed from a regulated activity

Confidentiality

The Council will ensure retention of all reports and records (including staff and volunteer records) is secure and confidential in accordance with our data protection policy and confidentiality statement, or in accordance with the DBS Code of Practice if appropriate, until or unless it is necessary to share



this material with the agencies named above. Information will only be shared on a "need to know" basis.

Communication

We will plan and prepare for appropriate information sharing within the Council and beyond. We will make sure that anyone who has difficulties communicating, hearing, seeing, reading, talking and so on has a right to speak up about things that concern them.

We will communicate this policy to all staff and volunteers. We support and encourage everyone to speak up and contact the Safeguarding Officer when there is a

- concern, or
- exposure (information about individuals at risk of, or suffering significant harm) or
- allegation (the possibility that a volunteer or staff member may cause harm to a person in their care)

Staff or volunteers may report things that are not right, which are illegal or if anyone in the workplace neglects their duties, puts someone's health and safety at risk or hides wrong doings. In the first instance they should speak to the Safeguarding Officer who has the appropriate responsibility. We would prefer using internal processes where possible to report as above, but this does not prevent them from reporting or referring to statutory agencies such as Social Services or the Police, in their own right as a private individual. We also support our staff or volunteers to raise concerns or disclose information, which they believe constitutes misconduct - whistleblowing (disclosure in the public interest).

To encourage everyone involved with our organisation to understand that safeguarding is everyone's business, we will:

- put the issue on the agenda of the Full Council from time to time
- provide opportunities to discuss issues and concerns, policy and procedures to reflect, review and continue to learn and improve in our safeguarding responsibilities.

(The above policy in accordance with the Social Services and Well-being (Wales) Act 2014 includes the Statutory Guidance 'Social Services and Well-being (Wales) Act 2014 Working Together to Protect People Volume 1 - Introduction and Overview')

Adopted by Machynlleth Town Council at its meeting on 30/01/2023