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15 March 2017

To: All Councillors

As a Member or Substitute of the **Governance and Resources Committee**, please treat this as your summons to attend a meeting on **Thursday 23 March 2017 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely

A handwritten signature in black ink, appearing to be "Sandra Lamb". The signature is fluid and cursive, with a large loop at the end.

Sandra Lamb  
Head of Corporate Services

## **AGENDA**

### **1. APOLOGIES/SUBSTITUTES**

Please advise Democratic Services on 01629 761133 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence and substitute arrangements.

### **2. APPROVAL OF MINUTES OF PREVIOUS MEETING**

19 January 2017

### **3. PUBLIC PARTICIPATION**

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING.**

### **4. INTERESTS**

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

<b>5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15.</b>	
To answer questions from Members who have given the appropriate notice.	
	<b>Page No.</b>
<b>6. EXTERNAL AUDIT PLAN 2016/17</b>	<b>4 - 18</b>
To receive the report of the External Auditor for 2016/17.	
<b>7. EXTERNAL AUDIT GRANT CERTIFICATION LETTER FOR 2015/16</b>	<b>19 - 23</b>
To receive the External Audit Grant Certification letter for 2015/16.	
<b>8. INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2016/17 OPERATIONAL AUDIT PLAN</b>	<b>24 - 33</b>
To consider the internal audit reports produced in respect of the 2016/17 Internal Audit Plan.	
<b>9. INTERNAL AUDIT OPERATIONAL PLAN 2017/18</b>	<b>34 - 41</b>
To consider the Internal Audit Operational Plan 2017/2018, this outlines the assignments and estimated resources needed during the year.	
<b>10. LAND HOLDINGS REVIEW – LAND OFF COOMBS ROAD, BAKEWELL</b>	<b>42 - 45</b>
To consider granting various rights, subject to Public Space Advertising and further terms as outlined in the report, to the developer of a property adjacent to the Bakewell Agricultural Business Centre.	
<b>11. SERVICE REVIEWS 2017/18</b>	<b>46 - 50</b>
To note the outcome of the 2016/17 Service Reviews and consider approval of the 2017/18 Service Review Programme.	
<b>12. REVIEW OF GRANTS</b>	<b>51 - 65</b>
To consider the recommendation to reduce grants awarded to the bodies listed in the report from 1 April 2018.	
<b>13. HEALTH AND SAFETY – ANNUAL REPORT</b>	<b>66 - 69</b>
To note the Annual Report of the Health and Safety Committee which outlines the work undertaken in respect of the health and safety of employees, members of the public and other persons both across the organisation and through the Safety Committee during 2016/17.	
<b>14. HEALTH AND SAFETY POLICY</b>	<b>70 - 98</b>
To consider the adoption of the revised Safety Policy attached as Appendix 1 to the report.	
<b>15. CODE OF CORPORATE GOVERNANCE</b>	<b>99 - 111</b>
To consider adoption of the revised Code of Corporate Governance and the promotion of the updated Sponsorship Policy on the District Council's website.	

- 16. EQUALITY, CONSULTATION AND ENGAGEMENT PLAN 2017/18** **112 - 141**  
 To note the update on progress against the actions set out in the Equality, Consultation and Engagement Plan for 2016-17 and consider approval of the Equalities, Consultation and Engagement Plan for 2017-18.
- 17. FEES FOR PROMOTION OF PUBLIC RIGHTS OF WAY DIVERSION ORDERS** **142 - 143**  
 To consider a recommendation that the fees for the promotion of public rights of way diversion orders be increased as set out in paragraph 2.1 of the report with effect from 1 April 2017.
- 18. HOUSING BENEFITS OVERPAYMENTS RECOVERY** **144 - 149**  
 To consider the recommendation for further investment in Housing Benefit Overpayment recovery for a period of two years, with a formal review of progress after one year.
- 19. REFERRED ITEM – REVISED EMPLOYEE CODE OF CONDUCT** **150 - 151**  
 To consider a recommendation from the Joint Consultative Committee meeting held on 18 January 2017 for a revised Code of Conduct for all employees of the Council.
- 20. REFERRED ITEM – TIME OFF FOR ELECTION DUTIES** **152 - 153**  
 To consider a recommendation from the Joint Consultative Committee meeting held on 18 January 2017 to amend the leave entitlement policy to remove time off provision in relation to polling day duties with immediate effect.
- 21. JOINT CONSULTATIVE GROUP: MINUTES OF 18 JANUARY 2017** **154 - 156**  
 To receive the Minutes of the Joint Consultative Group meeting held on 18 January 2017.
- 22. EXCLUSION OF PUBLIC AND PRESS**  
 At this point the Committee will consider excluding the public and press from the meeting for the remaining items of business for the reasons shown in italics. The Chairman will adjourn the meeting briefly to enable members of the public to speak to Councillors.
- 23. ARREARS FOR WRITE OFF – CONFIDENTIAL REPORT** **157 - 165**  
 To consider the write off of debts that has been pursued by all appropriate means of recovery by the Council.  
*(This report contains information relating to an individual where disclosure may be a breach of the Council's Data Protection Act).*

Members of the Committee - Councillors Deborah Botham, Albert Catt, Steve Flitter, Chris Furness (Vice Chair), Alyson Hill, Susan Hobson, Neil Horton, Angus Jenkins, Tony Millward BEM, Jean Monks, Garry Purdy, Irene Ratcliffe, Lewis Rose, Mark Salt, Jacquie Stevens (Chairman), Colin Swindell, John Tibenham

Substitutes – Councillors Jason Atkin, Richard Bright, Jennifer Bower, Sue Bull, Sue Burfoot, David Chapman, Phil Chell, Tom Donnelly, Ann Elliott, Helen Froggatt, Richard FitzHerbert, Vicky Massey-Bloodworth, Joyce Pawley, Mike Ratcliffe, Philippa Tilbrook, Jo Wild



# External Audit Plan 2016/2017

Derbyshire Dales District Council

February 2017



## Financial Statement Audit



There are no significant changes to the Code of Practice on Local Authority Accounting in 2016/17, which provides stability in terms of the accounting standards the Authority need to comply with.

### Materiality

Materiality for planning purposes has been based on last year's expenditure and set at **£700,000**.

We are obliged to report uncorrected omissions or misstatements other than those which are 'clearly trivial' to those charged with governance and this has been set at **£35,000**.

### Significant risks

Those risks requiring specific audit attention and procedures to address the likelihood of a material financial statement error have been identified as:

- Significant changes in the pension liability due to LGPS Triennial Valuation

### Other areas of audit focus

Those risks with less likelihood of giving rise to a material error but which are nevertheless worthy of audit understanding have been identified as:

- Disclosure around retrospective restatement of Comprehensive Income and Expenditure (CIES) , Movement in Reserves Statement (MiRS) and Expenditure and Funding Analysis (EFA) note from 1 April 2016.

**See pages 3 and 4 for more details.**

## Value for Money Arrangements work



Our risk assessment regarding your arrangements to secure value for money have identified the following significant risks:

- Delivery of the medium term financial plan.

**See pages 6 to 9 for more details.**

## Logistics



Our team is:

- John Cornett – Director
- Katie Scott – Assistant Manager
- Arvinder Khela – In-charge

More details are on **page 12**.

Our work will be completed in four phases from December to September and our key deliverables are this Audit Plan and a Report to those charged with Governance as outlined on **page 11**.

Our fee for the audit is £38,295 ( £38,295 2015/2016) see **page 10**.

# Introduction

## Background and Statutory responsibilities

This document supplements our Audit Fee Letter 2016/17 presented to you in April 2016, which also sets out details of our appointment by Public Sector Audit Appointments Ltd (PSAA).

Our statutory responsibilities and powers are set out in the Local Audit and Accountability Act 2014 and the National Audit Office's Code of Audit Practice.

Our audit has two key objectives, requiring us to audit/review and report on your:

- *Financial statements (including the Annual Governance Statement):* Providing an opinion on your accounts; and
- *Use of resources:* Concluding on the arrangements in place for securing economy, efficiency and effectiveness in your use of resources (the value for money conclusion).

The audit planning process and risk assessment is an on-going process and the assessment and fees in this plan will be kept under review and updated if necessary.

## Acknowledgements

We would like to take this opportunity to thank officers and Members for their continuing help and co-operation throughout our audit work.

## Financial Statements Audit

Our financial statements audit work follows a four stage audit process which is identified below. Appendix 1 provides more detail on the activities that this includes. This report concentrates on the Financial Statements Audit Planning stage of the Financial Statements Audit.



## Value for Money Arrangements Work

Our Value for Money (VFM) Arrangements Work follows a five stage process which is identified below. Page 6 provides more detail on the activities that this includes. This report concentrates on explaining the VFM approach for the 2016/17 [and the findings of our VFM risk assessment].





## Financial Statements Audit Planning

Our planning work takes place during December 2016 to February 2017. This involves the following key aspects:

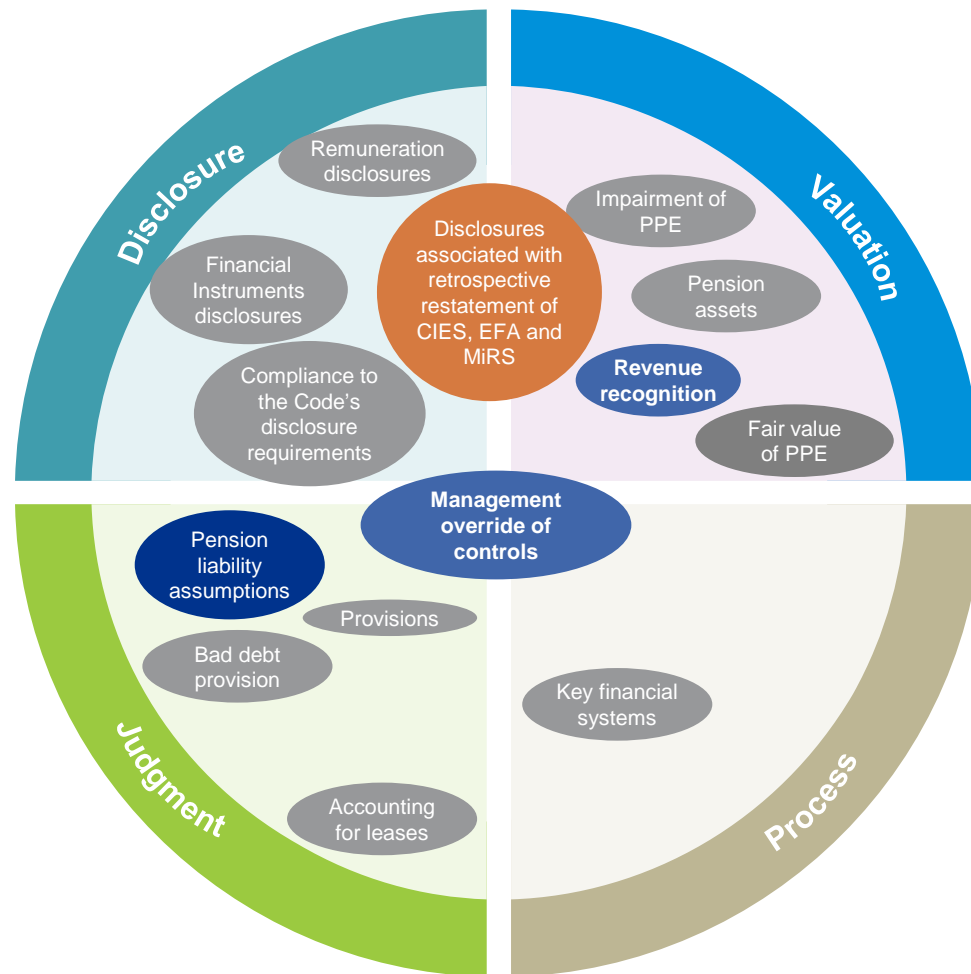
- Risk assessment;
- Determining our materiality level; and
- Issuing this audit plan to communicate our audit strategy.

## Risk assessment

Professional standards require us to consider two standard risks for all organisations. We are not elaborating on these standard risks in this plan but consider them as a matter of course in our audit and will include any findings arising from our work in our ISA 260 Report.

- **Management override of controls** – Management is typically in a powerful position to perpetrate fraud owing to its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Our audit methodology incorporates the risk of management override as a default significant risk. In line with our methodology, we carry out appropriate controls testing and substantive procedures, including over journal entries, accounting estimates and significant transactions that are outside the normal course of business, or are otherwise unusual.
- **Fraudulent revenue recognition** – We do not consider this to be a significant risk for local authorities as there are limited incentives and opportunities to manipulate the way income is recognised. We therefore rebut this risk and do not incorporate specific work into our audit plan in this area over and above our standard fraud procedures.

The diagram opposite identifies, significant risks and other areas of audit focus, which we expand on overleaf. The diagram also identifies a range of other areas considered by our audit approach.



Keys: ● Significant risk ● Other area of audit focus ● Example other areas considered by our approach



## Significant Audit Risks

Those risks requiring specific audit attention and procedures to address the likelihood of a material financial statement error.

### Risk : Significant changes in the pension liability due to LGPS Triennial Valuation

During the year, the Local Government Pension Scheme for Derbyshire Dales District Council (the Pension Fund) has undergone a triennial valuation with an effective date of 31 March 2016 in line with the Local Government Pension Scheme (Administration) Regulations 2013. The Authority's share of pensions assets and liabilities is determined in detail, and a large volume of data is provided to the actuary in order to carry out this triennial valuation.

The pension liability numbers to be included in the financial statements for 2016/17 will be based on the output of the triennial valuation rolled forward to 31 March 2017. For 2017/18 and 2018/19 the actuary will then roll forward the valuation for accounting purposes based on more limited data.

There is a risk that the data provided to the actuary for the valuation exercise is inaccurate and that these inaccuracies affect the actuarial figures in the accounts. Most of the data is provided to the actuary by Derbyshire County Council, who administer the Pension Fund.

**Approach :** As part of our audit, we will agree any data provided by the Authority to the actuary, back to the relevant systems and reports from which it was derived, in addition to checking the accuracy of this data.

We will also liaise with KPMG who are the auditors of the Pension Fund, where this data was provided by the Pension Fund on the Authority's behalf to check the completeness and accuracy such data.

## Other areas of audit focus

Those risks with less likelihood of giving rise to a material error but which are nevertheless worthy of audit understanding.

### Disclosures associated with retrospective restatement of CIES, EFA and MiRS

CIPFA has been working with stakeholders to develop better accountability through the financial statements as part of its 'telling the whole story' project. The key objective of this project was to make Local Government accounts more understandable and transparent to the reader in terms of how the Councils are funded and how they use the funding to serve the local population. The outcome of this project resulted in two main changes in respect of the 2016-17 Local Government Accounting Code (Code) as follows:

- Allowing local authorities to report on the same basis as they are organised by removing the requirement for the Service Reporting Code of Practice (SeRCOP) to be applied to the Comprehensive Income and Expenditure Statement (CIES); and
- Introducing an Expenditure and Funding Analysis (EFA) which provides a direct reconciliation between the way local authorities are funded and prepare their budget and the CIES. This analysis is supported by a streamlined Movement in Reserves Statement (MIRS) and replaces the current segmental reporting note

As a result of these changes , retrospective restatement of CIES (cost of services) , EFA and MiRS is required from 1 April 2016 in the Statement of Accounts.

The new disclosure requirements and restatement of accounts require compliance with relevant guidance and correct application of applicable Accounting Standards .

Though less likely to give rise to a material error in the financial statements , this is an important material disclosure change in this year's accounts , worthy of audit understanding.

### Approach :

We will liaise with the Authority's finance team regarding the new requirements and agree the new disclosures, including the restatement of the prior year comparators.





## Materiality

We are required to plan our audit to determine with reasonable confidence whether or not the financial statements are free from material misstatement. An omission or misstatement is regarded as material if it would reasonably influence the user of financial statements. This therefore involves an assessment of the qualitative and quantitative nature of omissions and misstatements.

Generally, we would not consider differences in opinion in respect of areas of judgement to represent 'misstatements' unless the application of that judgement results in a financial amount falling outside of a range which we consider to be acceptable.

Materiality for planning purposes has been set at £700,000 which equates to 1.9 percent of gross expenditure.

We design our procedures to detect errors in specific accounts at a lower level of precision.

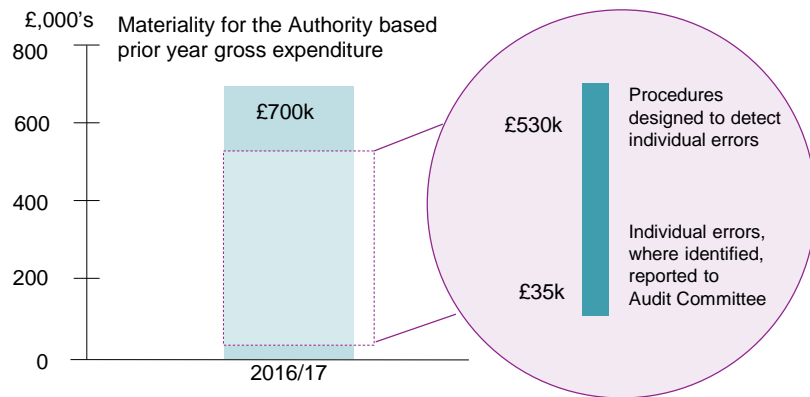
## Reporting to the Governance and Resources Committee

Whilst our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole, we nevertheless report to the Governance and Resources Committee any unadjusted misstatements of lesser amounts to the extent that these are identified by our audit work.

Under ISA 260(UK&I) 'Communication with those charged with governance', we are obliged to report uncorrected omissions or misstatements other than those which are 'clearly trivial' to those charged with governance. ISA 260 (UK&I) defines 'clearly trivial' as matters that are clearly inconsequential, whether taken individually or in aggregate and whether judged by any quantitative or qualitative criteria.

In the context of the Authority, we propose that an individual difference could normally be considered to be clearly trivial if it is less than £35,000.

If management have corrected material misstatements identified during the course of the audit, we will consider whether those corrections should be communicated to the Governance and Resources Committee to assist it in fulfilling its governance responsibilities.



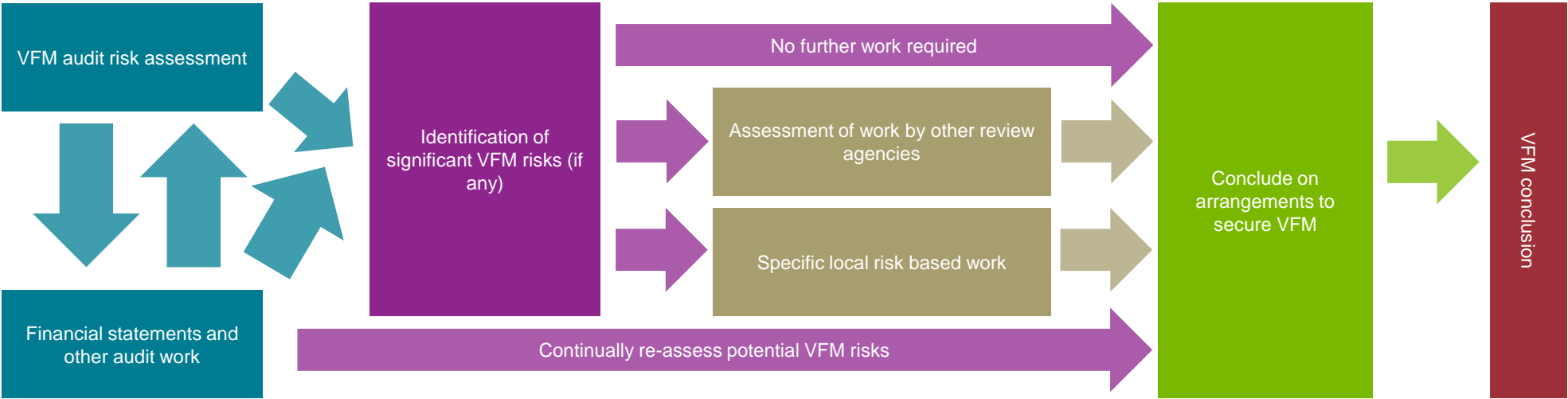


## Background to approach to VFM work

The Local Audit and Accountability Act 2014 requires auditors of local government bodies to be satisfied that the authority 'has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources'.

This is supported by the Code of Audit Practice, published by the NAO in April 2015, which requires auditors to 'take into account their knowledge of the relevant local sector as a whole, and the audited body specifically, to identify any risks that, in the auditor's judgement, have the potential to cause the auditor to reach an inappropriate conclusion on the audited body's arrangements.'

The VFM approach is fundamentally unchanged from that adopted in 2015/2016 and the process is shown in the diagram below. The diagram overleaf shows the details of the criteria for our VFM work.





## Overall criterion

In all significant respects, the audited body had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

### Informed decision making

#### Proper arrangements:

- Acting in the public interest, through demonstrating and applying the principles and values of sound governance.
- Understanding and using appropriate and reliable financial and performance information to support informed decision making and performance management.
- Reliable and timely financial reporting that supports the delivery of strategic priorities.
- Managing risks effectively and maintaining a sound system of internal control.

### Sustainable resource deployment

#### Proper arrangements:

- Planning finances effectively to support the sustainable delivery of strategic priorities and maintain statutory functions.
- Managing and utilising assets to support the delivery of strategic priorities.
- Planning, organising and developing the workforce effectively to deliver strategic priorities.

### Working with partners and third parties

#### Proper arrangements:

- Working with third parties effectively to deliver strategic priorities.
- Commissioning services effectively to support the delivery of strategic priorities.
- Procuring supplies and services effectively to support the delivery of strategic priorities.



VFM audit stage	Audit approach
<b>VFM audit risk assessment</b>	<p>We consider the relevance and significance of the potential business risks faced by all local authorities, and other risks that apply specifically to the Authority. These are the significant operational and financial risks in achieving statutory functions and objectives, which are relevant to auditors' responsibilities under the <i>Code of Audit Practice</i>.</p> <p>In doing so we consider:</p> <ul style="list-style-type: none"> <li>■ The Authority's own assessment of the risks it faces, and its arrangements to manage and address its risks;</li> <li>■ Information from the Public Sector Auditor Appointments Limited VFM profile tool;</li> <li>■ Evidence gained from previous audit work, including the response to that work; and</li> <li>■ The work of other inspectorates and review agencies.</li> </ul>
<b>Linkages with financial statements and other audit work</b>	<p>There is a degree of overlap between the work we do as part of the VFM audit and our financial statements audit. For example, our financial statements audit includes an assessment and testing of the Authority's organisational control environment, including the Authority's financial management and governance arrangements, many aspects of which are relevant to our VFM audit responsibilities.</p> <p>We have always sought to avoid duplication of audit effort by integrating our financial statements and VFM work, and this will continue. We will therefore draw upon relevant aspects of our financial statements audit work to inform the VFM audit.</p>
<b>Identification of significant risks</b>	<p>The Code identifies a matter as significant '<i>if, in the auditor's professional view, it is reasonable to conclude that the matter would be of interest to the audited body or the wider public. Significance has both qualitative and quantitative aspects.</i>'</p> <p>If we identify significant VFM risks, then we will highlight the risk to the Authority and consider the most appropriate audit response in each case, including:</p> <ul style="list-style-type: none"> <li>■ Considering the results of work by the Authority, inspectorates and other review agencies; and</li> <li>■ Carrying out local risk-based work to form a view on the adequacy of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources.</li> </ul>



# Value for money arrangements work (cont.)



VFM audit stage	Audit approach
<p>Assessment of work by other review agencies</p> <p>and</p> <p>Delivery of local risk based work</p>	<p>Depending on the nature of the significant VFM risk identified, we may be able to draw on the work of other inspectorates, review agencies and other relevant bodies to provide us with the necessary evidence to reach our conclusion on the risk.</p> <p>If such evidence is not available, we will instead need to consider what additional work we will be required to undertake to satisfy ourselves that we have reasonable evidence to support the conclusion that we will draw. Such work may include:</p> <ul style="list-style-type: none"> <li>■ Meeting with senior managers across the Authority;</li> <li>■ Review of minutes and internal reports;</li> <li>■ Examination of financial models for reasonableness, using our own experience and benchmarking data from within and without the sector.</li> </ul>
<p>Concluding on VFM arrangements</p>	<p>At the conclusion of the VFM audit we will consider the results of the work undertaken and assess the assurance obtained against each of the VFM themes regarding the adequacy of the Authority's arrangements for securing economy, efficiency and effectiveness in the use of resources.</p> <p>If any issues are identified that may be significant to this assessment, and in particular if there are issues that indicate we may need to consider qualifying our VFM conclusion, we will discuss these with management as soon as possible. Such issues will also be considered more widely as part of KPMG's quality control processes, to help ensure the consistency of auditors' decisions.</p>
<p>Reporting</p>	<p>We have completed our initial VFM risk assessment and we have identified one significant VFM risk.</p> <p>The Authority continues to face similar financial pressures and uncertainties to those experienced by others in the local government sector. The Authority needs to have effective arrangements in place for managing its annual budget, generating income and identifying and implementing any savings required to balance its medium term financial plan. This is relevant to the sustainable resource deployment sub-criteria of the VFM conclusion.</p> <p>We will review the arrangements for assuring delivery of the Authority's savings programme and review the delivery of the saving plans to date including any actions taken by the Authority where savings are not achieved in line with the plan. In addition, we will evaluate the arrangements the Authority have in place in identifying further savings for future years.</p> <p>We will update our assessment throughout the year should any issues present themselves and report against these in our ISA260. We will report on the results of the VFM audit through our ISA 260 Report. This will summarise any specific matters arising, and the basis for our overall conclusion. The key output from the work will be the VFM conclusion (i.e. our opinion on the Authority's arrangements for securing VFM), which forms part of our audit report.</p>

## Whole of government accounts (WGA)

We are required to review your WGA consolidation and undertake the work specified under the approach that is agreed with HM Treasury and the National Audit Office. Deadlines for production of the pack and the specified approach for 2016/17 have not yet been confirmed.

## Electors challenge

The Local Audit and Accountability Act 2014 gives electors certain rights. These are:

- The right to inspect the accounts;
- The right to ask the auditor questions about the accounts; and
- The right to object to the accounts.

As a result of these rights, in particular the right to object to the accounts, we may need to undertake additional work to form our decision on the elector's objection. The additional work could range from a small piece of work where we interview an officer and review evidence to form our decision, to a more detailed piece of work, where we have to interview a range of officers, review significant amounts of evidence and seek legal representations on the issues raised.

The costs incurred in responding to specific questions or objections raised by electors is not part of the fee. This work will be charged in accordance with the PSAA's fee scales.

## Our audit team

Our audit team will be led by John Cornett - Director. Appendix 2 provides more details on specific roles and contact details of the team.

## Reporting and communication

Reporting is a key part of the audit process, not only in communicating the audit findings for the year, but also in ensuring the audit team are accountable to you in addressing the issues identified as part of the audit strategy. Throughout the year we will communicate with you through meetings with the finance team and the Governance and Resources Committee. Our communication outputs are included in Appendix 1.

## Independence and Objectivity

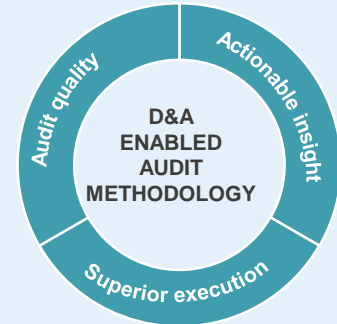
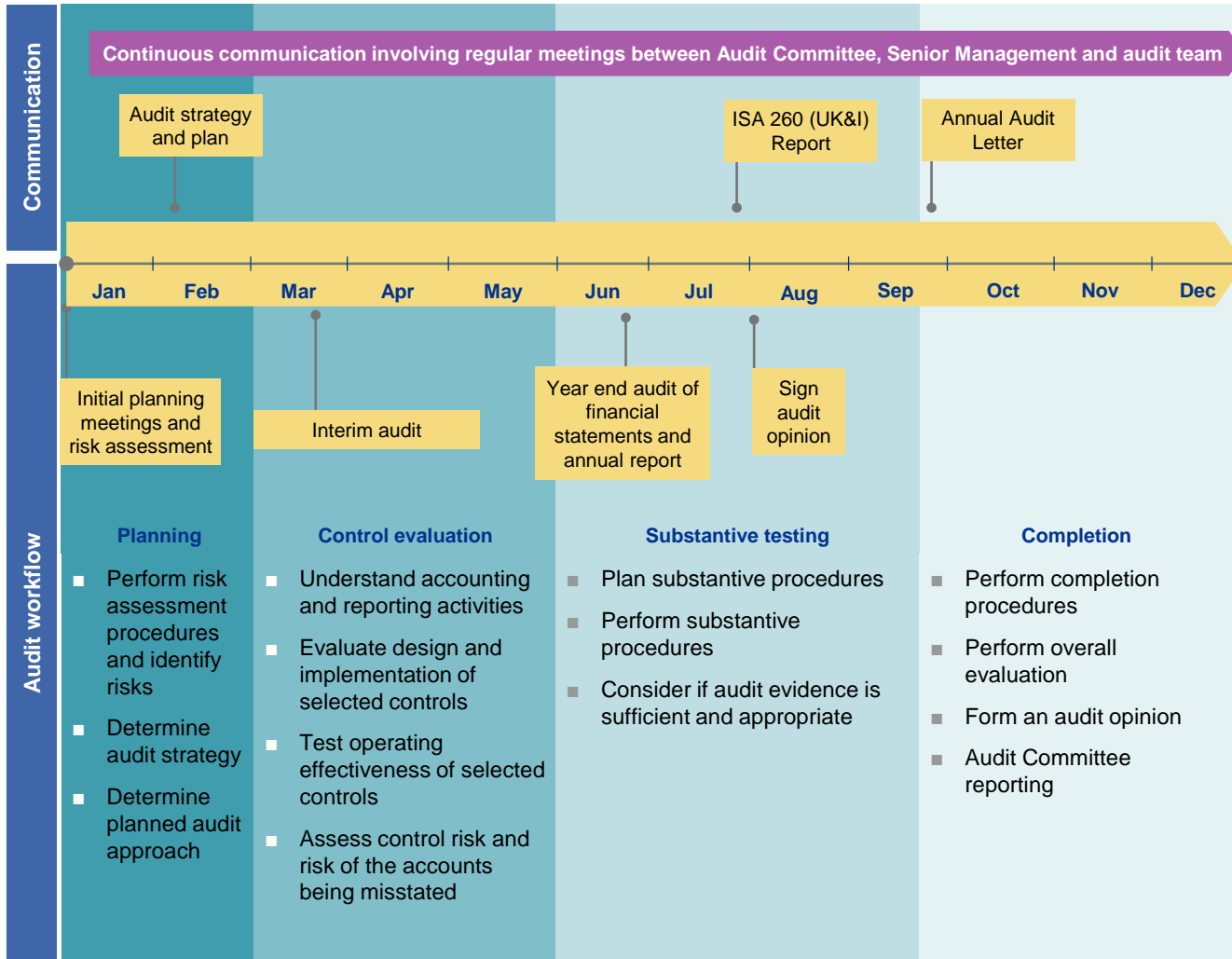
Auditors are also required to be independent and objective. Appendix 3 provides more details of our confirmation of independence and objectivity.

## Audit fee

Our Audit Fee Letter 2016/2017 presented to you in April 2016 first set out the scale fee set by PSAA for the 2016/2017 audit. This letter also set out our assumptions. The scale audit fee for 2016/17 is £38,295 (£38,295 2015/2016). We have not at this stage proposed any change to the scale fee. We have identified significant audit risks in this plan and will update the Authority if the fee needs to change to accommodate any additional audit work required in response to these risks.

Our audit fee includes our work on the VFM conclusion and our audit of the Authority's financial statements.

# Appendix 1: Key elements of our financial statements audit approach



## Driving more value from the audit through data and analytics

Technology is embedded throughout our audit approach to deliver a high quality audit opinion. Use of Data and Analytics (D&A) to analyse large populations of transactions in order to identify key areas for our audit focus is just one element. We strive to deliver new quality insight into your operations that enhances our and your preparedness and improves your collective 'business intelligence.' Data and Analytics allows us to:

- Obtain greater understanding of your processes, to automatically extract control configurations and to obtain higher levels assurance.
- Focus manual procedures on key areas of risk and on transactional exceptions.
- Identify data patterns and the root cause of issues to increase forward-looking insight.

We anticipate using data and analytics in our work around key areas such as accounts payable and journals. We also expect to provide insights from our analysis of these tranches of data in our reporting to add further value from our audit.

# Appendix 2: Audit team



Your audit team has been drawn from our specialist public sector assurance department. There is one new member to the audit team of the Derbyshire Dales audit from last year.



<b>Name</b>	John Cornett
<b>Position</b>	Partner/Director
	<p>'My role is to lead our team and ensure the delivery of a high quality, valued added external audit opinion.</p> <p>I will be the main point of contact for the Governance and Resources Committee and Chief Executive.'</p>

**John Cornett**

Director

07854 479507

john.cornett@kpmg.co.uk



<b>Name</b>	Katie Scott
<b>Position</b>	Assistant Manager
	<p>'I provide quality assurance for the audit work and specifically any technical accounting and risk areas.</p> <p>I will work closely with the partner/director to ensure we add value.</p> <p>I will liaise with the Director of Finance and other Executive Directors.'</p>

**Katie Scott**

Assistant Manager

07468 365923

katie.scott@kpmg.co.uk



<b>Name</b>	Arvinder Khela
<b>Position</b>	In-charge
	<p>'I will be responsible for the on-site delivery of our work and will supervise the work of our audit assistants.'</p>

**Arvinder Khela**

Assistant Manager

07500 990073

arvinder.khela@kpmg.co.uk





# Appendix 3: Independence and objectivity requirements

## Independence and objectivity

Professional standards require auditors to communicate to those charged with governance, at least annually, all relationships that may bear on the firm's independence and the objectivity of the audit engagement partner and audit staff. The standards also place requirements on auditors in relation to integrity, objectivity and independence.

The standards define 'those charged with governance' as 'those persons entrusted with the supervision, control and direction of an entity'. In your case this is the Governance and Resources Committee.

KPMG LLP is committed to being and being seen to be independent. APB Ethical Standards require us to communicate to you in writing all significant facts and matters, including those related to the provision of non-audit services and the safeguards put in place, in our professional judgement, may reasonably be thought to bear on KPMG LLP's independence and the objectivity of the Engagement Lead and the audit team.

Further to this auditors are required by the National Audit Office's Code of Audit Practice to:

- Carry out their work with integrity, independence and objectivity;
- Be transparent and report publicly as required;
- Be professional and proportional in conducting work;
- Be mindful of the activities of inspectorates to prevent duplication;
- Take a constructive and positive approach to their work;
- Comply with data statutory and other relevant requirements relating to the security, transfer, holding, disclosure and disposal of information.

PSAA's Terms of Appointment includes several references to arrangements designed to support and reinforce the requirements relating to independence, which auditors must comply with. These are as follows:

- Auditors and senior members of their staff who are directly involved in the management, supervision or delivery of PSAA audit work should not take part in political activity.

- No member or employee of the firm should accept or hold an appointment as a member of an audited body whose auditor is, or is proposed to be, from the same firm. In addition, no member or employee of the firm should accept or hold such appointments at related bodies, such as those linked to the audited body through a strategic partnership.
- Audit staff are expected not to accept appointments as Governors at certain types of schools within the local authority.
- Auditors and their staff should not be employed in any capacity (whether paid or unpaid) by an audited body or other organisation providing services to an audited body whilst being employed by the firm.
- Auditors appointed by the PSAA should not accept engagements which involve commenting on the performance of other PSAA auditors on PSAA work without first consulting PSAA.
- Auditors are expected to comply with the Terms of Appointment policy for the Engagement Lead to be changed on a periodic basis.
- Audit suppliers are required to obtain the PSAA's written approval prior to changing any Engagement Lead in respect of each audited body.
- Certain other staff changes or appointments require positive action to be taken by Firms as set out in the Terms of Appointment.

## Confirmation statement

We confirm that as of January 2017 in our professional judgement, KPMG LLP is independent within the meaning of regulatory and professional requirements and the objectivity of the Engagement Lead and audit team is not impaired.



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This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment’s website ([www.psa.co.uk](http://www.psa.co.uk)).

External auditors do not act as a substitute for the audited body’s own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

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GOVERNANCE AND RESOURCES COMMITTEE  
23 March 2017

Report of the Head of Resources

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## **EXTERNAL AUDIT GRANT CERTIFICATION LETTER FOR 2015/16**

### **PURPOSE OF REPORT**

This report provides information about the work that the external auditor has carried out relating to grant claims.

### **RECOMMENDATION**

That the “Certification of claims and returns - annual report 2015/16” letter from the External Auditor be noted.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

None

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## **1 REPORT**

- 1.1 The Council’s external auditors, KPMG, are required to review and certify specific grant claims and returns. The letter shown at Appendix 1 has been received in respect of claims and returns for 2015/16. The external auditor has requested that it be brought to members’ attention.
- 1.2 Only one grant claim, relating to Housing benefits, required certification in 2016. The letter in Appendix 1 indicates that one case error was found and the claim was subsequently amended. Subsequent testing found no additional cases where similar errors had occurred. No recommendations were made by the external auditor.

## **2 RISK ASSESSMENT**

### **2.1 Legal**

There are no legal risks arising from this report.

### **2.2 Financial**

There are no legal risks arising from this report.

### **3 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **4 CONTACT INFORMATION**

Karen Henriksen, Head of Resources  
Telephone: 01629 761284  
e-mail: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

### **5 ATTACHMENTS**

Appendix 1 – Letter from KPMG



Karen Henrikson  
Head of Finance  
Town Hall  
Bank Road  
Matlock  
Derbyshire  
DE4 3NN

Our ref DDDC / GR /S JL

Date 22<sup>nd</sup> February 2017

Dear Karen

**Certification of claims and returns - annual report 2015/16**

Public Sector Audit Appointment requires its external auditors to prepare an annual report on the claims and returns it certifies for each client. This letter is our annual report for the certification work we have undertaken for 2015/16.

In 2015/16 we carried out certification work on only one claim/return, the Housing Benefit Subsidy claim. The certified value of the claim was £13,762,394, and we completed our work and certified the claim on 28 November 2016.

**Matters arising**

Our certification work on Housing Subsidy Benefit claim included:

- Agreeing standard rates, such as for allowances and benefit income, to the DWP Circular communicating the value of each rate for the year;
- Sample testing of benefits claims to confirm that the entitlement had been correctly calculated and was supported by appropriate evidence;
- Undertaking an analytical review of the claim form considering year-on-year variances and key ratios;
- Confirming that the subsidy claim had been prepared using the correct benefits system version; and
- Completing testing in relation to modified scheme payments, uncashed cheques and verifying the accurate completion of the claim form.

Our certification work on Housing Subsidy Benefit claim identified one case error in our initial testing established that the lower of the LHA or actual rent liability had not been used for the assessment for some periods. This resulted in an amendment to the claim and we outlined the impact of this to the Department for Work and Pensions in a qualification letter. Our additional testing in relation to the source of the error identified no additional cases where similar errors had occurred.

Consequently we have made no recommendations to the Council to improve its claims completion processes. There were no recommendations made last year and there are no further matters to report to you regarding our certification work.

### **Certification work fees**

Public Sector Audit Appointments set an indicative fee for our certification work in 2015/16 of £5,393. Our actual fee was the same as the indicative fee, and this compares to the 2014/15 fee for this claim of £7,190.

Yours sincerely

John Cornett  
Director  
KPMG LLP

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GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Resources

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## **INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2016/2017 OPERATIONAL AUDIT PLAN**

### **PURPOSE OF REPORT**

This report asks the Committee to consider the internal audit reports produced in respect of the 2016/2017 Internal Audit Plan and also to consider the progress made by management in implementing the agreed audit recommendations.

### **RECOMMENDATIONS**

That the Committee note the findings and conclusions of the internal audit reviews and follow up of the implementation of previous recommendations.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

Internal Audit's service aims and objectives are the provision of an independent service, which objectively examines, evaluates and reports to the Council and its management on the adequacy of the control environment. This contributes to the Council's core values of being open and transparent when making decisions and using public resources ethically and responsibly.

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## **1 SUMMARY**

- 1.1 The 2016/17 Operational Audit Plan was approved by the Governance and Resources Committee on 24 March 2016. It provides a framework by which service functions are reviewed to test and report on the adequacy and effectiveness of risk management systems and the internal control environment within the Council. This report details the results of the internal audit reviews undertaken during the year.
- 1.2 The Committee's terms of reference also require that it "considers the reports produced in accordance with the Audit Plan and responses to the recommendations made therein".



## 2 REPORT

- 2.1 Attached, as Appendix 1, is a summary of reports issued covering the period 17th December to the 17th February 2017, for audits included in the 2016/17 Internal Audit Plan.
- 2.2 Reports are issued as Drafts with five working days being allowed for the submission of any factual changes, after which time the report is designated as a Final Report. Fifteen working days are allowed for the return of the Implementation Plan.
- 2.3 The Appendix shows for each report a summary of the Overall Audit Opinion of the audit and the number of recommendations made / agreed where a full response has been received. Appendix 1 also shows the number of recommendations, analysed between High, Medium and Low priority.
- 2.4 The overall opinion column of Appendix 1 gives an overall assessment of the reliability of the internal controls examined in accordance with the classifications shown in the following table:

<b><i>Control Level</i></b>	<b><i>Definition</i></b>
Good	A few minor recommendations (if any).
Satisfactory	Minimal risk; a few areas identified where changes would be beneficial.
Marginal	A number of areas have been identified for improvement.
Unsatisfactory	Unacceptable risks identified, changes should be made.
Unsound	Major risks identified; fundamental improvements are required.

- 2.5 4 reports have been issued, 3 with a good opinion and 1 with a satisfactory opinion. No reports were issued with a marginal, unsatisfactory or unsound opinion. 2 recommendations have been made.
- 2.6 Attached at Appendix 2 is the current position at 17<sup>th</sup> February 2017, of internal audit recommendations made as a consequence of audit reviews. 18 recommendations have been satisfactorily implemented since the last report 7 recommendations are in the process of being implemented 12 recommendations have not passed their implementation date and 3 remain outstanding. Appendix 2 gives a commentary next to each recommendation of the progress made. A Data Protection Health Check has been completed and the results reported to this Committee. The outstanding audit recommendations have been incorporated in to the action plan resulting from the data protection health check.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

There are no legal considerations arising from the report

#### **3.2 Financial**

There are no financial considerations arising from the report.

#### **3.3 Corporate Risk**

There are no corporate risks to consider

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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Jenny Williams, Internal Audit Consortium Manager

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### **6 BACKGROUND PAPERS**

None

### **7 ATTACHMENTS**

Appendix 1 - Summary of Internal Audit Reports Issued – 17th December 2016 to 17<sup>th</sup> February 2017

Appendix 2 – Outstanding Internal Audit Recommendations

## DERBYSHIRE DALES DISTRICT COUNCIL

### Internal Audit Consortium - Report to Governance and Resources Committee

#### Summary of Internal Audit Reports Issued – 17<sup>th</sup> December 2016 to 17<sup>th</sup> February 2017

Report Ref	Report Title	Scope and Objectives	Overall Opinion	Date		Number of Recommendations	
				Report Issued	Response Due	Made	Accepted
D016	Housing Benefits and Council Tax Reduction Scheme	To ensure that all benefits are paid promptly and accurately	Good	6/01/2017	27/01/2017	0	0
D017	Money Laundering	To ensure that money laundering legislation is complied with	Satisfactory	12/01/2017	2/02/2017	2	Note 1
D018	Main Accounting	To review and assess the systems and procedures in place	Good	23/01/2017	13/02/2017	0	0
D019	Budgetary Control	To ensure that there are strong budgetary control measures in place	Good	30/01/2017	20/02/2017	0	0

**Note 1. A response had not been received at the time of writing the report.**

REVIEW OF OUTSTANDING AUDIT RECOMMENDATIONS AT February 2017

	Recommendation satisfactorily implemented
	Recommendation partially implemented – work in progress
	Target date not reached
	Recommendation remains outstanding

SERVICE	RECOMMENDATIONS	COMMENT
Transport Street Cleansing & Public Conveniences May 2014	Produce and distribute revised driver's procedures packs and obtain signatures of recipients to confirm receipt, understanding and commitment to comply <b>(High)</b>	<b>Complete</b>
Data Protection January 2015	Comprehensive data protection training should be provided to all officers and Members of the Council following which refresher training should be provided at an agreed reasonable frequency with the requirement to sign a declaration of understanding and acceptance of their responsibilities and the consequences of failure to comply.	Training to be mandatory for employees and members, by 31 October 2015 or on induction, then every two years. Member training has started & ICT online training including security awareness had begun.
	Discussions be held with the NHS procurement partners to ensure that data protection issues be included in any future tender exercises for new systems <b>(Medium)</b>	<b>Complete</b>
	The document retention policy should be reviewed and updated to include procedures for the destruction of data <b>(High)</b>	<b>Complete</b>
	Once revised the document retention policy should be publicised and held centrally to ensure that all officers are able to comply <b>(Medium)</b>	<b>Complete</b>
	Once revised and approved, the policy should be reviewed regularly to ensure that it is fit for purpose <b>(Medium)</b>	Agreed to be subject to annual review once revised

	<p>The revised document retention policy should consider electronic and written data independently to ensure that any differences are documented <b>(Medium)</b></p>	<p><b>Complete</b></p>
	<p>Guidance should be included within the data retention policy relating to the destruction of data according to the classification of the data (confidential or not) <b>(Medium)</b></p>	<p><b>Complete</b></p>
	<p>Retention of credit card data be included in the revised data retention policy <b>(Medium)</b></p>	<p><b>Complete</b></p>
	<p>Fair processing notice text should be drafted and provided to all asset owners for inclusion on all data collection application forms to ensure compliance with data protection requirements and consistency across the authority <b>(Medium)</b></p>	<p>Pending the appointment of an Information Governance Officer</p>
	<p>Fair processing notice text to include grounds for consent e.g. By submitting data to us and/or using our web site you give your consent that all personal data that you submit may be processed by us in the manner and for the purposes described in the following fair processing notice <b>(Medium)</b></p>	<p>Pending the appointment of an Information Governance Officer</p>
	<p>All forms used to collect personal data be reviewed to ensure that they include a corporately approved fair processing notice and a consent clause including forms used by external service providers who collect data on behalf of the Council e.g. Arvato – benefit forms, council tax applications for discounts and exemptions etc. <b>(Medium)</b></p>	<p>Pending the appointment of an Information Governance Officer</p>
	<p>A Data Protection message be included on creditor remittance advice notes referring creditors to the Council's website for terms and conditions and fair processing information (full text cannot be included on the remittance advice due to the 120 character limit in the text field)</p>	<p>Pending the appointment of an Information Governance Officer</p>

	<b>(Medium)</b>	
	Asset owners identified in the Data Asset Register should ensure that all data within their remit is reviewed and maintained in accordance with the revised data retention policy once it has been documented and approved <b>(Medium)</b>	Pending the appointment of an Information Governance Officer
	A procedure for responding to subject access requests be documented to ensure that there is a consistent approach that complies with ICO checklist <b>(High)</b>	Pending the appointment of an Information Governance Officer
Treasury Management February 2015	The Financial Strategy should be reviewed, updated and approved by Council <b>(Medium)</b>	<b>Complete</b>
	Review and revise procedural guidance to reflect organisation structural changes and in accordance with the new banking contract once implemented <b>(Medium)</b>	<b>Complete</b>
NNDR November 2015	Following the implementation and trial of the Corporate Fraud software, a meeting be arranged to agree and prioritise visits to confirm empty property status <b>(Medium)</b>	Target Date dependent upon implementation of fraud software, which is planned to start in April 2017.
Expenses & Allowances August 2015	Procedural guidance for processing claims be documented to ensure that in the absence of experienced officers, claims could be processed <b>(Low)</b>	(Target date of 31.12.2015) Extended to 01.09.2016 – Further extended to coincide with the roll out of HR21 when procedures will change – 31 March 2017
Insurance June 2015	Following the implementation of recommendations made in the Data Protection audit of 2014/15 relating to the document retention policy, once the policy has been documented, approved and uploaded centrally, an instruction to all staff be issued stressing the importance of the maintenance of comprehensive records retained in accordance with the retention periods stated to support potential claims <b>(High)</b>	<b>Complete – included in Policy available to all staff via SIDD</b>
Markets	Consideration be given to applying recharges if	<b>Complete and ongoing</b>

June 2015	considered significant, where applicable, as part of the markets review ( <b>Low</b> )	
Council Tax December 2015	<p>a) NFI matches should be reviewed, especially the high risk ones - <b>High</b></p> <p>b) Ongoing entitlement to discounts and exemptions should be reviewed periodically - <b>Medium</b></p>	<b>Complete</b>
Planning Fee's February 2016	Specification of a report from the Uniform system using the application/fee received date rather than validation date would enable a simple reconciliation to be undertaken to provide the assurance that the systems were synchronised – <b>Medium</b>	Target Date – <b>01.04.2017</b>
Asset Management May 2016	The Asset Management Plan should be reviewed and revised as soon as practicable ( <i>Restated</i> ) - <b>Medium</b>	Target Date - <b>31.04.2017 re-scheduled to 1 Nov 2017</b>
	A target date be agreed for the reconciliation of the CIPFA Property's Asset Manager and Uniform Asset Database systems - <b>Medium</b>	Target Date - <b>31.07.2017 re-scheduled to 1 Feb 2018</b>
Section 106 June 2016	A robust monitoring system should be implemented to assign ownership and overall control of the system to include responsibility for; monitoring triggers and collection dates of monies due; arrange site visits suitably qualified officers where necessary to determine the status of developments and compliance with agreements; and the status and use of S106 monies - <b>High</b>	Target Date – <b>October 2016, revised to October 2017</b>
	Appropriate training should be provided to the officer designated with overall responsibility for the system to ensure a sound understanding of the accounting practices employed within the Council and to enable them to interrogate the systems efficiently in order to provide accurate and effective monitoring - <b>High</b>	Target Date – <b>October 2016, revised to October 2017</b>
Partnerships	A review of the Protocol be undertaken to ensure	Target Date – March 2017



September 2016	that content is up-to-date and relevant – <b>Medium</b>	
	A pro forma be designed and introduced based upon the checklist at appendix 1 of the Protocol for completion when setting up a partnership to evidence that guidance has been followed – <b>Medium</b>	Target Date – March 2017
Arc Leisure October 2016	A procedure for confirmation of ongoing entitlement for all leisure passes where a concession has been awarded that could be subject to change in circumstances resulting in the concession becoming no longer applicable, should be applied consistently across all centres - <b>High</b>	Recommendation not accepted due to ' <i>concessions are set up on a yearly basis</i> ' – further checks confirmed that the Gladstone system held dates for annual review of concessions to enable leisure staff to request evidence of ongoing entitlement
	a) Once the concession is operational, remaining stock be valued to enable accurate accounting entries to be completed - <b>High</b> b) A procedure be documented and circulated to all centres to ensure that stock supplied as part of the concession is adequately controlled to prevent losses which could incur financial loss - <b>High</b>	Complete
	Leisure management have already contacted Gem regarding the lack of receipts however this issue should be considered when re-letting the contract in March 2017 to ensure that income due is timely received - <b>High</b>	Target date – March 2017
Procurement December 2016	a) Contracts register be updated for: <ul style="list-style-type: none"> <li>• Peak Oil</li> <li>• Peak Waste Recycling</li> <li>• NHS Procurement Provision</li> <li>• Fuel Cards</li> <li>• SSI Schaefer Ltd - <b>High</b></li> </ul>	Target date – 31 January 2017 <ul style="list-style-type: none"> <li>• Fuel oil contract currently under review</li> <li>• PWR not under contract</li> <li>• Complete</li> <li>• Complete</li> <li>• SSI not under contract, future provision to be arranged through ESPO framework</li> </ul>
	b) Items for consideration by the Procurement Hub be included on the agenda of the next	<b>Complete</b>

	meeting i.e. Snap On purchases; agency staff expenditure - <b>Medium</b>	
	c) The services from Peak Oil and Peak Waste Recycling provisions be subject to re-tender after year-end when the total annual spend can be assessed for the appropriate procurement - <b>Medium</b>	Target date – 30 June 2017
	d) Agree a procedure with the NHS to ensure that tender exercises are notified regularly. This is required for audit and monitoring purposes and to ensure that the contracts register is up-to-date - <b>High</b>	<b>Complete</b>
	e) Include in the revised procedures that officers should consider the economical aspect of electronic purchases in the ability to reclaim VAT. Also for events such as the illuminations, consider sourcing sundry spends further in advance - <b>Medium</b>	Target date – 31 December 2017 as part of the Procurement Hub's work plan
	f) Officers be instructed that expenditure should be properly coded to provide a more accurate overview of spending and ensure effective budget monitoring – <b>High</b>	Complete
Money Laundering January 2017	Money Laundering be included in the LOLA Risk Management & Fraud Awareness module as part of the editing process - <b>Medium</b>	Target date – 31 December 2017
	Update the Policy to include the Council's transaction limit of £10,000 - <b>Low</b>	Target date – September 2018 (Next revision of Policy)
	Include a paragraph relating to money laundering in financial regulations - <b>Low</b>	Target date – May 2017

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Resources

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## **INTERNAL AUDIT OPERATIONAL PLAN 2017/18**

### **PURPOSE OF REPORT**

This report asks the Committee to agree the Internal Audit Operational Plan 2017/18 which outlines the assignments and estimated resources needed during the year.

### **RECOMMENDATIONS**

That the internal audit plan for 2017/18 be agreed.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

The Audit Plan is linked to the Council's Performance Plan values by reviewing service functions and testing and reporting on service quality and governance provisions. This also fits in with the Council's aim to provide an excellent service.

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## **1 SUMMARY**

- 1.1 A key requirement of the Public Sector Internal Audit Standards is that a periodic risk based plan should be prepared that should be sufficiently flexible to reflect the changing risks and priorities of the organisation. The risk based plan should be fixed for a period of no longer than one year, should outline the assignments to be carried out, their respective priorities and the estimated resources needed.
- 1.2 A note explaining the role, purpose and some of the terminology used in the internal audit plan is attached at Appendix 1.
- 1.3 An annual report summarising the outcome of the 2016/17 internal audit plan will be presented to this Committee after the year-end.

## **2 REPORT**

- 2.1 A summary of the internal audit plan for 2017/18 is shown below and the detailed plan is shown as Appendix 2.

## Internal Audit Plan 2017/18

Summary	Audit Days
Main Financial Systems	97
Other Operational Audits	39
Computer / IT Related	10
Fraud and Corruption	2
Corporate / Cross Cutting	5
Non Audit Duties	4
Special Investigations & Contingency	10
Final Accounts	5
Provision of financial advice	10
Management Service	30
<b>Grand Total</b>	<b>212</b>

- 2.2 The plan has been prepared taking into account the following factors:-
- The organisational objectives and priorities
  - Local and national issues and risks
  - The requirement to produce an annual internal audit opinion
  - The organisations assurance framework
  - The internal audit risk assessment exercise covering the financial control and other procedures subject to audit
  - The Council's Strategic Risk Register
  - The views of the Head of Resources
- 2.3 It should be noted that in terms of IT coverage a meeting has been held with the ICT Manager to discuss where Internal Audit time spent would be most productive. In terms of network and cyber security assurance is received via the external accreditation of PSN. Internal audit will therefore ensure that DDDC has received PSN accreditation but will then focus on reviewing a system /systems to verify that the data within that system and access to that system is suitably restricted and secure and that data protection requirements are met
- 2.4 The resource available has been reduced from 2016/17 as the section no longer has the apprentice. The audit section now consists of one Senior Auditor at 4 days a week. Although the resource level has been reduced, it is the opinion of the Head of Resources and the Internal Audit Consortium Manager that the level is still sufficient to be able to complete the risk based annual plan at Appendix 2. The plan takes in to account the strategic risks faced by the Council and resource is mainly focused in these areas to enable an annual audit opinion to be given. The Senior Auditor is very experienced and has a detailed knowledge of the Council's systems. In 2016/17 the Senior Auditor spent a lot of time training the apprentice so this time will not be required in 17/18. A management service of 30 days a year has also been procured from the Internal Audit Consortium. The plan allocates 212 days in respect of 2017/18.

- 2.5 A copy of the audit plan is provided to the Council's External Auditor to assist in co-ordination of work programmes.
- 2.6 A copy of the three year audit plan covering the period 2016/17 – 2018/19 is attached for information as Appendix 2. The plan for 2018/19 is indicative only and could well change in order to meet the priorities of the Council.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

There are no legal considerations arising from the report

#### **3.2 Financial**

There are no financial considerations arising from the report. No formula exists that can be applied to determine internal audit coverage needs. However, as a guide, the minimum level of coverage is that required to give an annual evidence-based opinion. It is believed that the level of coverage provided by the proposed 2017/18 internal audit plan will be sufficient upon which to base an opinion.

#### **3.3 Corporate Risk**

There are no corporate risks to consider

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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Jenny Williams, Internal Audit Consortium Manager  
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### **6 BACKGROUND PAPERS**

None

### **7 ATTACHMENTS**

- Appendix 1 Internal Audit Plan – Background Note  
Appendix 2 Draft Internal Audit Plan 2017/18

## INTERNAL AUDIT PLAN

### BACKGROUND NOTE

#### 1. Definition of Internal Audit

Internal Audit is defined in the Public Sector Internal Audit Standards as:

'... an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes'.

#### 2. The Purpose of Internal Audit

Internal audit is not a substitute for management. It is the purpose of internal audit to assist and support management by appraising the arrangements and procedures established.

There is also a statutory requirement for internal audit in local government contained in the Accounts and Audit Regulations 2015. These regulations require the authority to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking in to account public sector internal auditing standards and guidance.

#### 3. The Difference Between Internal Audit and External Audit

External audit is completely independent of the authority. The Council's external Auditors are KPMG. Much of the external auditors' work is determined by statutory responsibilities. Internal audit's terms of reference are determined and approved by management.

However, there is nevertheless considerable scope for co-operation to avoid duplication of work and to make maximum use of audit resources.

#### 4. The Scope of Internal Audit Work

One of the essential elements for effective internal auditing is that the internal auditor should adequately plan, control and record their work.

To determine priorities and to assist in the direction and control of audit work the internal auditor will prepare a plan based on a risk assessment.

The audit plan includes the following sections: -

- **Main Financial Systems**

This covers the fundamental accounting and income collection systems of the authority such as payroll, creditor payments, council tax etc. Most of these systems are reviewed on an annual basis due to their importance.

- **Other Operational Audits**  
Audits to be undertaken in Services include procedures such as Leisure Centres and Car Parks Income.
- **IT Related**  
Topics in this area of the plan include a review of network security and cyber risk.
- **Fraud and Corruption**  
Audits specifically related to the prevention of fraud and corruption are covered in this area of the plan. An example includes the review of gifts and hospitality. It should be noted that a significant number of other audits include an anti-fraud element e.g. income audits.
- **Cross Cutting Issues**  
This area of the plan includes audit subjects that cover all Services or are corporate issues examples include, procurement and data protection.

## 5. Delivering the Internal Audit Service

A three year strategic audit plan is compiled based on an internal audit risk assessment of auditable areas. This risk assessment takes into account the following factors:

- Materiality – the amount of funds passing through the system
- Control Environment / vulnerability – assessed level of control based on previous audit findings
- Sensitivity – profile of the system in relation to customer service
- Management concerns – any specific issues relating to the operation of the system e.g. the Council's Risk Register

Using a scoring system, audits are then categorised as High, Medium or Low risk. This ranking is then used to compile the annual audit plan.

The areas of audit work set out in the agreed plan are split into individual audit assignments.

An audit assignment can involve:

- preparation of system notes and a review/analysis of system controls;
- extraction of background information;
- extraction and testing of sample transactions and controls;
- notes of interviews and meetings.

All work undertaken is recorded on detailed working papers. To ensure that all areas have been covered and appropriate conclusions reached, all working papers are independently reviewed.

A report on the findings and recommendations arising from the audit is sent to the appropriate Head of Service and to the Head of Resources (as Client Officer) at the conclusion of the audit. A response to the recommendations is requested within a set time.

A summary of internal audit reports issued is reported periodically to the Governance and Resources Committee and an Annual Report is submitted after the end of the year detailing the outcome of the audits completed.



<b>DERBYSHIRE DALES DISTRICT COUNCIL</b>					
		<b>Audit Days</b>			<b>Risk Factor</b>
<b>Main Financial Systems</b>	<b>H,M,L Priority</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	
Main Accounting System	H	8	6	6	Main financial system failure
Budgetary Control	M	6	4	0	Main financial system failure (Strategic Risk 1)
Payroll	H	20	15	15	Main financial system failure
Creditor Payments	H	15	10	10	Main financial system failure (Strategic Risk R6)
Debtors	H	10	10	10	Main financial system failure/Loss of income (Strategic Risk 6)
Treasury Management	H	10	6	6	Main financial system failure/misappropriation of funds
Cash and Banking/petty cash/post opening/bank rec	H	8	6	6	Main financial system failure/ Loss of income
Council Tax	H	10	15	10	Main financial system failure/ loss of income (Strategic Risk 6)
Non Domestic Rates	H	10	10	14	Main financial system failure/loss of income (Strategic Risk 6)
Housing / Council Tax Benefit	H	15	15	15	Main financial system failure/ reputational damage (Strategic Risk 6)
<b>Total Main Financial Systems</b>		<b>112</b>	<b>97</b>	<b>92</b>	
<b>Other Operational Audits</b>	<b>H,M,L Priority</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>Risk Factor</b>
Arc Leisure Centre	M	8			Loss of income
Asset Management	M	8			Poor value for money from assets, assets not fit for purpose
Bakewell Leisure Centre	M		8		Loss of income
Car Parks Income	H	4		4	Loss of income (SR6)
Credit Card Usage	L	3			Inappropriate expenditure
E.Health- miscellaneous Income	L		8		Loss of income
Homelessness/Housing Strategy	M		4		Reputational damage
Illuminations	H	2	2	2	Loss of income
Insurance	M			8	Inappropriate cover

	H,M,L Priority	2016/17	2017/18	2018/19	Risk Factor
Land Charges	L	8			Loss of income
Leisure Contract Management	H			6	Contract management arrangements (Strategic Risk 6)
Members Expenses/civic account	L			6	Incorrect payments
Recycling income/credits	L	5			Loss of income
Refuse Collection Contract	M	4			Contract management arrangements (Strategic Risk 6)
Section 106/CIL	M	8		8	Loss of income/reputational damage
Taxi Licences/Other Licences	M		8		Loss of income / Safeguarding issues
Transport/Plant/Vehicles/Fuel	M	10	9		Poor fleet management, theft
VAT	M	5			Financial errors
<b>Total Other Operational Audits</b>		<b>65</b>	<b>39</b>	<b>34</b>	
<b>Corporate/Cross Cutting</b>	H,M,L Priority	2016/17	2017/18	2018/19	Risk Factor
Corporate Targets	M	4		4	Poor Governance
Data Protection	H	8		6	Financial penalties/reputational risk (SR3)
Emergency Planning/Business Continuity	M	8			Poor planning (Strategic Risk 5)
Follow up Previous Recommendations	H	5	5	5	Weaknesses continue
Health and Safety	M			8	Reputational Issues/ financial cost (SR7)
Partnerships	M	8			Poor Governance
Procurement	M	10			Poor value for money, Fraud (SR4)
Safeguarding	M	10			Reputational risk
<b>Total Corporate/Cross Cutting</b>		<b>53</b>	<b>5</b>	<b>23</b>	
<b>IT Systems</b>	H,M,L Priority	2016/17	2017/18	2018/19	Risk Factor
Disaster Recovery	M			8	Failure of key systems
System Security	H		10		Confidential data not secure
<b>Total IT Systems</b>		<b>0</b>	<b>10</b>	<b>8</b>	

	H,M,L Priority	2016/17	2017/18	2018/19	Risk Factor
<b>Fraud and Corruption</b>					
Anti-Fraud and Corruption Strategy	M	5			
Money Laundering	L	4			
National Fraud Initiative	H	4	2		Fraud
<b>Total Fraud and Corruption</b>		<b>13</b>	<b>2</b>	<b>0</b>	
	H,M,L Priority	2016/17	2017/18	2018/19	Risk Factor
<b>Non Audit Duties</b>					
Elections – Postal Votes	N/A	15	4		
<b>Total Non-Audit Duties</b>		<b>15</b>	<b>4</b>	<b>0</b>	
<b>Other</b>					
Contingency	N/A	57	10	10	
Final Accounts	M	5	5	5	Incorrect payments
Financial Advice/Working Groups	H	10	10	10	
IT	H	10			
<b>Total Other</b>		<b>82</b>	<b>25</b>	<b>25</b>	
<b>Management Time (IA Consortium Manager)</b>	N/A	<b>30</b>	<b>30</b>	<b>30</b>	Compliance with PSIAS
<b>Grand Total</b>		<b>370</b>	<b>212</b>	<b>212</b>	

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Corporate Director and Deputy Chief Executive

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## **LAND HOLDINGS REVIEW – LAND OFF COOMBS ROAD, BAKEWELL**

### **PURPOSE OF REPORT**

The report considers a request from the developer of a property adjacent to the Bakewell Agricultural Business Centre site for the grant of various rights across District Council land. Following detailed consideration of planning, legal and estate management factors, the report recommends the granting of the rights and the terms which would apply.

### **RECOMMENDATION**

That the rights outlined in paragraph 1.2 of this report be granted, subject to Public Open Space advertising, for a consideration of £12,000 (twelve thousand pounds) and subject to further terms outlined in paragraph 1.3 of this report including the purchaser being responsible for the District Council's reasonable legal costs.

### **WARDS AFFECTED**

Bakewell

### **STRATEGIC LINK**

The Land Holdings Review Process accords with the District Council's values and aims of obtaining "value for money" and to "protect and enhance the environment" as expressed in the Corporate Plan 2016/17.

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## **1 REPORT**

### **1.1 Current Situation**

The developer of a scheme off Coombs Road, Bakewell known as Rutland Mill has approached the District Council to request various rights across the neighbouring Agricultural Business Centre site to enable the completion of the scheme which comprises 5 townhouses, 2 apartments and a basement commercial spa.

### **1.2 Rights Requested**

The following rights have been requested over the neighbouring Agricultural Business Centre site as indicated on the elevation and site plan at Appendix 1 of this report:-

Pedestrian Right of way - from 3 doors (numbered 1 to 3) to connect to public footpath.

Right of Light - for three doors and three windows (Doors numbered 1 to 3, windows number 4 to 6)  
Right of extraction - from domestic bathroom (number 7)  
Easement for Water and Gas – point B to C  
Pedestrian Right of Way – 3 cross hatched areas (see doors marked 1 to 3 above.)

As part of the proposal, the developer has offered to enter a Deed of Covenant to maintain the boundary wall of the property between points A and C which is currently District Council responsibility.

### **1.3 Proposed Terms**

It is recommended that the rights are granted, subject to POS advertising, on the following terms:-

The payment of a consideration of £12,000 (twelve thousand pounds).

The developer entering into a Deed of Covenant to maintain the boundary wall of the property between points A and C.

The payment of the District Council's POS advertising costs and reasonable legal costs.

The Council's Valuer considers the disposal on the terms above to comprise the best price reasonably obtainable for the rights granted.

### **1.4 Planning Consents**

Full planning consent has been obtained for the proposed development of Rutland Mill.

### **1.5 Public Open Space Advertising**

The land subject to these rights comprises an area of grassed public open space with footpath no. 15 running along the centre. Although it is considered that the grant of the rights will not have any adverse effect on the land, Public Open Space (POS) consultation will be required.

Should any objections arise to the POS advertising; these will be referred back to a future meeting of this Committee for consideration. Should no objections arise, the matter would proceed as per this report.

### **1.6 Consultation**

Bakewell Town Council and Ward Members have been consulted on the proposals in this report and any responses received will be reported at the meeting.

## **2 RISK ASSESSMENT**

### **2.1 Legal**

The Council has a duty under S123 of the Local Government Act 1972 to dispose of assets for the best price reasonably obtainable and advertise public open space disposals to consider public opinion.

The purchasers would be responsible for the District Council's reasonable legal costs.

The duty to consult on the disposal accords with the Council's policy on the disposal of land and property. The legal risk in that respect is low.

## 2.2 Financial

The costs involved in dealing with expressions of interest (mainly officer time) can be met from existing budgets. The developer will pay the costs of POS advertising and the Council's reasonable legal costs. The disposal recommended in this report is expected to generate receipts totalling approximately £12,000, which will be credited to the Capital Receipts Reserve to fund future capital projects. As well as bringing in some income, this disposal also removes a liability for maintenance of a wall. The financial risk is assessed as low."

## 3 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality of opportunity, environmental, health, legal and human rights, financial, personnel and property considerations.

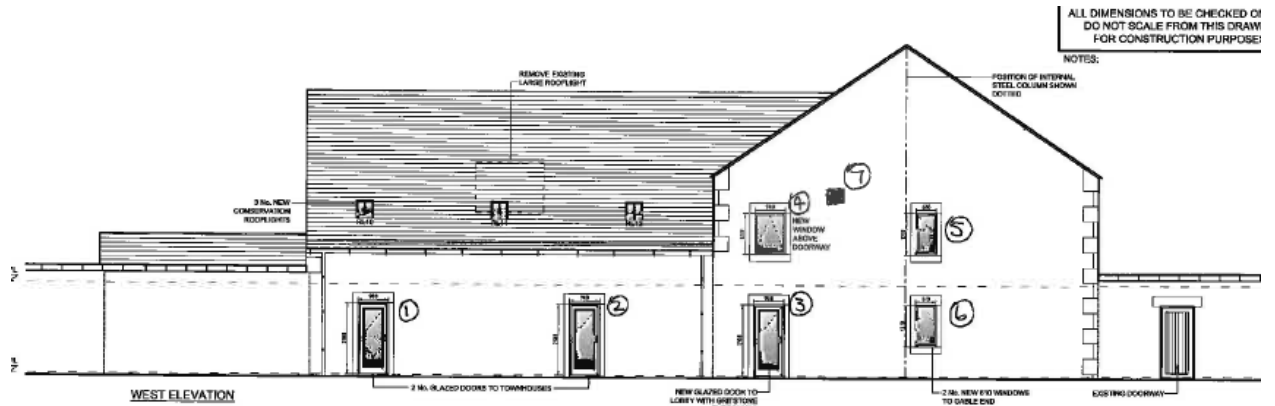
## 4 CONTACT INFORMATION

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## 5 BACKGROUND PAPERS

Property Services File – Land Holdings Review

# Land at Coombs Road, Bakewell



ALL DIMENSIONS TO BE CHECKED OR  
DO NOT SCALE FROM THIS DRAWING  
FOR CONSTRUCTION PURPOSES

NOTES:

L: Door W20 omitted & door W21 repositioned. 03/01/2017, LCS.  
K: Window W23 widened. 12/12/2016, LCS.  
J: Glazed doors amended. 12/12/2016, LCS.  
H: Rooflight added. 07/12/2016, LCS.  
G: Windows amended. 17/11/2016, LCS.  
F: Door to lobby altered to glass. 18/11/2016, LCS.

Elevation on west boundary of DDDC site (approx. points B to C)

**Pedestrian Right of way** - from 3 doors (numbered 1 to 3) to connect to public footpath (see cross hatched area below which indicates path)

**Right of Light** - for three doors and three windows (Doors numbered 1 to 3, windows number 4 to 6)

**Right of extraction** - from domestic bathroom (number 7)



**Easement for Water and Gas** – point B to C

**Deed of Covenant to Maintain boundary wall** – point A to C

**Pedestrian Right of Way** – 3 cross hatched areas (see doors marked 1 to 3 above.)

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Regeneration and Policy

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## **SERVICE REVIEWS 2017/18**

### **PURPOSE OF REPORT**

The report sets out the outcomes of the 2016/17 Service Reviews and recommends a review programme for 2017/18.

### **RECOMMENDATIONS**

1. The 2017/18 Service Review programme is approved as set out in section 4.2 of the report
2. The outcomes of the 2016/17 Service Reviews and savings are noted
3. Progress with ongoing reviews and joint projects is noted
4. The STEP review process is continued

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

Service Reviews aim to generate substantial savings, whilst driving improvement, support all the District Council's aims. In particular the reviews contribute to the priority of seeking efficiencies and innovative working practices.

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## **1 BACKGROUND**

- 1.1 The programme of Service Reviews for 2016/17 was approved by the Governance and Resources Committee on 24 March 2016. Service Reviews are carried out with the intention of achieving significant savings, to contribute towards the overall savings target identified in the Medium Term Financial Plan, and driving improvement. For each of the current service reviews, the update below indicates progress and any savings identified.
- 1.2 During the second half of 2016/17, the Corporate Leadership Team (CLT) has been piloting a lighter-touch (quicker) review process. The STEP review process (Savings, Transformation, Efficiencies and Performance) was adopted from a model developed at Teignbridge District Council, and has been used to speed up the service review timetable. STEP reviews can be characterised as a 'star chamber' process, where service managers complete a questionnaire and are then interviewed about it by a panel of peers (including the Chief Executive, another CLT member, and staff member from



other departments). The entire process, including preparing the questionnaire and the production of an action plan, takes a matter of weeks, as opposed to a traditional service review which last anything from six months to a number of years. Action plans from STEP reviews are considered regularly by CLT.

- 1.3 Alongside STEP reviews, an additional exercise has been conducted by CLT. This has been to model the potential for cuts of 10% or 25% on budgets. This exercise has in some cases already been followed through, with cuts of 10% being made to certain budgets as part of setting the 2017/18 budget.

## **2 SERVICE REVIEWS 2016/17**

### **2.1 Development Management** – Lead officer: *Paul Wilson*

A final action plan resulting from the Development Management review was approved by the Governance and Resources Committee on 15 December 2016. There are two key action areas remaining. The first is the introduction of fees for pre-application advice, the outline of which were approved by the Governance and Resources Committee on 19 January 2017. The second key area is the redesign of business processes in development management and the subsequent introduction of electronic document management. A consultant to lead this process is to be procured.

### **2.2 Highways** (agency work) – Lead officer: *Paul Wilson*

Full consideration will need to be given to the service following the County Council's own highways agency review, which is still incomplete. A report on the gully cleansing element of the agency contract was considered by the Community and Environment Committee on 16 March 2017.

### **2.3 Leisure** – Lead officer: *Paul Wilson*

Following approval by Council in December 2016, the process of outsourcing the management and operation of leisure centres has commenced.

### **2.4 Licensing** – Lead officer: *Eileen Tierney*

Options to increase resilience via a shared service with other councils have been discussed with Derbyshire councils. A further discussion with Derbyshire Chief Executives is to be held on 31 March 2017.

### **2.5 Environmental Health** – Lead officer: *Amanda Goodwill*

The scope of the Environmental Health review was also approved by the Community and Environment Committee on 10 September 2015. The review was postponed due to the Food Standards Agency audit work, but is planned to recommence in 2017 as a STEP review.

### **2.6 STEP reviews**

The following six STEP reviews (Savings, Transformation, Efficiencies and Performance) were carried out in 2016/17, with action plans now being monitored by the Corporate Leadership Team:

- ICT
- Corporate services
- Estates and facilities
- Regeneration and policy
- Public conveniences
- Finance and audit

### 3 SUMMARY OF SERVICE REVIEWS AND SAVINGS TO DATE

3.1 The following table summarises service reviews conducted since the start of the current programme. It also sets out the £476,928 cashable savings achieved from service reviews to date, along with £31,000 budget savings already delivered by STEP reviews:

REVIEW	BEGUN	COMPLETED	SAVINGS	POST-IMPLEMENTATION REVIEW?
APSE (Clean and Green)	2011/12	Yes - implement January 2014	£120,000	Yes – Cmnty Cttee 22/1/15
Administration	2013/14	Yes - Council January 2014	£219,811	Yes
Tourism	2013/14	Yes - Env't Cttee 17/7/14	£23,000	Yes – STEP review 2016/17
Discretionary Grants	2013/14	Yes - Cmnty Cttee 2/4/14	£2,617 + capital	
Overtime	2013/14	Yes	No cashable saving	
Leisure	2013/14	Incomplete – Council 1/12/16	£111,500 (Phase 1)	
Reprographics	2014/15	Yes - CLT 26 March 2015	No cashable saving	Yes – CLT January 2017
Matlock Bath Illuminations	2014/15	Yes - Corporate Cttee 15/3/15	None	Yes – C&E Cttee March 2017
Housing	2014/15	Yes – C&E Cttee 10/9/15	None	STEP review 2017/18
Development Management	2014/15	Yes – G&R Cttee 15/12/16	None – additional costs	EDMS project pending
Highways agency work	2014/15	Yes – CLT 1/3/16	Proposed £58,000	
Licensing	2015/16	(Exploring shared service)	None pending shared service	
Environmental Health	2015/16	(To recommence in 2017)	None	STEP review 2017/18
Building Control	(Ad hoc)	Yes – to transfer to shared service	Proposed £54,000	Due April 2017
ICT STEP review	2016/17	Yes – CLT 6 Dec 2016		Periodic review as part of Action Plans for every STEP review
Finance and audit STEP review	2016/17	(Review held 14 March 2017)		
Corporate services STEP review	2016/17	Yes – CLT 6 Dec 2016	£22,000 to date (10% exercise)	
Estates and facilities STEP review	2016/17	Yes – 25/1/17		
Regeneration and policy STEP review	2016/17	Yes – CLT 6 Dec 2016	£9,000 to date (10% exercise)	
Public conveniences STEP review	2016/17	Yes – CLT 6 Dec 2016	Agreed C&E Cttee 12/1/17	

## **4 SERVICE REVIEWS 2017/18**

4.1 It is proposed to continue/complete the following major Service Reviews during 2017/18:

- **Development Management** – implementation of electronic processes, new ways of working and revised team structures to achieve planned savings
- **Leisure** – progress options for outsourcing leisure centre management and operations.

4.2 In addition, it is proposed to continue the STEP review programme, with the aim of reviewing all services over a three year period. The following separate STEP reviews are proposed for 2017/18:

- **Housing**
- **Environmental Health**
- **Burials**
- **HR and Payroll**

4.3 Specific reviews of discrete activities are also planned for 2017/18 with the aim of reducing costs or increasing income. These were detailed in the 'Planning for the Future' report considered by Council on 2 March 2017.

## **5 RISK ASSESSMENT**

### **5.1 Legal**

There are no legal considerations with service reviews at this stage. The risk is therefore low.

### **5.2 Financial**

As stated in the body of the report, Service Reviews aim to generate significant savings for the District Council, whilst recognising that there may be a need for short-term 'invest to save' funding where this is justified by a sound business case. Service reviews and other measures have so far identified £1,168,481 in savings that have been achieved to date, against the target of £1m set in 2014. The Corporate Plan target is for service reviews and other savings measures to generate a further £1.6m in savings over the next three years. The financial risk is therefore considered to be High.

### **5.3 Corporate**

As identified in the report, the key risks result from changing some current practices and procedures. These will be mitigated by project management, communication and training. If current practices and procedures do not change, there is a risk that the savings and efficiencies required could not be realised. This latter risk is considered to be Medium.

## **6 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

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Service Reviews G&R Cttee March 2017.doc

### **CONTACT INFORMATION**

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01629 761371, email [steve.capes@derbyshiredales.gov.uk](mailto:steve.capes@derbyshiredales.gov.uk)

### **BACKGROUND PAPERS**

None

### **ATTACHMENTS**

None

**GOVERNANCE AND RESOURCES COMMITTEE**  
**23 MARCH 2017**

Joint report of the Head of Resources, Head of Regulatory Services, Head of Community Development and Head of Regeneration and Policy

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## **REVIEW OF GRANTS**

### **PURPOSE OF REPORT**

To seek approval for proposals to reduce grants awarded to the following bodies from 1<sup>st</sup> April 2018:

- Derbyshire Districts Citizens Advice
- Hathersage Parish Council in respect of Hathersage Swimming Pool
- Derwent Valley Mills World Heritage Site
- Rural Action Derbyshire
- Derbyshire Dales Council for Voluntary Service

### **RECOMMENDATIONS**

- 1 That the grant to Derbyshire District Citizens Advice, as proposed in section 2.1 of this report, is approved;
- 2 That the grant to Hathersage Parish Council in respect of Hathersage Swimming Pool, as proposed in section 2.2 of this report, is approved;
- 3 That the programme of funding for the wheeled bin service at Hathersage Swimming Pool, as proposed in section 2.2 of this report, is approved;
- 4 That the grant to Derwent Valley Mills World Heritage Site, as proposed in section 2.4 of this report, is approved;
- 5 That the grant to Rural Action Derbyshire, as proposed in section 2.5 of this report, is approved;
- 6 That the grant to Derbyshire Dales Council for Voluntary Service, as proposed in section 2.6 of this report, is approved;
- 7 That the negotiations with Derbyshire Wildlife Trust regarding their service level agreement are noted

### **WARDS AFFECTED**

All wards

### **STRATEGIC LINK**

The grants identified in this report support the Council's aims and priorities as contained in the Corporate Plan.

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- 1.1 The Council has a corporate savings target, set at the Council meeting on 2<sup>nd</sup> March 2017, to save £1.6m over the next three years. At the Council meeting in November 2016, when the Medium Term Financial Strategy and Efficiency Plan were approved, members were informed that a review of grants would be undertaken to determine whether savings could be achieved.
- 1.2 As part of a package of measures, the Corporate Leadership Team agreed that a review would take place in respect of all concessionary grants currently offered by the Council to outside bodies. The proposal to reduce the level of grant by 10%, year on year for 3 years, following 12 months prior notice, is in keeping with Council's plans to make necessary savings in its grant allocation budget by 2019/20. It is expected that the grant allocation scheme will be reviewed again in 2019/20, in light of the Council's financial position at that time.
- 1.3 In January 2017 the Community and Environment Committee approved reductions in the grants to Whitworth Park and Matlock Bowls Club. This report considers grants to other organisations.
- 1.4 Formal consultation has taken place with each organisation that was identified, and the outcome of the consultation is reported alongside each of the proposals below, or will be reported verbally at the meeting where it has not been received at the time of writing this report. During the formal consultation, it was stressed that the reason for the review was the need for financial savings and was in no way a reflection on how the Council values the work that the organisation does or the relationship between the two organisations.

## 2 PROPOSALS

### 2.1 Derbyshire Districts Citizens Advice

A full grant would be paid in 2017/18 and then it is recommended that the grant be reduced by 10% year on year for 3 years as outlined in the table below.

Financial Year	Grant Allocation reduced by 10% each year
2017/18	£18,000
2018/19	£16,200
2019/20	£14,580 (further review)
2020/21	£13,122

Consultation response: Derbyshire Districts CAB have sent a letter and Impact Summary. The letter is reproduced in Appendix 1 and the Impact Summary is available as a background paper. The letter makes the point that the proposed reduction in core funding will have an adverse impact on the residents of Derbyshire Dales.

Officer comment: Members need to be aware that the grant mentioned above relates to core funding only. The CAB receives other support from the District Council in the form of funding for a financial skills project (£35,000 for 2016/17), funding for a debt project (£35,000 for 2016/17) as well as the provision of accommodation at Matlock Town Hall, the majority of which is free of charge.

### 2.2 Hathersage Swimming Pool

A full grant would be paid in 2017/18 and then it is recommended that the grant be reduced by 10% year on year for 3 years as outlined in the table below.

Financial Year	Grant Allocation reduced by 10% each year
2017/18	£25,000
2018/19	£22,500
2019/20	£20,250 (further review)
2020/21	£18,225

In addition to the grant that is paid to Hathersage Pool, the District Council currently funds the removal of waste from Hathersage Pool. It is proposed that the cost of this service should transfer to the Parish Council, phased in over four years, as set out in the table below:

Financial Year	Proposed funding from Derbyshire Dales District Council	Proposed funding from Hathersage Parish Council
2017/18	100% £3,380	0% £0
2018/19	75 % £2,535	25% £845
2019/20	50% £1,690 (further review)	50% £1,690 (further review)
2020/21	25% £845	75 % £2,535
2021/22	0% £0	100% £3,380

Note: the costs shown above are for illustrative purposes and reflect the costs for 2017/18; they are subject to change in future years.

Consultation response: A letter has been received from Hathersage Parish Council that shows the impact of the proposals on the Swimming Pool. A copy of the letter is shown in Appendix 2. The Parish Council Treasurer points out that, if these proposals are implemented, Derbyshire Dales' residents will have to pay more to swim at Hathersage Pool from 2018.

With regard to the cost of the wheeled bin service, the exercise has already identified savings as the Pool Committee state that a reduction in the frequency of emptyings can be achieved during the closed season.

### 2.3 Derbyshire Wildlife Trust

The District Council has a service level agreement with Derbyshire Wildlife Trust, whereby they are paid to deliver services for the council (such as providing specialist advice on planning applications), some of which impact on statutory duties. As such, this is not grant funding but instead a payment for services. Nevertheless, at £18,300 p.a., the payment made by the District Council is significant and it would be wrong not to consider any scope for savings.

The Trust were contacted in December 2016, and the need for the District Council to make savings was explained. The Trust replied in January 2017 with a well-considered paper setting out the consequences of a 10% reduction (which are minimal) and a 25% reduction (which would be more noticeable but not inconceivable). This has provided a very helpful basis for negotiations, which are envisaged to take place when the Place Shaping Hub has considered the level of service from the Trust that is appropriate for the future.

## 2.4 Derwent Valley Mills World Heritage Site

A full grant would be paid in 2017/18 and then it is recommended that the grant be reduced by 10% year on year for 3 years as outlined in the table below.

Financial Year	Grant Allocation reduced by 10% each year
2017/18	£10,000
2018/19	£9,000
2019/20	£8,100 (further review)
2020/21	£7,290

Consultation response: Documents have been received that show the potential impact of the proposals on the Derwent Valley World Heritage Site. These documents are shown in Appendix 3.

## 2.5 Rural Action Derbyshire

A full grant would be paid in 2017/18 and then it is recommended that the grant be reduced by 10% year on year for 3 years as outlined in the table below.

Financial Year	Grant Allocation reduced by 10% each year
2017/18	£4,542
2018/19	£4,088
2019/20	£3,679
2020/21	£3,311

Consultation response: A verbal update will be given, should a response be received in time.

## 2.6 Derbyshire Dales Council for Voluntary Service

A full grant would be paid in 2017/18 and then it is recommended that the grant be reduced by 10% year on year for 3 years as outlined in the table below.

Financial Year	Grant Allocation reduced by 10% each year
2017/18	£14,000
2018/19	£12,600
2019/20	£11,340
2020/21	£10,206

Consultation response: An email has been received which outlines the impact of the proposals on the Derbyshire Dales Council for Voluntary Service. Although there is reference to £31,161 funding, the District Council is only proposing to reduce the amount to the above Revenue Grant. These documents are shown in Appendix 4.

## 3 RISK ASSESSMENT

### 3.1 Legal

It is appropriate to continue to review payments made from grant funding to ensure the best use of public money. The legal risk is low, however it would be sensible for



the parties to enter into a funding agreement in line with the Members' resolution.

### 3.2 Financial

The Council has a corporate savings target to achieve savings of £1.6m by 2019/20. The grant reductions that are proposed in this report will contribute towards the corporate savings target. The financial risk is assessed as low.

## 4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## 5 CONTACT INFORMATION

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## 6 BACKGROUND PAPERS

Derbyshire Dales Impact Summary 2015/16 by Derbyshire Districts Citizens Advice, available from Karen Henriksen.

## 7 ATTACHMENTS

Appendix 1 – Consultation response from Derbyshire Citizens Advice

Appendix 2 – Consultation response from Hathersage Parish Council

Appendix 3 – Consultation response from Derwent Valley Mills World Heritage Site

Appendix 4 – Consultation response from Derbyshire Dales Council for Voluntary Service

**Derbyshire Districts Citizens Advice**  
The charity for your community



**Derbyshire Districts CAB**  
Town Hall  
Bank Road  
Matlock  
DE4 3NN

Karen Henriksen  
Derbyshire Dales District Council  
Town Hall  
Bank Road  
Matlock  
DE4 3NN

[www.derbyshirecab.org.uk](http://www.derbyshirecab.org.uk)

**For advice please call 0300 456 8390**

21 February 2017

Dear Karen

**Re: Consultation: Review of Grants**

Thank you for your letter dated 13<sup>th</sup> January 2017 outlining the review of the level of financial support our organisation receives from Derbyshire Dales District Council.

Please find enclosed our official response outlining the impact of the potential reduction in grants by 10% year on year for 3 years from 2018/19.

I have also enclosed our annual impact summary for Derbyshire Dales 2015/16 for information.

I appreciate that Government changes to public sector spending have resulted in you having to make difficult decisions in how grant funding is allocated. I hope we can continue to work together to support your priorities.

Yours sincerely

Chloe Doxey  
Chief Officer



## **Impact of proposed reductions in funding from Derbyshire Dales District Council**

Citizens Advice Derbyshire Districts is a large charity covering just under 1,000 square miles of rural & urban Derbyshire. We have 7 main offices, with one of our largest central offices being in Matlock based at the Town Hall.

Last year we helped over 2000 clients from the Derbyshire Dales area with over 10,000 problems and were successful in securing £2.1million in of client entitlement in benefits and grants. We also assisted residents in tackling £1.3million debt.

Our advice has helped people stay in work, prevented housing evictions, kept families together and reduced the cost of health interventions.

**37% (826 people)** of our Derbyshire Dales-resident clients were recorded as disabled or with long term health problems. The actual number will be higher, taking into account those whose disability/ health status was not recorded. Residents in Derbyshire Dales with disability and long term health problems have particular advice needs, significantly issues which may affect their ability to remain in accommodation or gain and continue employment. In many cases the clients acknowledge that without support Citizens Advice they would not have known where to access advice.

Every **£1** that is invested in our service brings at least **£1.55** in financial savings to the local government that arise from a reduction in health service demand, local authority homelessness services and out of work benefits for clients and volunteers.

The grant from Derbyshire Dales District Council is the only funding we receive to provide our core services such as our face to face drop in service and telephone advice in the Derbyshire Dales area. Not only is it vital to enabling us to provide a service to the residents of Derbyshire Dales it also forms the platform from which we are able to provide all our additional services such as The Money Advice service in addition to the Derbyshire Dales debt project. It enables us to expand our financial capacity service, become involved with initiatives such as Derbyshire Money week and develop our Community focus point in Hurst Farm. The Matlock office also serves as an administrative base for all our outreach workers who are situated in the 12 GP surgeries and Children's Centres across Derbyshire Dales.


36 volunteers gave more than 9000 hours of their time to help people from our advice centre in Matlock. Core funding pays the supervision, training and support of these volunteers. To deliver **such an advice service** without these volunteers would cost the organisation £95,000 a year.

The strength and impact of this additional work would not be possible without the basis of the core funding provided by Derbyshire Dales District Council.

We recognise there are pressure on funding and that you are faced with difficult decisions, however the impact of reduction in funding will be that we have to consider how we reshape our service reducing in cuts to the face to face services which will no doubt have an adverse impact on the residents of Derbyshire Dales.

We hope that you will consider this when making your final decision on the grant review. We hope to work with you to support your priorities.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CD', written in a cursive style.

Chloe Doxey

Chief Officer

## HATHERSAGE PARISH COUNCIL

96 Abbeydale Park Rise

Sheffield

S17 3PF

Phone 0114 236 4648

27<sup>th</sup> February 2017

Your ref Resources/KH

Karen Henriksen  
 Head of Resources  
 Derbyshire Dales District Council  
 Town Hall  
 Matlock, DE4 3NN

Dear Karen

Consultation; review of Financial Support

I refer to your letter of 13<sup>th</sup> January which the Council have now discussed.

Whilst they are disappointed that support is being cut they appreciate the position your Council is in and, on the assumption that other recipients of financial support are being similarly dealt with, accept the cuts that you propose.

As you will be aware in recognition of the subsidies given Derbyshire Dales' and High Peak's Hope Valley residents receive a discount on the price of season tickets. A consequence of Derbyshire Dales cutting its subsidy whilst High Peak are not will be that in from 2018 Derbyshire Dales residents will pay more for their season tickets than High Peak residents.

Based on the 2017 price an adult season ticket would cost:-

Year	DDDC	HPBC
2017	£195	£195
2018	£199	£195
2019	£203	£195
2020	£206	£195

The Council have asked me to pass on their appreciation of being forewarned of these reductions.

It is likely that over the next few years we will be asking your Council to carry forward any unused support to assist us in two planned improvements at the pool; the provision of air and/or ground

source energy and the improvement of the entrance which, as you know, is currently by way of steep steps.

Yours sincerely

A handwritten signature in black ink that reads "Chris". The letters are cursive and connected.

Chris Cave

Treasurer

## **Derwent Valley Mills WHS**

### **Contribution to DDDC in 2016/17**

#### **1.0 Introduction:**

- 1.1. The DVMWHS works to an annual programme that is agreed by the Steering Group on which sits a member of DDDC. The current work programme is attached with an up-to-date RAG rating. The Annual Report for 2015/16 is attached and also the current Newsletter which outlines the work of the DVMWHS and its achievements. Many of these relate to DDDC. The DVMWHS is a linear site 15 miles long with 8.6 miles running through DDDC which hosts 10 out of the 18 main attractions within the DVMWHS.

#### **2.0 Summary of Inputs and Value to DDDC (Quantitative)**

- 2.1 The DVMWHS has allocated 23% of its resources to partners within the DDDC, including the Council in 2015/16. (a period of 11 months)
- 2.2 DDDC has paid an annual sum of £10,000 towards the costs of the DVMWHS Team.
- 2.3 In return for this investment the DVMWHS expended 1,209 hours of staff time on projects within the DDDC area or directly supporting the attractions within it. The value of this (inc. on-costs) is £32,981.00. Discounting the external funding and secondary spending produced (see 2.4) this delivers a significant return on the £10,000 investment by DDDC.
- 2.4 55 % of the Discovery Days events took place in Derbyshire Dales. 9,310 of the attendances were within the Derbyshire Dales area. 45% of the attendees were from the DDDC area and 45% came from further afield with 10% staying overnight. Using the Association of Independent Museums (AIM) economic impact model these groupings contributed £ 228,714 into the local economy through secondary spending at car parks, shops and services.

#### **3.0 Breakdown**

See over.

**DVMWHS: Quantitative Inputs and Outcomes: DDDC 2016/17**

Activity	No	Hours	Hourly rate (inc. on-costs) (£)	Value (£)	Outcomes
<b>Inputs (£) Note: Figures do not include overheads for office accommodation, utilities, IT etc.</b>					
Management (ETC, DCC)		28	42.18	1,181	Management of Site issues, Advocacy, Planning, Regeneration and Representation
Staff Travel				1,000	
Planning advice	17	16	26.68	1,814	Protection of DVMWHS and conservation areas
Supporting partnership members in DDDC (actual meetings)		114	26.68	3,042	To deliver Discovery Days (see below) and supporting WHS members in DDDC to deliver outputs in Annual Report/Newsletter and Section 2
Follow-up desk work		105	26.68 17.71	2,801	Research, queries, funding advice etc.
Discovery Days events within DDDC	113	40	26.68 17.71	1,067 16,054	55% of Discovery Days events held in DDDC
Distribution of Discovery Days publicity materials				5,022	Promotes DDDC attractions and events
Marketing of WHS				1,000	Promotes DDDC attractions
<b>Sub - Total (Inputs)</b>				<b>32,981</b>	
<b>Outputs (£)</b>					
Economic impact of Discovery days in DDDC	Visits into DDDC		See * below	228,714	Amount spent within local cafes, shops, garages, etc. Does not include day trippers from within the region or overnight visitors.
<b>Sub - Total</b>				<b>228,714</b>	
<b>Total</b>				<b>261,695</b>	

**Note:** Based on AIM Impact Model: 45% local visitors, 45% day visitors and 10% overnight visitors



## **4.0 Qualitative Outcomes**

4.1 The direct financial inputs into DDC clearly deliver a financial benefit to both the Council and the local economy.

4.2 The qualitative outcomes are laid out below.

- Assisting Women's Tour of Britain 2016.
- Aiding DDDC on planning issues
- Ongoing planning advice ensures quality infrastructure attracting vibrant local economy
- Editing text at Cromford Gateway to ensure whole DVMWHS story told
- Running Discovery Days and Discovery Walks
- Ongoing advice to Cromford Mills, John Smedley, Friends of Cromford Canal,
- Training volunteers
- Source of Good News stories for the District
- Working with DerwentWISE on projects within DDDC
- Liaison with Network Rail re. Midland Mainline electrification

**Mark Suggitt**

**Director, DVMWHS**

13 January 2017

Hello Ashley,

Thanks for your telephone call yesterday regarding DDCVS's core grant from Derbyshire Dales District Council.

My understanding is that what is being proposed is a cut to this funding of 10% per annum for three years beginning in the FY 2018-19. (\*As a point of clarification, I wasn't sure if that means 10% of the original total per annum, or 10% of the reducing total every year.) As promised, I have written a few paragraphs below placing this proposed cut in the context of DDCVS's core funding as a whole, and assessing the impact that this cut would have on DDCVS's staffing, accommodation and services.

The current core grant from DDDC is £31,161. As such, this represents about 35% of our funding to deliver core CVS services. The other core funding currently comes from Derbyshire County Council (Policy and Adult Care) and North Derbyshire CCG, although all of this funding is far from secure in the current climate, and is almost bound to reduce in the near future. We do currently have other funding, but this is related to specific projects and services, and does not contribute much to our core costs. As a general point, it should be recognised that across the UK the only organisations that routinely core fund CVSs are local authorities and CCGs. Funding lost by CVSs from LAs and CCGs cannot be replaced from other sources. Once it's gone, it's gone.

Regarding the DDDC grant of £31,161, it is worth bearing in mind that £16,148 of this is paid straight back to DDDC in rent for our offices at the ABC, so in real terms, the actual cost of the grant to DDDC amounts to £15,013. One probable consequence of a significant reduction in our core funding would be that we would almost certainly need to seek cheaper office space, which would reduce income to DDDC. We would be very reluctant to leave the ABC, but it might become unaffordable for us.

Most of our expenditure is on staffing, and all of our core staff are involved in delivering the core services of DDCVS (i.e. advice, information and training to the local voluntary and community sector). We do not employ administrative staff as such, and even our finance officer does development work with local groups, provides financial management advice to local organisations, and produces accounts for local groups. Therefore, we cannot reduce core costs by reducing admin or 'back office' support and management: we are already a very lean and effective organisation. Consequently, any reduction in core funding would have a direct impact on the provision of services to the local voluntary sector, and to our statutory partners such as DDDC, DCC and the CCGs.

Broadly speaking, the impact would be this. Assuming a straight 30% cut (\*see above) over three years, the grant from DDDC would reduce to around £21,813. Assuming that rental costs at the ABC remain the same, that would reduce the amount that can then be spent on development work with local organisations to £5665, just over a third of what it was previously. In real terms this equates to around about 175 days of development worker time currently funded by DDDC per annum reducing to about 60 days. Clearly this would have a huge impact on our ability to deliver support to the local voluntary sector, and to work with other partners and stakeholders. Ultimately, this would have an impact on the capacity and sustainability of the local voluntary sector to support the most vulnerable and disadvantaged people in the District. This combined with likely cuts from other funders would make it extremely difficult to sustain an adequate level of CVS services in the Dales in the future.

Sorry to paint such a bleak picture, but these are the facts I'm afraid.

I'd welcome the opportunity to discuss this further. I would hope that we can work out a way forward that would address some of the issues described above.

Best wishes.

Neil

Neil Moulden  
Chief Executive  
Derbyshire Dales CVS  
Agricultural Business Centre  
Agricultural Way  
Bakewell  
DE45 1AH

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Chief Executive

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## **HEALTH AND SAFETY – ANNUAL REPORT**

### **PURPOSE OF REPORT**

This report outlines the work that has been undertaken in respect of the health and safety of employees, members of the public and other persons both across the organisation and through the Safety Committee during 2016/17.

### **RECOMMENDATION**

That the Committee notes the annual report on health and safety issues.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

Providing a safe and healthy place to work meets with the District Council's aim to be clean, safe and thriving.

---

## **1 BACKGROUND**

- 1.1 In common with all UK employers Derbyshire Dales District Council is under a legal duty to protect, so far as is reasonably practicable, the health, safety and welfare of its employees, members of the public and anyone else affected by its activities. This duty is set out in sections 2 and 3 of the Health and Safety at Work etc Act 1974. In addition the District Council is responsible for the enforcement of health and safety legislation in many private sector operations, through the activities of its Environmental Health team. As such there is an additional obligation to ensure that the Council fulfils all its statutory duties.
- 1.2 Whilst responsibility for health and safety rests at all levels of the organisation, the District Council maintains oversight of these arrangements through its Safety Committee. This Committee is chaired by the Chief Executive and is made up of employees from all Council services. The Committee meets 4 times per year and is responsible for overseeing these arrangements and for monitoring their success.
- 1.3 This report outlines the role that the Safety Committee has played in respect of various areas of health and safety across the organisation during the year and identifies some of the areas that will be considered during 2017/18.

## 2 REPORT

- 2.1 Health and safety legislation requires all employers with 5 or more employees to have a written Safety Policy that sets out how those employers will address the issue of health and safety within their organisations. Derbyshire Dales District Council has a written Safety Policy but this was last reviewed in 2008. Whilst the general commitment to health and safety has not changed in the interim the arrangements for delivering that commitment have in that the District Council implemented a significant restructure in 2014. As part of its workplan for the current year the Safety Committee reviewed the Safety Policy and the revised Policy is considered elsewhere on this agenda for adoption.
- 2.2 Other Policies and Procedures that were considered during 2016 were the Emergency Evacuation Arrangements for the Town Hall and the Violence and Aggression Policy. The revised Emergency Evacuation Procedure is now ready for implementation and includes guidance on bomb threats, suspect packages and actions to be taken in the event of a terrorism incident. The new Procedure will be rolled out to staff in the near future. The Violence and Aggression Policy requires further consideration by the Safety Committee and will form part of the 2017/18 workplan.
- 2.3 Training on how to undertake risk assessments was rolled out to staff as part of the dalesINSIGHT in-house training programme. 3 sessions were held and 39 members of staff undertook this training. Feedback from each of the sessions was good. It is hoped that this will help to extend the pool of staff who are able to undertake risk assessments as part of their jobs and to enable all those who received the training to be able to identify workplace hazards and to bring them to the attention of management. To assist with the process a standard risk assessment template has been adopted across the organisation.
- 2.4 Risk assessments are a standing item on the Safety Committee agenda. As might be expected, the majority of higher risk activities undertaken by Council staff and those that affect our manual workforce. During the year the review of all risk assessments affecting depot staff was completed. Whilst this is an on-going process the completion of this review was particularly welcomed given the need to ensure that these higher risk activities do not present unreasonable risk to our staff.
- 2.5 More in-depth health and safety training was also undertaken for Clean and Green staff. This included asbestos handling, the safe use of diggers and dumpers, manual handling, chainsaw safety, equipment specific instruction and the safe spraying and injection of herbicides.
- 2.6 The District Council has maintained its lone working arrangements with First Call. This system enables those working alone in potentially hazardous circumstances to book into the call centre and specify what time they should be completing their lone working. If they haven't booked out of the system by that time the call centre will contact them and will escalate the matter if they are unable to contact the worker. Whilst there have been a number of occasions when lone workers have been unable to book out there have been no incidents where they have been placed in jeopardy.
- 2.7 Work has commenced on implementing a system to inspect and note the condition of footpaths for which the District Council is responsible. This system should enable us to better prioritise repairs and improvements to prevent accidents and reduce the

likelihood of any insurance claims. The new system should be fully implemented during 2017/18.

- 2.8 The monitoring of accident reports is a standing item on Safety Committee agendas. These are used to help to judge the success of health and safety arrangements and to identify any areas of the organisation that might need additional attention. In addition to workplace accidents the Leisure service reports all incidents that occur to users of the 4 leisure centres, again to help to identify any issues that recur and require further consideration. Accidents are recorded and grouped on a calendar year basis and during 2016 there were 17 reported non-leisure accidents and 2 reported leisure service accidents. These figures compare favourably to 2015 when there were 23 recorded non-leisure accidents and 4 reported leisure service accidents. Although the overall numbers are not high, the area of work in which the most accidents were reported was the Clean and Green service. Further analysis will be undertaken of accidents in this area to see if there are any underlying themes that are not immediately apparent.
- 2.9 In addition, during 2016 there were 308 reported incidents at the leisure centres involving members of the public. Although this number might seem high at first sight it should be noted that these cover all incidents that occur during sports and leisure activities and range from nose bleeds and cut fingers upwards. No incidents were recorded during 2016 that were considered to indicate health and safety problems at the leisure centres.
- 2.10 Finally, during 2016/17 the arrangements put in place by the District Council to ensure health and safety were subject to an internal audit. This audit concluded that the arrangements could be considered to be good. Whilst this report was welcomed by all those involved in those arrangements it was recognised that the process of protecting the health and safety of staff and others is an on-going process and it is expected that further audits will be undertaken periodically to ensure that our arrangements remain fit for purpose.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The Council is under a duty to protect the health and safety of staff and others. Having adequate health and safety arrangements in place which are regularly reviewed will minimise the risk to those individuals and any subsequent claim against the Council.

#### **3.2 Financial**

There are no financial risks arising from this report. Adequate arrangements for health and safety will reduce the risk of a financial claim against the Council.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

**5 CONTACT INFORMATION**

Tim Braund, Head of Regulatory Services, Tel: 01629 761118,  
Email: [tim.braund@derbyshiredales.gov.uk](mailto:tim.braund@derbyshiredales.gov.uk)

**6 BACKGROUND PAPERS**

None

**7 ATTACHMENTS**

None

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Regulatory Services

---

## **HEALTH AND SAFETY POLICY**

### **PURPOSE OF REPORT**

This report seeks Members' approval for the revised Health and Safety Policy considered by the Safety Committee on 23 November 2016.

### **RECOMMENDATION**

That the Committee approves and adopts the revised Safety Policy at Appendix 1 to this report.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

Providing a safe and healthy place to work meets with the District Council's aim to be clean, safe and thriving.

---

## **1 REPORT**

- 1.1 The Health and Safety at Work etc Act 1974 places a legal duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare of employees and to ensure that employees and others are kept safe. Any employer that has 5 or more employees must have a written health and safety policy that sets out how it manages health and safety in its organisation.
- 1.2 Derbyshire Dales District Council has such a corporate Health and Safety Policy and this Policy was last reviewed in 2008. The Policy has been considered at the District Council's Safety Committee and was considered to be out of date, in that it detailed arrangements for health and safety that were appropriate under the previous organisational structure, but which were no longer in place in the current structure. Consequently it was considered to be appropriate for the Policy to be reviewed.
- 1.3 One of the members of the Safety Committee was tasked with reviewing the Policy and bringing it back to the Safety Committee for approval. This task was completed on 23 November 2016. The new Policy follows the Health and Safety Executive's guidance for Safety Policies in that it contains a statement of general policy on health and safety at work, sets out who is responsible for specific actions and contains detail on the arrangements that the District Council has in place to achieve the aims set out in the statement of general policy.



- 1.4 In order for the revised Safety Policy to come into effect it is now necessary for it to be considered and adopted by the Governance and Resources Committee. If the Committee adopts the Policy it is proposed that it is reviewed more regularly, initially on a 2 year basis.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The Council is under a duty to protect the health and safety of staff and others. Having adequate health and safety arrangements in place which are regularly reviewed will minimise the risk to those individuals and any subsequent claim against the Council.

#### **3.2 Financial**

The financial risk arising from this report is low. Adequate arrangements for health and safety will reduce the risk of a financial claim against the Council.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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### **6 BACKGROUND PAPERS**

Safety Policy 2008 - X:\Partnerships and Projects\Health and Safety\Safety Policy\2008

### **7 ATTACHMENTS**

Appendix 1 – Safety Policy 2017

# **DERBYSHIRE DALES DISTRICT COUNCIL**

## **CORPORATE HEALTH & SAFETY POLICY**

**2016**



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## Statement of Health and Safety Policy

Derbyshire Dales District Council places the greatest importance on the health, safety and welfare of its employees and all others, including contractors, subcontractors, employees of others in the course of their work and the general public, who may be affected by its undertakings. The Council will seek to provide the healthiest and safest working conditions possible by requiring the involvement of all members and employees in this effort.

The Council is fully committed to meeting its responsibilities under the Health and Safety at Work etc. Act 1974 and The Management of Health and Safety at Work Regulations 1999 (as amended). To achieve this it has appointed designated members of staff to be responsible for key components of the health and safety management system; to keep risk assessments and welfare procedures under constant review; to liaise with the Health and Safety Executive or other enforcing authorities where necessary and to keep the Council abreast of new EU directives, legislation, regulations, standards and guidance to ensure continued compliance and best practice.

The Council will assess all significant hazards and put in place arrangements to control these hazards. It will monitor its health and safety performance regularly to enable remedial action to redress deficiencies and ensure continuous improvement.

The Council's policy will accord with the principles of the Health and Safety Executives' guidance: Successful health and safety management (HSG65). The policy will be periodically (at least annually) checked against the H&S policies of comparable organisations..

The organisation for carrying out this policy and the provision of sufficient resources will be provided within the Council's established divisional structures. Each individual must exercise responsibility at a level equal to any of their other functions to ensure the policy is put into practice.

This policy will be reviewed annually or if required by any significant changes to the Council's activities and approved by the Corporate Health and Safety Committee.

Derbyshire Dales District Council will ensure, so far as is reasonably practicable:

- safe plant and systems of work;
- safe use, handling, storage and transport of chemicals and work equipment;
- the provision of all necessary information, instruction, training and supervision;
- safe access and egress to all places of work under the Council's control;
- a safe working environment with appropriate welfare facilities including first aid provision;
- consult staff representatives on health and safety arrangements and
- make regular risk assessments available to all employees.

Council employees will, as a condition of their employment:

- take reasonable care for themselves and others;
- co-operate and follow training and instructions;
- not interfere with or misuse anything provided for safety and
- report shortcomings in safety arrangements and immediately report serious danger.

As a condition of employment, all staff must remember that a health & safety breach is a disciplinary offence.

*Signed*  
*Chief Executive*

*Date*

*Review date*

# **Organisation for the Management of Health and Safety**

## **Chief Executive**

The Chief Executive as the Head of Paid Service has the overall responsibility for the management of health and safety throughout the organisation.

The Chief Executive will ensure that adequate resources are allocated to enable the effective implementation of all relevant legislation and that arrangements exist for the effective management of health and safety.

The Chief Executive is responsible for ensuring the formulation and implementation of:

- (i) a corporate strategy for the management of health and safety.
- (ii) a comprehensive and effective corporate health and safety policy.

The Chief Executive will give active support and commitment to ensuring the effective implementation of the Council's health and safety policy.

## **Corporate Leadership Team**

The role of CLT is to:

- Have oversight of the Safety Committee (ie to receive minutes);
- Take collective responsibility for health and safety issues;
- Consider if any additional resources are required.

## **Heads of Service**

Heads of Service are responsible for the effective management of health and safety within their department through the development of a Service Health and Safety Policy. They must ensure that appropriate procedures and systems are formulated for any risks or work activities which are not covered by the corporate policy and where necessary formulate additional procedures to those within the corporate policy.

They will periodically review and update the Service policy, systems and procedures to ensure their effectiveness.

In addition Heads of Service will:

- ensure that adequate risk assessments are produced and brought to the attention of employees.
- ensure that the relevant parts of the safety policy, systems and procedures are brought to the notice of all employees.

- ensure that adequate resources are provided to cover the implementation of the policy, systems and procedures.
- ensure that responsibility for Health and Safety is properly assigned and accepted at all levels.
- ensure the effective implementation of monitoring procedures.
- ensure that the health and safety training needs of all employees are identified and that appropriate training is provided.
- take a direct interest in and give support and commitment to the Health and Safety programme.
- consult with appointed Trade Union Safety Representatives on matters of joint concern to improve the Health and Safety of employees.
- Heads of Service will also maintain an adequate level of knowledge on relevant Health and Safety legislation, guidance and current best practices.

### **Service Managers**

Service Managers are responsible for ensuring that health and safety is managed effectively within the areas under their control. They must ensure that the systems and procedures within the Service Safety Policy are fully implemented.

Service Managers will also ensure that:

- adequate risk assessments are carried out and brought to the attention of employees
- the relevant parts of the safety policy, systems and procedures are brought to the attention of all employees
- relevant health and safety legislation, guidance and Codes of Practice are implemented and relevant information is provided and brought to the attention of all employees.
- the health and safety training needs of all employees are identified and that appropriate training is provided.
- consultation takes place with appointed Trade Union Safety Representatives on matters of joint concern to improve the Health and Safety of employees.
- an adequate level of supervision is provided at all times.
- monitoring systems are implemented effectively
- all accidents, incidents, near misses and diseases covered by current legislation are investigated, reported and steps taken to prevent a recurrence.



- each new employee receives induction training including the hazards, precautions and the procedures at work.
- that records required by health and safety legislation and the safety policy are maintained.
- they report to the Heads of Service on the Health and Safety performance of the section.

Service Managers will also maintain an adequate level of knowledge on relevant health and safety legislation, guidance and current best practices.

## **Supervisors**

Supervisors have a great influence on the day to day systems and methods of working which affect the health, safety and welfare of the employees under their control. They are directly responsible for the effective control and management of the health and safety of the employees under their control.

Supervisors will have a detailed knowledge of the specific safe systems of work and control measures in their environment, as described within the health and safety policy and procedures, and will ensure their effective implementation.

Supervisors will ensure that:

- the risks to the health and safety of all employees under their control are either eliminated or reduced to as low a level as reasonably practicable

If supervisors cannot rectify any hazards or risks they must report them to their line manager who should take action to remedy them.

- they have a full understanding of the health and safety policy, systems and procedures and how they affect the activities of the employees under their control
- each of their employees receives the appropriate information, instruction, training and supervision to enable them to carry out their work without risk to their health and safety. Special attention should be given to young and inexperienced employees.
- protective clothing and safety equipment is issued, worn, correctly used and maintained as required by legislation and the safety policy.
- each new employee receives induction training including the procedures at work
- accidents, incidents, near misses, dangerous occurrences and diseases which occur in their section are investigated and reported as required by legislation and the Council's procedures
- good housekeeping is maintained

- first aid facilities are maintained as laid down by the Council's policy and that employees are aware of the location of boxes and first aiders
- all statutory posters, abstracts etc. are displayed in their sections
- any risks to the health and safety of members of the public, clients and visitors from work activities performed by employees under their control are eliminated.
- they liaise with the officially appointed safety representatives to enable them to carry out their statutory duties in line with Derbyshire Dales District Council procedures
- inspections are carried out in accordance with the pre-determined schedule within the Monitoring Procedures of the Corporate Policy
- all employees are made fully aware of their statutory duty while at work, to take reasonable care for the health and safety of themselves and other persons who may be affected by their acts or omissions.
- when plant and equipment is used it is safe and without risk to health and safety, of the operator or others, with all safety devices fitted and properly used and that it is regularly maintained, inspected and records kept.
- safe systems and working practices are continually developed in his/her work area to ensure the maximum safety for all employees under his/her supervision

## **Employees**

Employees must:-

- act at all times with due care for the health and safety of themselves and other persons who may be affected by their actions or omissions.
- understand and observe the health and safety arrangements set out by Derbyshire Dales District Council
- co-operate with the Authority to meet its legal obligations by following all health and safety rules and procedures
- never interfere or misuse anything provided in the interests of health and safety
- avoid any improvisation which could create an unnecessary risk to themselves or others.
- report to their immediate superior any hazard, defect or dangerous situation, any malfunction of equipment or failure of the systems or procedures laid out in the safety policy.
- always use the safety equipment or protective clothing as may be provided along with any preventative measures that may be recommended, such as barrier creams etc.

- report all accidents, injuries or near misses to their immediate superior and request that they inform the relevant Head of Service.
- be aware of the fire evacuation procedure, position of alarms and fire-fighting equipment.

Employees are encouraged to make suggestions to their Supervisor, Senior Officer, Safety Representative or the Safety Committee of ways in which health and safety or welfare can be improved within the Authority.

## **Safety Representatives**

Safety representatives are appointed to represent employees in consultation with the employer. An important part of their function is to promote and develop measures to ensure the health and safety of employees and to monitor the effectiveness of such measures.

Safety representatives should:

- make themselves familiar with the requirements relating to the health, safety and welfare of persons at work, especially for the group of employees they represent
- understand the Health and Safety Policy of the Council and the systems and procedures in force for its implementation
- be aware of the workplace hazards of the employees they represent and the control measures required to eliminate or minimise the risks from those hazards
- be aware of the correct emergency action to be taken in the event of accident, fire, explosion or other emergency.
- notify his/her supervisor when carrying out safety representative duties which takes him/her away from normal employment duties
- attend meetings of the Safety Committee

Safety representatives, as part of their functions can:

- carry out work place inspections, accompanied by the appropriate management representative.
- liaise with the Supervisor/Service Manager/Head of Service in accident/incident investigations where appropriate.
- report any unsafe or hazardous work practices or conditions in writing, with the agreed procedure.
- liaise with Management wherever possible to promote safer working practices among employees.

Safety representatives should also promote a general awareness of relevant health and safety issues amongst the employees they represent.

## **Health and Safety Committee**

The Health and Safety Committee will play a key role in the promotion of health and safety as an integral part of the general management function. This is achieved through advising Chief Executive and senior managers on the formulation of strategies for the effective management of health and safety and other managers throughout the organisation on the systems and procedures which they must operate to ensure full control of health and safety risks.

The role of the Health and Safety Committee is to advise the Chief Executive and managers in order to ensure that they understand and are able to comply with the requirements of relevant legislation.

The Health and Safety Committee will play an important part in monitoring and auditing the effectiveness of policies, systems and procedures and the managers who operate them. Such monitoring and auditing whether formal or informal, allows weaknesses in management policies, systems and procedures to be highlighted and thus rectified.

The specific duties and responsibilities of the Health and Safety Committee include:

- Giving advice on the formulation of a strategy or strategies for the effective management of health and safety throughout the Council.
- Advising on the Council's Health and Safety Policy, systems and procedures and the organisation, responsibilities and arrangements by which it is implemented.
- Monitoring and implementation of the Health and Safety Policy and advising upon its update when necessary.
- Advising and assisting Services on all Health and Safety issues.
- Liaising with officers responsible for Health and Safety.
- Investigation of all accidents and reported incidents in order to advise upon preventative measures.
- Maintenance and analysis of accident reports and statistics
- Liaison with Managers and Safety Representatives in the identification of training needs and the development and organisation of safety training.
- Dissemination of information on Health and Safety matters.

## **Elected Members**

### The Legal Position

The duties imposed on the employer by the Health and Safety at Work etc. Act relate to the Council as a corporate body rather than to the individual members. Councillors are not normally considered to be persons acting on behalf of the corporate body as defined in Section 37 of the Act (Offences by Bodies Corporate). However, individual Councillors can be liable to prosecution for breaches of legal duties under Section 36 (Offences due to fault of other person) where their act or default results in another person, for instance a manager, committing an offence under the Act.

### Duties

Collectively Councillors as members of a corporate body are legally responsible for ensuring that health and safety is effectively managed throughout the organisation. The keys to such effective management are the formulation and implementation of:

- a) a corporate strategy for the management of health and safety
- b) a comprehensive and effective corporate health and safety policy

Authority to formulate and implement a strategy and policy is delegated to the Chief Executive and Heads of Departments.

The Council must also ensure that it allocates sufficient financial and staffing resources to enable officers to fulfil their obligations in terms of health and safety.

In terms of the effective management of health and safety the Council is legally responsible for:-

- the provision of maintenance of plant; equipment and machinery that is safe and without risks to health and safety
- the provision and maintenance of safe systems at work
- the provision and maintenance of a safe and healthy working environment
- ensuring adequate instruction, training information and supervision
- ensuring that others who may be affected by the Council work activities such as visitors, members of the public, contractors etc. are not exposed to risks to their health and safety
- the provision of adequate welfare arrangements

### Fulfilling the duty

Having delegated authority to deal with health and safety issues to the Chief Executive and Heads of Service, Councillors must ensure two things:-

- monitoring of performance
- adequate resources

### Monitoring Performance

There must be a system in place to monitor health and safety performance in order to ensure that officers are carrying out their delegated duties. A full monitoring system has been devised wherein each tier of line management from supervisors to Chief Officers reports upwards on the health and safety performance of their areas of control.

### Resourcing

Adequate resources in terms of finance and staffing must be allocated to ensure that health and safety can be managed effectively. The Council should be satisfied that it has sufficient staff time allocated to health and safety and that the staff involved are adequately experienced and knowledgeable to carry out this function.

It is important that all elected members of the Council are aware of the importance of health and safety, the systems which exist to ensure it is maintained and their role within the system. All newly elected members should receive information about their responsibilities and the established policies and procedures.

# **The Arrangements for Health and Safety**

## **Introduction**

The following general arrangements form a key component of the Council's overall health and safety management system. In addition to this information, each Service area holds specific health and safety information and local arrangements pertinent to the work activities undertaken within that Service area.

Service Managers may produce information and procedures relevant to their sections work which provide additional detail to the corporate health and safety policy. These specific procedures will be overseen by the Safety Committee and copies will be retained on the Council's intranet. These documents will be subject to regular reviews. Any changes to these procedures will be notified to the councils Safety Committee.

Additional health & safety documents will be available on the Councils intranet on the shared network drive under Partnerships and Projects, health and safety.

Service Managers will be responsible for bringing relevant health and safety information to the attention of their Supervisors and employees.

Managers will also, as soon as reasonably practicable, bring the Council's Health and Safety Policy statement to the attention of all employees upon successful appointment with the Council.

## **Health and Safety Risks**

The Council will ensure that those who create a risk have the responsibility for ensuring that it is properly managed. Therefore, responsibility for producing suitable risk assessments lies with line managers, supervisors or any other person who organises work for others under their control.

The responsibility for monitoring the production of suitable risk assessments lies with the Safety Committee. The Committee will review existing assessments and identify deficiencies. The Committee will produce action plans detailing appropriate staff to conduct new risk assessments.

The Safety Committee will review action plans and ensure that targets for producing risk assessments are met.

The Safety Committee will monitor accident reports to check that the implemented actions are effective.

Staff tasked with conducting risk assessments shall be assisted where necessary by the Head of Service.

The actions required to remove/control risks will be agreed with the relevant service manager.

The Service Manager/Supervisor will be responsible for ensuring the action required is implemented.

Assessments will be posted onto the shared network drive. They will be reviewed every year, or when the work activity changes, whichever is soonest

## **Risk Assessment**

The Council will ensure that all relevant activities are risk assessed and those assessments are suitable and sufficient to address the significant hazards found. The Council will ensure that adequate controls are put in place to as far as possible protect those affected by the Councils undertakings.

A generic assessment of each building is maintained and updated by the Estates and Facilities Manager.

Service Managers will ensure that suitable and sufficient risk assessments are in place for all the premises and activities for which they have responsibility, and that they are revised regularly to ensure they remain relevant.

Service Managers will ensure that adequate control measures are introduced to manage the identified risks in a safe manner.

Extra consideration should be made to identify vulnerable individuals or groups.

The risk assessment process will involve managers and supervisors working with employees, Safety Representatives and contractors as appropriate.

Any member of staff may who becomes aware of an uncontrolled or inadequately controlled risk should report their concerns to the line manager for an assessment to be carried out.

Findings of all risk assessments should be recorded and updated as necessary. Copies shall be posted onto the shared network drive.

The Safety Committee shall monitor risk assessments and ensure that control measures are implemented.

## **Information, Instruction and Supervision**

The Health and Safety Law poster is displayed on notice boards at each location operated by the Council.

Health and safety advice is available from the Head of Regulatory Services and the Human Resources Manager.

The Safety Committee will maintain oversight of the Health and Safety document library on the shared network drive. It will contain the current, applicable versions of legislation; regulations; standards; guidance and Council procedures.



Heads of Service will ensure that risk assessments and related safety documents for their activities are posted in the appropriate folders on the shared network drive.

Health and Safety Induction Training is arranged as quickly as practicable through Human Resources.

All student placements or employment of young people must be formalised with Human Resources. Human Resources shall alert the supervising manager of the need to conduct a specific Young Worker risk assessment. The risk assessment shall record specific arrangements for supervision at work.

## **Competency for Tasks and Training**

The Council will ensure appropriate resources are available to provide necessary information, instruction and training to all employees to enable them to do their work competently in a safe and efficient manner.

Induction training will be provided for all employees by their line manager or other nominated person as soon as practicable but at least within 6 weeks of starting work with Derbyshire Dales District Council.

Individual training needs are identified through the Personal Development Scheme process. Where the need for job specific training is identified, e.g. fork lift truck training or abrasive wheel training, staff shall be provided with appropriate health and safety training.

Records of any health and safety training undertaken by Derbyshire Dales District Council employees should be forwarded to Human Resources and will be kept on the Human Resources database.

## **Emergency Procedures – Fire, Evacuation and Bomb Threat**

The Council will ensure that adequate arrangements are in place to manage fire safety and bomb threats within its premises. Employees will refer to the fire evacuation procedure, a copy of which can be found within the HR Department.

Fire risks are managed by the Estates and Facilities department. Appropriate fire controls are identified through a fire risk assessment and implemented by the Estates and Facilities Manager. The fire risk assessment will be reviewed at least once every two years.

Fire extinguishers are maintained and checked under a service contract by qualified engineers annually.

Alarms on Council owned or controlled premises will be tested regularly according to risk assessments and the Regulatory Reform (Fire Safety) Order 2005.

The emergency evacuation procedure will be tested twice per year.

All staff are made aware of fire risks and evacuation procedures on induction.

Premises managers will put in place arrangements that will ensure all employees and visitors know how to access and egress the premises.

Premises managers will ensure clear and concise emergency procedures for use in the event of a fire or bomb threat are prepared, displayed and communicated to all employees and visitors.

Premises managers will prepare procedures for employees who take on key roles, (e.g. Fire Wardens), and ensure these employees receive suitable training to undertake these roles effectively.

## **Contractors**

The Council expects all contractors to meet, as a minimum, the standards of health, safety and welfare laid out in this policy.

The Council will employ only competent contractors who must supply on request copies of their:

- Health and Safety Policy;
- details of the organisation and arrangements for meeting the objectives of the policy;
- risk assessments;
- method statements;
- records of any health and safety incidents;
- evidence of public liability insurance.

If there is any doubt about the competence or commitment to health and safety of any particular contractor, the contractor will not be used.

Before starting work on any site, contractors and sub-contractors will be given clear guidance by their sponsors on the working arrangements to be followed, to include but not limited to:

- emergency procedures
- accident reporting

Relevant senior managers will monitor work conditions to ensure safety standards are being maintained and will check completed work.

If the conduct of a contractor or sub-contractor's employee endangers their own safety, or the safety of their fellow employees, council staff or visitors, that person may be refused permission to work on any further contracts or council premises.

Where appropriate, building work undertaken will meet the requirements of the Construction (Design and Management) Regulations 2015.

Where a District Council service is undertaken by a contractor on the Council's behalf, the District Council will approve and monitor the contractor's arrangements to ensure the health and safety of its staff and others.

Other agencies in any of the Council's buildings e.g. CAB, RAD, Age Concern will be required to comply with the Safety Policy and will be subject to compliance with both portable appliance testing and the Council's fire safety arrangements.

## **Consultation**

The Council will establish a Health and Safety Committee in accordance with the Health and Safety at Work Act 1974, the Health and Safety (Consultation with Employees) Regulations 1996 (as amended) and the Safety Representatives and Safety Committees Regulations 1977 (as amended) to ensure proper consultation with staff.

The Safety Committee will be chaired by the Chief Executive. Recognised trade unions will be invited to appoint Health and Safety Representatives to the Committee. Other members shall be drawn from each of the Council's Services as needed.

The Chief Executive will report on health and safety performance to the Corporate Leadership Team/JCG. Policy changes will be debated and agreed by the Corporate Leadership Team.

The Committee will meet quarterly to consider matters at corporate level:

- Statutory matters for consultation:
  - Measures which substantially affect health and safety.
  - Information the Council is obliged to provide.
  - Training.
  - Appointment of competent persons.
  - Consequences of new technology.
- Corporate H&S Policy.
- Monitoring data and audit for H&S management.
- Compliance with and changes to legislation.
- Oversee working parties and arbitrate on any unresolved matters arising.

Consulting with employees on matters of health and safety takes place through the Safety Committee.

Meetings are held each quarter. Minutes of these meeting are posted on the intranet. Current members can be identified from the minutes.

The terms of reference of the Safety Committee cover matters that affect the safety of all staff. Employees who have concerns regarding their individual health and safety are advised in the first instance to contact their line manager. If matters cannot be resolved the issue should be referred to the union health and safety representative or the employee's Head of Service.

The Council will consult where relevant with contractors, suppliers, partners and other organisations whenever necessary on the content and application of its Health and Safety Policy.

This Policy will be made available to all Council staff via the intranet and in print to all others who may be affected by the Council's undertakings, notably contractors, suppliers, partners and other organisations.

## **Accidents, Incidents and Work Related ill Health**

Service Managers will be responsible for ensuring that all accident and incidents that occur within their areas or responsibility are reported, fully investigated, and recorded as soon as possible on the accident form which is available on the shared drive and intranet and then forwarded to the Head of Regulatory Services.

Certain types of work related accident or ill health will need to be reported to the Health and Safety Executive under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations. The decision as to which accidents need to be reported in this manner will be made by the Head of Regulatory Services in consultation with relevant Service Managers and Heads of Service.

All near-misses must be reported to Service Managers and the Head of Regulatory Services as soon as possible so that action can be taken to investigate the cause(s) to prevent a recurrence. (The same form will be used for near-miss and accident reporting).

Accident forms complying with data protection regulations are also kept with the First Aid supplies.

Occupational Health support will be arranged by Human Resources following a request from the relevant senior manager.

Health monitoring records will be kept by Human Resources. An individual may have access to see their own records. Recognised trades unions are entitled to see collective results of health monitoring but are not permitted access to information that identifies any individual.

A summary of accident/incidents will be made available to the Safety Committee.

## **First Aid**

Service Managers will ensure an assessment of first-aid needs is carried out that covers all their areas of responsibility. This would include first aid boxes and equipment as well as first aid trained personnel.

Although the Council only has a legal duty to provide first aid to employees at work, it also has a moral obligation to extend this provision to members of the public on Council premises. Therefore, when considering the first aid requirements for their areas of responsibility, Service Managers should also consider the number of members of the public likely to be in or on their premises at any one time.

Where first aiders are located at / regularly visit a site where a defibrillator is located, they should be provided with training in its use.

A list of staff with the First Aid at Work Qualification is maintained by Human Resources. Posters identifying First Aiders are sited within the Council's buildings.

## **Safe Plant and Equipment**

Certain items of plant require statutory inspections on a frequency determined by relevant legislation e.g. Legionella, gas safety and lifting equipment etc. Inspections are organised with the Council's insurers and schedules are held by the Council's Estates and Facilities Management department. This work will be carried out by competent persons who will prepare and provide appropriate documentation as evidence that such inspections and examinations have been undertaken. e.g. Legionella Risk Assessment and contract.

Fleet vehicles are managed by the Transport Manager.

A suitable risk assessment on items of plant/equipment must be carried out by the procurer of the item prior to it being commissioned. This report would record any hazards identified, controls to be put in place and document arrangements for training, restrictions on use by untrained staff, guards or safety features that should be in place and arrangements for rectifying faults. The assessment should also specify if pre-use checks are appropriate and these should be itemised where necessary. If hazards are noted the risk assessment should be posted on the intranet. Pre-use checks may be documented and held within the specific department where the equipment is used.

Premises managers are responsible for carrying out pre use checks.

Any problems found with plant/equipment should be reported to line managers.

## **Personal Protective Equipment**

Systems of work shall be selected which avoid the need for Personal Protective Equipment (PPE) wherever reasonably practicable. PPE shall be regarded as the last resort to protect against risks to health and safety.

Suitable PPE shall be supplied free of charge to all relevant employees. Service areas are responsible for obtaining and paying for PPE required by their staff and will make arrangements to store and maintain such equipment as required.

Service Managers must identify the need for any PPE in a suitable and sufficient risk assessment. The risk assessment should identify:

- that the equipment is appropriate to the risks and working conditions;
- that it does not increase risks or place any unreasonable demands on the user's health and ability to work safely;  
it /adjusts fits properly;
- the compatibility of different items of PPE used together.

Staff must be properly informed and trained in the use of PPE.

All PPE must be maintained and stored properly in accordance with suppliers' instructions.

Staff must follow instructions on when/how to use PPE if the need has been identified. It is not optional and failure to comply with a reasonable instruction to use PPE may be a disciplinary offence.

Staff must treat PPE supplied to them with care and report defects immediately.

## **Safe Handling and Use of Substances**

The Council will employ a company to assess chemicals used across the Council to ensure that adequate arrangements are in place to safely manage any hazardous substances present in Council workplaces or premises that may affect employees or others.

Service Managers will ensure that all hazardous substances used within the workplaces and premises they are responsible for have been suitably and sufficiently assessed and that adequate control measures have been implemented to prevent harm. Service Managers will carry out periodic audits to ensure that assessments have been conducted as required.

Service Managers, through their appointed Supervisors, will ensure that documented assessments, as required by the Control of Substances Hazardous to Health (COSHH) Regulations, and Material Safety Data Sheets (MSDS) should be held on the shared network drive and a copy should always be made available to staff using the chemical.

Chemicals shall be purchased through the Council's central procurement section. No chemicals may be used until the supplier has provided a Material Safety Data Sheet (MSDS).

The purchase of pesticides is a permitted exception to this policy. Arrangements have been made with Environmental Services to comply with the COSHH regulations.

All users of hazardous chemicals shall be instructed in the safe storage, transport, handling and use of the chemicals. This instruction should be carried out by the line manager or, if requested to do so, by the Head of Service.

Supervisors are responsible for ensuring that suitable Personal Protective clothing is provided and used for each person using the material and for replacing safety items as necessary.

## **Asbestos Management**

The Council will ensure that adequate arrangements are in place to safely manage asbestos across the whole of its property portfolio. The Estates and Facilities Manager will ensure that asbestos is managed throughout the Councils buildings and will produce details of these arrangements and communicate them to Service Managers.

Service Managers will ensure all employees are made aware of these arrangements and that they receive sufficient information, instruction and training as is appropriate to their level of responsibility and the duties they are required to undertake.

The Estates and Facilities Manager will ensure that contractors undertaking work on Council premises are aware of the Council's arrangements for managing asbestos and that the contractors' responsibilities are clarified in the Pre-Tender Contract Documents.

## **Display Screen Equipment**

Service Managers will ensure DSE risk assessments are undertaken, where required, within their areas of responsibility and that appropriate control measures are in place to prevent harm to DSE users.

## **Manual Handling**

So far as is reasonably practicable, manual handling activities which carry the risk of injury should be avoided. Wherever possible, the task should be re-designed to include the use of mechanical lifting aids or mechanisation of the task.

Where this cannot be achieved, the risk of injury should be assessed and such measures as are required to control the risk to a reasonable level should be implemented. A risk assessment should identify the precautions required to reduce the risk to the lowest level reasonably practicable.

Relevant training will be supplied to staff as needed.

## **Electrical Safety**

The Council will ensure that adequate arrangements are in place to manage electrical safety within its workplaces and premises.

The Estates and Facilities Manager will ensure arrangements are in place for the regular inspection and testing of electrical equipment and installations within their areas of responsibility.

The Estates and Facilities Manager will also ensure that records of electrical maintenance and testing are kept and available for inspection.

Staff will be made aware of visually checking all electrical equipment before use and if found to be defective, must not use it and will immediately report this matter to their line manager. Defective equipment will be taken out of use until suitably repaired or it will be replaced.

## **Home and Agile Working**

Where an employee is required to habitually work at home, their line manager will ensure that a suitable risk assessment has been prepared that covers the activities the employee will be undertaking, the environment in which the employee will be working and any equipment or hazardous substances the employee will be required to use in order to complete their tasks.

Where required, the line manager will also ensure that appropriate safe systems of work are in place.

A policy on Homeworking is held within the HR department.

## **Driving for Work**

The Council will ensure that adequate arrangements are in place to manage the risks and hazards likely to be experienced by employees trained to drive Council vehicles and the risks and hazards likely to be experienced by employees who drive their own vehicles on Council business.

Service Managers will ensure that suitable and sufficient risk assessments have been prepared to cover all driving to work issues within their Service area and that appropriate safe systems of work are in place.

## **Workplace Transport**

### **Safe Driving At Work Policy**

#### **Introduction**

Derbyshire Dales District Council requires a substantial portion of its staff to drive in the course of their work.

It has a fleet of approximately 50 road going vehicles, 13 items of driveable plant and a number of trailers. Identification and delivery of safe working practice for the Council's fleet is delegated to the Operations Manager who carries out the duties of "Transport Manager".

The Council also utilises a grey fleet i.e. workers using their private vehicles for works purposes in return for a car allowance. Identification and delivery of safe working practice for the Council's fleet is overseen by the Human Resources and Payroll Manager.

#### **Risk Assessment**

Risk assessments have been produced for the Council's own fleet and the grey fleet. The hazards identified have all been addressed so as to minimise exposure to risk and mitigate the consequences of any unavoidable risk.



This policy sets out the systems and procedures in place to remove, reduce and mitigate risks from driving.

## **Fleet Drivers**

Before anyone drives a Council Vehicle their manager must ensure that:

- They have a valid driving license that permits them to drive the class of vehicle and any trailer concerned. They have valid insurance for the vehicle to be driven. Online checks are made and records of the checks recorded at X:\Environmental Services\Clean & Green\TRANSPORT\Driving Licence Checks. These checks will be updated on a 12 or 6 monthly basis for Light and Heavy Goods vehicle drivers respectively.
- They undertake a Safe Driving Assessment carried out by one of the Council's Assessors and are signed off as capable of driving safely.
- They are all to be trained in the vehicle they are required to drive. This may be simply an introduction to vehicle if it is a standard van. HGV drivers will receive one day of CPC training per year to fulfil their legal CPC requirements. Drivers of complex and specialised vehicles or plant will receive documented or preferably certified training.
- Drivers are required to travel responsibly and drive with all due care and attention at all times.

The Council will use telemetric tracking routinely to identify any unsafe driving or breaking of the speed limits. This will be addressed by management action.

Drivers will receive clear instructions - this is done largely via the Driver Handbook which has been issued to all drivers. This sets out their duties and responsibilities under health and safety law. Signed acknowledgement of receipt of this Handbook is kept at X:\Environmental Services\Clean & Green\TRANSPORT.

Fit and Healthy Drivers - drivers are responsible to ensure they remain fit to drive safely and they are instructed to report any change in eyesight or health. HGV Drivers sign a written declaration confirming that they will inform the Council if any health condition with implications for driving arises.

Safe Vehicles - the Council will ensure that all vehicles are proactively inspected for safety by a specialist mechanic. HGV's will be inspected every 6 weeks, in accordance with the Operator's Licence, and light vehicles receive a preventative maintenance inspection every 12 weeks.

Every Driver is responsible for ensuring the safety of his/her vehicle prior to use. To achieve this they must make a full safety inspection, an inspection record must be completed and a copy submitted to the depot office with one retained in the vehicle. Correct understanding of this procedure is checked as part of the Safe Driver Assessment. Random audits are made periodically to check the completion of sheets and management action taken if required sheets are not completed.

Journey Planning - the Council will allow sufficient time for all journeys including 15 minutes for initial vehicle inspections. Staff are allowed to have their breakfast and lunch breaks and, for HGV drivers, any additional breaks required by "Drivers Hours" requirements.

If a driver of a Council owned vehicle is involved in an accident they must report it immediately to [insurances@derbyshiredales.gov.uk](mailto:insurances@derbyshiredales.gov.uk) and their line manager.

Drivers should report any incidents to the insurers of any other vehicles that they drive.

### **Grey Fleet**

The HR Department will ensure that employees who use their own vehicles for Council business have a valid certificate of insurance that shows that the correct business use cover is also included.

The HR Department will check that any vehicle over 3 years old which is used for Council business is covered by a valid MOT Certificate.

### **Drugs, Alcohol and Substance Use and Abuse**

Service Managers, through their managers and supervisors will ensure all reasonably practicable steps are taken to ensure that employees, and any other person who could be affected, are protected from the health and safety risks which may be caused by employees who are unfit to work due to the consumption of alcohol or drugs or the effect of other substances. HR Department to develop a Council wide policy on substance misuse.

### **Lone Working**

Where employees are required to work alone, Service Managers will ensure that a suitable risk assessment has been prepared that covers the activities the employee will be undertaking, the environment in which the employee will be working, and any equipment or hazardous substances the employee will be required to use in order to complete their tasks.

Service Managers will also ensure that appropriate safe systems of work are in place, including communication arrangements and a procedure to follow in the event of an emergency. Relevant staff are trained to use the lone worker telephone contact service who should record, monitor and alert Council managers if a member of staff is unaccounted for after a reasonable period.

A copy of the Lone worker policy is held within the HR Department.

## **Stress Management**

The Council takes stress management very seriously and employees and managers should ensure that they are aware of their responsibilities under the policy. A copy is held within the HR Department.

## **New and Expectant Mothers**

Service Managers should take account of new and expectant mothers when carrying out risk assessments and take action to ensure that they are not exposed to any significant risk.

Risks include those to the unborn child or child of a woman who is still breastfeeding – not just risks to the mother herself.

Where the risk assessment identifies risks to new and expectant mothers and these risks cannot be avoided by the control measures in place, the manager will need to either alter her working conditions or hours of work, if it is reasonable to do so and would avoid the risks, or identify and offer suitable alternative work or suspend her from work.

## **Young Persons at Work**

Before young persons and children on work placement schemes start work at the Council, the Service Manager under whose charge they will be will ensure appropriate and specific risk assessments are undertaken and that they consider all the hazards specific to young persons.

Where children on work placement schemes are to be introduced into the workplace, their parents/guardians must be provided with information detailed in the risk assessment regarding the risks they are likely to be exposed to and the control measures in place to protect them.

A copy of the policy for young Persons is held within the HR Department and a further document – Insurance Cover for Work Experience Students and Volunteers is held in the Resources Department.

## **Monitoring**

To check our working conditions, and ensure our safe working practices are being followed, we will monitor the condition of work places. The following arrangements are in place to monitor workplace conditions:

- Union appointed safety representatives are entitled to carry out checks and see results of any measurements taken in the workplace.
- Members of staff are empowered to report any unsafe conditions directly with their line manager. If no action is taken staff are instructed to contact their Head of Service.
- Managers are responsible for ensuring that conditions do not deteriorate due to poor working practices or environmental conditions. Failings due to insufficient resources should be risk assessed and prioritised through the workings of the Safety Committee. The service manager should forward agenda items to the Committee Section.

Heads of Service are responsible for investigating accidents. Assistance is available from the Head of Regulatory Services where necessary.

Safety audits and inspections are carried out by the Heads of Service. Internal audit department carry out two yearly reviews of the arrangements for safety. Assistance is available from the Head of Regulatory Services where necessary.

Human Resources are responsible for investigating work-related causes of sickness absences. Sickness returns are monitored quarterly.

Summaries of health and safety monitoring will be reported to the Safety Committee.

Overall arrangements for health and safety are subject to scrutiny by internal audit whose findings will be reported to the Safety Committee.

## **Safety Policy Review**

The Council will review its policy at periods not exceeding two years.

The Council will review its policy in the event that it takes on new activities or where there is significant change to existing activities.

The Council will review its policy in the light of advances in the understanding and recognition of health and safety hazards, actively seeking information on which to base such reviews.

Any review of the Safety Policy will be subject to discussion, scrutiny and approval by the Safety Committee

## **Appendix 1**

Policies and procedures linking to the safety policy:

Documents and procedure notes are held on the Intranet and within shared drives.

## **Appendix 2**

Recording forms linked to the safety policy:

- “Office Hazards” checklist
- Accident reporting form – standard template
- Internal Audit checklist/form
- Risk Assessment form - standard template

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Corporate Services

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## **CODE OF CORPORATE GOVERNANCE**

### **PURPOSE OF REPORT**

This report requires the Committee to review the Local Code of Corporate Governance in accordance with relevant guidance and to approve an updated Sponsorship Policy.

### **RECOMMENDATION**

1. That the revised Code of Corporate Governance is approved.
2. That the updated Sponsorship Policy is approved and promoted on the District Council's web site.

### **WARDS AFFECTED**

Not applicable

### **STRATEGIC LINK**

A strong governance framework helps to underpin the Council's Corporate Plan and is an effective tool in mitigating risk.

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## **1. BACKGROUND**

- 1.1 Local authorities are required by the Audit Commission to adopt a Local Code of Corporate Governance. The Code details the system by which the Council controls and directs its functions and relates to the local community.
- 1.2 The original Code of Corporate Governance (the Code) was adopted in 2003 based on guidance issued jointly by the Society of Local Authority Chief Executives (SOLACE) and the Chartered Institute of Public Finance and Accountancy (CIPFA). The guidance was updated in 2007, 2010 and 2014. The Committee last revised the Code in 2015. The review of the Code for consideration is based on the financial year 2016/17. The Code is reproduced at Appendix 1.

## **2. SOLACE/CIPFA GUIDANCE**

- 2.1 The SOLACE/CIPFA guidance is based on seven core principles that underpin the governance arrangement for all bodies. The principles are:
  1. Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
  2. Ensuring openness and comprehensive stakeholder engagement
  3. Defining outcomes in terms of sustainable economic, social and environmental benefits

4. Determining the interventions necessary to optimise the achievement of the intended outcomes
5. Developing the entity's capacity including the capability of its leadership and the individuals within it
6. Managing risks and performance through robust internal control and strong public financial management
7. Implementing good practices in transparency, reporting and audit to deliver effective accountability

### 3. REVIEW OF THE CODE

3.1 In conducting this year's annual review of the Code, it is perhaps worth noting a number of decisions which have been recently taken, which have improved the evidence base in support of the guiding principles. The table below summarises that activity.

Principle	Activity to refresh evidence base
Behaving with integrity	<ul style="list-style-type: none"> <li>• Notice of motion agreed to condemn hate crimes and the potential for a culture of discrimination.</li> <li>• Codes of Conduct for elected Members and Employees have been reviewed. New standards added to both to require attendance at mandatory training.</li> <li>• Protocol on use of Civic allowance reviewed and revised in 2016/17 with particular emphasis on the use of funds for hospitality</li> <li>• Review of District Council's standard terms and conditions to deal with safeguarding issues and work by contractors</li> </ul>
Ensuring openness	<ul style="list-style-type: none"> <li>• Recording and web casting of meetings.</li> <li>• Sponsorship strategy reviewed and tabled for adoption</li> <li>• Non statutory consultation as part of the leisure review and transfer to alternative service delivery partner</li> <li>• Open Q and A session with Chief Executive and Corporate Director</li> </ul>
Developing the entity's capacity	<ul style="list-style-type: none"> <li>• Sub-group of elected members attended training specifically in community leadership. Outcomes will help to shape the new Induction plan for the new Council of 2019.</li> <li>• Development and delivery of Insight – training programme for managers</li> </ul>
Defining Outcomes	<ul style="list-style-type: none"> <li>• Review of Corporate Plan</li> <li>• Continual review of priorities and finance targeted towards particular projects and services</li> <li>• Stakeholder and user survey as pre tender exercise for leisure review</li> </ul>
Determining Interventions	<ul style="list-style-type: none"> <li>• Review and publish of key performance indicators</li> <li>• Internal risk management group and Hub</li> </ul>

		<ul style="list-style-type: none"> <li>• Publication and review of Medium Term Financial Plan and Efficiency Plan</li> </ul>
Developing Capacity		<ul style="list-style-type: none"> <li>• Shared service agreement in legal and Building Control</li> <li>• Appointment of Member Representatives</li> </ul>
Managing Risk		<ul style="list-style-type: none"> <li>• Mandatory training for officers and staff embedded in Codes of Conduct</li> </ul>
Implementing practices	Good	<ul style="list-style-type: none"> <li>• Revised Sponsorship Protocol</li> </ul>

### 3.2 Sponsorship Policy

The Sponsorship Policy, first adopted in 2010 has been reviewed and is attached at Appendix 2 for adoption by the Committee.

Sponsorship has the potential to become an important income generating initiative, which could assist the Council with the delivery of effective services to the community. Recent sponsorship initiatives include planting schemes in public parks and at roundabouts. All offers have been very carefully considered against the current policy to avoid any conflict of interest or misunderstanding as to the motives behind such generosity.

The potential for sponsorship is considered to be under-developed particularly as a means of linking the District Council's activities with the marketing and business opportunities of individuals and business in the District. For example sponsorship on the side of one of the new compacting waste receptacles could enable a sponsor to connect with various target markets whilst protecting the Derbyshire Dales brand. Sponsorship of major events like Matlock Bath Illuminations also offers the potential for sponsors to reach new audiences whilst contributing financially to the staging of an iconic event.

The policy seek to enable sponsorship in a fair an easy way with safeguards to protect the District Council's reputation and ensures that individuals or organisations generous enough to provide sponsorship are free from imputation of motivation by possible personal or commercial gain. The Policy is also supported by specific guidance in the Employee Code of Conduct and Contract Standing Orders.

Promotion of sponsorship activities would mirror Contract Standing Orders in terms of financial thresholds, with all initiatives of £25,000 or more, being advertised on national contracts website. All other initiatives will be promoted on our web site, social media and by direct communications.

## 4. RISK ASSESSMENT

### 4.1 Legal

The Governance Code provides for the smooth functioning and control of the Council as a legal entity, which reinforces the importance of proper accountability, openness and transparency. The legal risk is therefore low.

## 4.2 Financial

The Governance Code provides a framework designed to manage and mitigate risks, including financial risks. The financial risk arising from this report is, therefore, assessed as low.

## 5. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## 6. CONTACT INFORMATION

Sandra Lamb, Head of Corporate Services, Tel. 01629 761281 or Email [sandra.lamb@derbyshiredales.gov.uk](mailto:sandra.lamb@derbyshiredales.gov.uk)

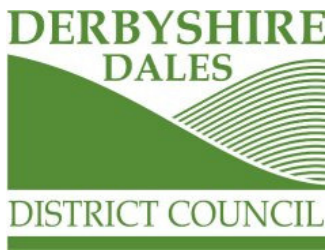
## 7. BACKGROUND PAPERS

None

## 8. ATTACHMENTS

Appendix 1 – Code of Corporate Governance  
Appendix 2 – Sponsorship Policy





# Code of Corporate Governance

## Introduction

Corporate governance comprises the systems and values by which the District Council is directed and controlled and through which it is accountable to and engages with its communities.

To demonstrate compliance with the principles of good corporate governance, the District Council must ensure that it does the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner.

## Delivering Good Governance

Derbyshire Dales District Council is committed to applying the seven core principles of good governance set out in the CIPFA/SOACE framework. The principles are -

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Developing the entity's capacity including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting and audit to deliver effective accountability

Good governance is crucial as it leads to good management, good performance, good stewardship of public money, good public engagement, and good outcomes for citizens and service users. Further, good governance enables the District Council to pursue its aims effectively whilst controlling and mitigating risk.

The District Council has a robust Constitution and other good governance documents and arrangements in place. Together these documents and arrangements demonstrate that the Council is seeking to ensure that it is governed well through the integration into its conduct the core principles of good practice.

The purpose of this Code of Corporate Governance is therefore to provide a simple document with hyperlinks to relevant documents relating to governance which are available free of charge on the District Council's website.

**PRINCIPLE 1** – Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law

**Evidence**

- Protocol on the Management of the Civic Allowance
- Report of the Independent Remuneration Panel on Members Allowances
- Elected Member Code of Conduct
- Employee Code of Conduct
- Planning Code of Good Practice
- Protocol on Employee/Member Relations – Constitution
- Constitution
- Sponsorship Policy
- Risk assessment of reports
- Confidential Reporting Policy
- Anti-Fraud and Corruption Policy
- Regulation of Investigatory Powers Act Surveillance Policy

**PRINCIPLE 2** – Ensuring openness and comprehensive stakeholder engagement

**Evidence**

- The Corporate Plan
- Local Development Framework Consultation Plan
- Reasoned decisions at quasi- judicial meetings
- Annual review of Planning decisions
- Constitution
- FOI Publication Scheme
- Regulation of Investigatory Powers Act 2000 Policy
- Data Protection Policy
- Council and Committee decisions
- Web casting and recording of meetings
- Public Participation Scheme
- Area Community Forums
- Town and Parish Council Conference

**PRINCIPLE 3** – Defining outcomes in terms of sustainable economic, social and environmental benefits

**Evidence**

- Corporate Plan
- Medium Term Financial Strategy
- Annual Budget
- Annual Governance Statement (part of the Statement of Accounts)
- Annual Audit and Inspection Letter
- Financial Regulations – Constitution
- Contract Standing Orders – Constitution
- Asset Management Plan

**PRINCIPLE 4** – Determining the interventions necessary to optimise the achievement of the intended outcomes.

**Evidence**

- Consultation and review of feedback
- Risk Management Hub
- Key Performance Indicators
- Budget preparation in accordance with agreed strategy and Medium Term Financial Plan
- Budget process and revised estimate's
- Capital Programme process and scorecard
- Risk Management Register
- Annual Audit and Inspection Letter
- Confidential Reporting Policy
- Anti-Fraud and Corruption Policy
- Regulation of Investigatory Powers Act Surveillance Policy
- Annual Review of Complaints

**PRINCIPLE 5** – Developing the entity's capacity including the capability of its leadership and the individuals within it

**Evidence**

- Member Development Scheme
- Employee Personal Development Scheme
- Member Training and Development Programme
- Insight – Internal management development programme
- Member Induction
- Member Representative roles
- Lola – internal training programme

**PRINCIPLE 6** – Managing risks and performance through robust internal control and strong public financial management

**Evidence**

- Internal audit and reports
- External audit and reports
- Risk Management Register
- Transparency and Open Data source
- Risk assessment of all Committee/Council decisions
- Regular budget reporting and income monitoring

**PRINCIPLE 7** - Implementing good practices in transparency, reporting and audit to deliver effective accountability

**Evidence**

- Annual report on Service plans and performance management
- Annual review of Corporate Governance framework
- Review of actions recommended by internal audit service
- Annual Audit Letter
- Anti fraud and corruption policy and reporting
- Data Protection Officer in place

- Continual monitoring of Medium Term Financial Plan

## **Monitoring and Review**

The District Council will monitor the arrangements set out in this Code of Corporate Governance for their effectiveness in practice and will review them on a continuing basis to ensure that they are up to date.

Each year the Council will publish an Annual Governance Statement which will explain and assess how the Council has complied with the Code of Corporate Governance and provide details of how continual improvement in the system of internal control will be achieved.

# SPONSORSHIP POLICY

## Introduction

This is the District Council's Sponsorship Policy. It gives guidance on what we can and cannot accept in terms of accepting financial contributions in return for public association with the Council and its services.

We recognise the need to encourage sponsorship and other income generating initiatives, which assist the Council with the delivery of effective services to the community. At the same time we need to ensure that individuals or organisations generous enough to provide sponsorship are free from any impression that their sponsorship may have been motivated by personal or commercial gain. This Policy is therefore a guide to ensure that all sponsorship agreements are transparent and that care has been taken to ensure that the connection between a sponsor and the Council does not place either party in a compromising position.

Sponsorship is therefore defined as "the payment of a fee by a company or individual in return for the rights to a public association with an activity, item or property for mutual commercial benefit." Sponsorship is a business agreement, not a gift.

## Context

This Policy applies to all forms of sponsorship including, but not restricted to –

- Awards and prizes
- Advertising e.g. on side of waste receptacles
- Capital works
- Environmental enhancement e.g. sponsored bedding plant schemes
- Promoting local businesses, their products or services
- Equipment and supplies e.g. uniforms
- Events, large and small
- Fund raising ventures
- Digital, e.g. web site advertising

## How it Works

When actively seeking sponsorship, **we will**

- Publish all opportunities on our web site and other appropriate channels.
- Make a direct approach to potential sponsors in circumstances which may provide mutual benefit.

Where sponsorship is not actively sought, but is offered to us by a sponsor, we will comply with the requirements set out in this Policy

In deciding on a sponsorship project, **we will**

- Consider each sponsorship offer on its individual merit and ensure that the particular sponsorship compliments our aims and objectives
- Seek opportunities that offer value for money to the Council and its community and which are unlikely to -

- Compromise the integrity of the Council
  - Fetter our decision-making powers in any way or the way in which any services are delivered to the public
  - Be seen as detrimental to our corporate image
  - Be viewed as product endorsement
- Refer all decisions on sponsorship worth over £25,000 per year to the relevant Committee of the Council
  - Enter into a sponsorship contract with the successful sponsor

## **Conditions**

We have the right to decline sponsorship deals where it is considered that the relationship would have a negative impact on the Council. Here are some of the specific exclusions –

Sponsorships which seek to promote:-

- Alcohol products where over 25% of those attending a sponsored event or using the services are under 18
- Tobacco products
- Unhealthy food or unhealthy lifestyles
- Weaponry
- Gambling
- Racism
- Messages of a sexual nature
- Political parties

For all types of sponsorship in the form of advertising, we will also seek to adhere to the national guidance published by the Advertising Standards Agency.

Offers of sponsorship will also not be accepted from any organisation that is in financial or legal dispute with the Council and the Council will show caution when accepting sponsorship where the organisation is -

- in the process of a planning application, or
- in the process of a tender application

This is not to be interpreted as preventing sponsorship from the District Council's regular suppliers or contractors.

Any sponsored project will be required to

- Display the Derbyshire Dales District Council brand on any publicity, this includes brochures, advertising, website, exhibition materials, signage, information packs etc.
- Mention the Derbyshire Dales District Council in all press releases and media activity

In return we will, include the sponsors brand on any publicity undertaken in connection with the sponsored activity.

## **The Detail**

### **Financial**

Where sponsorship arrangements may commit the Council to any revenue implications, or where the arrangement concerns property belonging to the Council or requires permissions, consents or approval from the local authority, the sponsor must be made aware of the need to obtain the consents from the relevant regulatory service within the Council and the sponsorship arrangement

must be approved in accordance with Financial Regulations before any commitment is entered into.

Any agreed sponsorship funds must be exclusive of VAT.

## Legal

All sponsorship agreements with the Council will be based on an agreed model form which will spell out the extent and limitations of the relationship and what both parties seek to gain from it.

The agreement will be proportionate, so for small commercial sponsorship arrangements an exchange of letters may be sufficient. For large commercial sponsorship arrangements a full contract will be required and signed by all parties before the Council accepts any funds, goods or services from the sponsor.

All sponsorship agreements will be limited to a maximum period of four years. This does not preclude entering into a further and subsequent sponsorship agreement with the same sponsor, provided the arrangement is reviewed in accordance with this Policy on the expiry of each four-year period.

A sponsorship agreement will include a break clause in the event that the Council needs to discontinue its arrangement with a sponsor due to the arrangement no longer complying with the spirit of this protocol.

Where the sponsorship arrangement involves the supply of goods to the Council, which are to be retained by the Council after the sponsorship period has ceased, the Council will ensure:

- a) title to the goods will vest in the Council at the conclusion of the sponsorship arrangement
- b) the Council does not need to account to the sponsor for the future use or disposal of the goods

## Evaluation

We will evaluate commercial sponsorships in order to ascertain whether similar opportunities should be sought in future. We may ask you to contribute to this exercise to help us gauge public opinion and whether anything could be done differently in the future.

# Sponsorship Policy

## Operational Notes

### 1. Governing Framework

The Governance and Resources Committee has responsibility for adoption and development of the sponsorship Policy.

The Policy should be read in conjunction with the District Council's Contract Standing Orders, Financial Regulations, Corporate Identity Guide and Code of Conduct. The financial thresholds for appropriate advertising, procurement and contract award are those set out in contract standing orders.

All Heads of Service have delegated authority to determine bids for sponsorship to the levels set out in Contract Standing Orders, subject to all sponsorship deals worth £25,000 or more per annum, being referred to the appropriate committee for approval.

### 2. Administration of the Scheme

All invitations to sponsor will be advertised on the District Council's web site and other channels as appropriate. The BSU team will administer the first point of contact service with an email address of [sponsor@derbyshiredales.gov.uk](mailto:sponsor@derbyshiredales.gov.uk). BSU will filter all communications and forward them to the relevant Head of Service for further action. BSU will also raise invoices for the agreed sponsorship amounts on the instructions of the relevant Head of Service.

#### Due Diligence

Prior to any award, where sponsorship is being offered, the relevant Head of Service must:

- a) Ask the Head of Resources to carry out checks of a potential sponsor company to establish its current financial position and its business connections with other companies or subsidiaries
- b) Seek confirmation from the Head of Corporate Services whether enforcement action is pending or being considered against the potential sponsor or any associate companies;
- c) Consult the Head of Resources to confirm whether the proposals are covered by the Council's Insurance Policy or that arrangements can be made to cover any additional liability
- d) Consult the Head of Regeneration and Policy regarding local businesses, opportunities for reasonable promotion and other matters

Any agreed sponsorship funds must be exclusive of VAT. If part of the sponsorship arrangement includes the provision of services or goods, the Head of Service must consult the Head of Resources to establish any potential VAT implications for the Council before any agreement on sponsorship is concluded.

### 3. Promotion principles

All promotional activity to promote the sponsor will be approved by the Communications and Marketing Manager who will ensure that all promotion is proportionate to the level of sponsorship. In particular, care will be taken to ensure that -

- Marketing does not suggest that the Council endorses the company or produce providing the sponsorship
- Sponsor logos will not be larger or more prominent than the District Councils logo



- Explicit sales messages will be avoided
- Sponsors will not be allowed to make claims that a particular produce is superior to others
- Information will not suggest that the sponsor is the only supplier of that type or produce or service
- The rules and regulations covering advertising to children are complied with

#### **4. Legal**

The legal team will offer advice on the appropriate means of contracting with a Sponsor. For large commercial sponsorship arrangements, a full contract will be required, which should include:

- A description of the resources to be provided by the sponsor and the length of their commitment
- A description of the marketing or other benefits that the sponsor will receive, including what branding is to be allowed
- Clarification as to which party is responsible for the costs associated with producing marketing materials
- Clarification as to whether the sponsor will be the sole sponsor for the direction or whether co-sponsorship has been arranged or is being sought
- An explicit statement that sponsors will not receive preferential treatment during tendering processes, but will be treated the same as any other contractor when tendering for business#
- Clarification of the licensing and protection of intellectual property rights owned by the parties
- A clause stating that sponsors should receive written agreement from the Council for all marketing as a result of the commercial sponsorship agreement. This should include whether and how the sponsor will be allowed to publicise their relationship with the Council
- A statement noting that, under the Freedom of Information legislation, the council may be obliged to release information on the sponsorship arrangement
- Details on how, and in what circumstances, either the sponsor or the Council can terminate the sponsorship arrangement
- Contact detail for the responsible officers in both the Council and the supporting company

#### **5. Reporting**

The District Council's Monitoring Officer will be notified of all sponsorship arrangements, which are entered into by the Council. S/he will maintain a central record, which will be available for public inspection.

The relevant policy Committee will approve offers of sponsorship over £25,000 per annum. An annual report of sponsorship initiatives will be reported to, and considered by, the Governance and Resources Committee.

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Regeneration and Policy

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## **EQUALITY, CONSULTATION AND ENGAGEMENT PLAN 2017-18**

### **PURPOSE OF REPORT**

The District Council publishes an annual Equality Plan which sets out how the District Council meets its public sector equality duties. It also publishes an annual Consultation and Engagement Plan which sets out what consultation and engagement activities are proposed to be undertaken each year as a way of identifying the means by which it can fulfil its statutory duty to undertake consultation.

This report provides for Members' consideration an update on progress against the actions set out in the Equality, Consultation and Engagement Plan 2016-17. This report also seeks approval for the Equalities, Consultation and Engagement Plan for 2017-18.

### **RECOMMENDATIONS**

1. That progress against the actions in the Equality, Consultation and Engagement Plan 2016-17 (Appendix 1) be noted.
2. That the Equality, Consultation and Engagement Plan 2017-18 as set out in Appendix 2 to this report be approved.

### **WARDS AFFECTED**

All Wards

### **STRATEGIC LINK**

The District Council has a statutory duty to pay due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and encourage good relations between different groups of people. Furthermore the District Council has a duty to consult with the community in carrying out its functions and activities. The Equality, Consultation and Engagement Plan helps the District Council meet its statutory duties.

Meeting the statutory equality and consultation duties ensures that the District Council is able to act in accordance with our values of acknowledging the distinctiveness of our communities, business and residents; and that in carrying out our functions and activities we behave with integrity, courtesy and respect, listening and responding to the best of our abilities and treating everybody fairly.

---

## 1 BACKGROUND

- 1.1 The District Council has a comprehensive Equality and Diversity policy<sup>1</sup> which provides the context for the Equality, Consultation & Engagement Plan.
- 1.2 The equalities statutory duty comprises a [general equality duty](#) and a [specific duty](#). The District Council must comply with both. The general duty requires the District Council to have due regard in the exercise of all its functions to the need to:
- Eliminate discrimination, harassment and victimisation;
  - Advance equality of opportunity between all persons;
  - Foster good relations between all persons.
- 1.3 The District Council must therefore ensure consideration is given to the aims of the Duty in all its decisions. The paragraph on 'other considerations' at the end of every committee report reminds Members that although Officers have had regard to equality issues when preparing reports, Members should also consider equality issues in order to meet the Equality Duty.
- 1.4 The specific duty requires the District Council to publish:
- Equality information annually about its workforce and service users to demonstrate compliance with the general Equality Duty;
  - Equality objectives (drawing on this information) at least every four years that it needs to achieve to meet the aims of the general equality duty, focusing on its priority equality issues.

The [Consultation and Engagement Strategy 2014-2019](#) was agreed at [Corporate Committee on 20 March 2014](#) (Minute No. 387/12). The strategy describes the purpose, principles and priorities in respect of consultation and engagement activity undertaken by the District Council.

Each year the District Council prepares an Equality, Consultation and Engagement Plan which sets out the activity planned for the coming year in line with the strategy's objectives.

## 2 PROGRESS ON EQUALITY AND CONSULTATION 2016/17

- 2.1 Updated equality information was published on the District Council's website<sup>2</sup> as required by legislation on 31 January 2017. A proportional approach to the collection and publication of data continues to be taken, with a particular focus on key service user satisfaction data disaggregated by relevant protected groups.
- 2.2 In 2012, the District Council consulted on three draft equality objectives via an on-line survey sent to equalities organisations and groups operating in the Derbyshire Dales, local voluntary organisations and LSP partners. These equality objectives were agreed at Community & Environment Committee on 19 April 2012 (Minute No. 387/12) and progress is reported annually. Progress towards these objectives at February 2017 is summarised in Appendix 1. The District Council's equality objectives are:

<sup>1</sup> <http://www.derbyshiredales.gov.uk/your-council/policies-plans-a-strategies/equality-a-diversity-policy>

<sup>2</sup> <http://www.derbyshiredales.gov.uk/your-council/equalities/equality-information>

- Improve housing opportunities for vulnerable people
- Help new businesses to start
- Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users

The Equality, Consultation & Engagement Plan 2016 - 2017 set out for each equality objective at least one or two performance measures/targets, which are detailed in Appendix 1. Of the five identified targets: two have been fully achieved; one has been deleted and now forms part of the Homelessness Strategy; two are unlikely to be achieved by the year end.

2.4 The targets that have been fully achieved at February 2017 are:

- Provide adaptations to the homes of 35 disabled people – by December 2016, 37 adaptations to disabled persons properties had been made.
- Five priority Equality Impact Assessments completed; 2 were not required.

2.5 The two targets that have failed to date and are unlikely to be achieved by the year end are:

- Support 115 vulnerable households to access social, training and employment opportunities through an enhanced signposting service, helping them to move on from supported accommodation – by the end of December 2016, 29 tenants had been supported. This dip in performance is being followed up.
- Provide support to a further 10 people under 25 interested in starting a new business - 4 young people under 25 years of age were supported. The Launchpad service is developing programme of engagement / support targeting under 25s which should boost numbers in 2017/18.

2.6 The target which has been deleted is:

- Produce 4 group needs assessments of the housing needs of vulnerable people – this is now incorporated into the Homelessness Strategy.

2.7 Equality Impact Assessments:

To minimise the risk of legal challenge and to ensure that the potential impact upon protected groups is taken into account in the District Council's decision making framework, Equality Impact Assessments are prepared. Each year a number of priority Equality Impact Assessments are identified in the Equality, Consultation & Engagement Plan as having to be undertaken, where they are linked to potential future policy development or potential changes in service delivery. Completed Equality Impact Assessments are summarised and presented for Members' review when new or revised policies are being considered at Committee or Council meetings. Completed Equality Impact Assessments are also published on the District Council's website to demonstrate compliance with the Equality Duty.

2.8 Progress on priority EIAs for 2016/17:

The following EIAs were identified in the Equality, Consultation & Engagement Plan 2016/17 (see Appendix 2) and have been completed:

- Wheeled Bins Charging
- Public Conveniences

- Local Plan
- Family Friendly Policy
- Events Strategy

The following EIAs were not required:

- Council Tax Support Scheme 2017-2018 (no change to current scheme)
- Budget

2.9 The Equality, Consultation and Engagement Plan 2016 – 2017 provided a structured framework for the District Council's consultation and engagement activities during the last financial year. This Plan was agreed at Governance & Resources Committee on 16 July, 2016 (Minute No. 72/15). Consultation and Engagement activity of note during 2016 - 2017 includes:

- Customer satisfaction surveys with the waste and recycling service provided by Serco in May and November 2016. These results were reported to [Community & Environment Committee on 12 January 2017](#) (Minute No. 322/16).
- Online Panel Survey, September 2016. Results were reported to [Council on 24 November 2016](#) (Minute no: 277/16).
- Comprehensive programme of consultation undertaken with the findings informing the Draft Derbyshire Dales Local Plan approved for submission at [Special Council on 8 December 2016](#) (Minute no: 295/16).

### **3 EQUALITY, CONSULTATION & ENGAGEMENT PLAN 2017 - 2018**

3.1 The key areas for consultation that the plan sets out for 2017-18 are:

- Waste and Recycling Customer Satisfaction – May & November 2017
- Public Conveniences review - December 2017
- Leisure Services review – ongoing throughout 2017
- Business Engagement Programme – February/March 2017

## **4. RISK ASSESSMENT**

### **4.1 Legal**

Under the provisions of the Equality Act 2010, the District Council has specific statutory duties. All decisions taken by the Council, all services provided or enabled by the Council and all personnel functions of the Council are required to take account of this duty. Failure to comply with the equality duty could render the Council open to legal challenge. The areas of activity identified within this report seek to reduce any potential risk. However, this area is still considered to be a medium legal risk in light of the requirement to demonstrate that councils have consciously considered their obligations.

The District Council also has a duty to consult, and to demonstrate that it has consulted in making decisions on how to undertake its functions and activities which affect the public. Failure to consult or demonstrate how consultation has influenced the decision making process is an area where the District Council could face legal

challenge. As such the areas of activity identified in the Equality, Consultation and Engagement Plan seek to reduce any potential risk.

As challenges on these matters are becoming more frequent nationally, the legal risk is medium.

#### **4.2 Financial**

The costs of addressing the statutory requirements in relation to Equalities and Consultation are contained within existing service budgets. As such the financial risk is low. However failure to comply with the relevant statutory requirements may expose the District Council to legal challenge and therefore the potential for higher financial risks.

#### **4.3 Corporate Risk**

The risk of failing to take adequate account of equalities issues in policies and decisions is scored 12 in the District Council's Risk Register.

Progressing the activity identified within the report will help manage the risks of legal challenge, enforcement action for non-compliance with statutory equality duties, and potential loss of good reputation.

### **5 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **6 CONTACT INFORMATION**

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Tel: 01629 761240 Email: [lynne.cheong@derbyshiredales.gov.uk](mailto:lynne.cheong@derbyshiredales.gov.uk)

### **7 BACKGROUND PAPERS**

None

## Equality Objectives 2012-17

### PROGRESS TOWARDS 2016 -2017 EQUALITY TARGETS, February 2017

Summary of Progress		
Status	Number	Percentage
GREEN	2	40%
AMBER	0	-
RED	2	40%
DELETED	1	20%

Objective 1: Enhance opportunities for vulnerable people to access suitable housing and to live independently at home for longer			
Service	Target		Risk
Private Sector Housing	Provide adaptations to the homes of 35 disabled people by March 2017 (Also Corporate Plan target)	37 homes adapted to end of Q3	<b>G</b>
Housing	Produce 4 group needs assessments of the housing needs of vulnerable people	No progress; now deleted from service plan and incorporated into Homelessness Strategy	<b>Deleted</b>
Housing	Support 115 vulnerable households to access social, training and employment opportunities through an enhanced signposting service, helping them to move on from supported accommodation	Total Q1-Q3 = 29. (NB: This dip in performance has been followed up and is due to specific, but temporary, issues at the service provider)	<b>R</b>

<b>Objective 2: Work with partners to help enable more young people to access employment opportunities in the Dales</b>			
<b>Service</b>	<b>Target</b>		<b>Risk</b>
Economic Development	Provide support to a further 10 people under the age of 25 interested in starting a new business by March 2017	Below target – estimate 4. Launchpad service developing programme of engagement / support targeting under 25s which should boost numbers in 2017/18	<b>R</b>

<b>Objective 3: Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users</b>			
<b>Service</b>	<b>Target</b>		<b>Risk</b>
Policy	Agree and progress the corporate programme of Equality Impact Assessments	Five completed; two not required	<b>G</b>



**EQUALITY PLAN 2016 – 2017: ACTION PLAN**  
**Updated February 2017**

Equality Objectives	Actions	Performance Measures / Targets	Outcome	Lead	By when
<b>Objective 1: Business Growth and Job Creation</b>	Help new businesses to start	No. of people under the age of 25 supported in starting a new business	Below target – estimate 4. Launchpad service developing programme of engagement / support targeting under 25s which should boost numbers in 2017/18	Head of Regeneration and Policy	March 2017
<b>Objective 2: Affordable Housing</b>	Improve housing for vulnerable people	Provide adaptations to the homes of 35 disabled people	37 homes adapted to end of Q3	Head of Regulatory Services	March 2017
		Support 150 social housing tenants affected by Welfare Reform to access financial and budgeting advice by March 2016, and where necessary, help move home	Q1-Q3 total no. clients = 114, benefit gain £39,649, total debt affected = £539,000	Head of Housing	March 2017
<b>Objective 3 A Clean and Safe District</b>	Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users	% of residents that are satisfied with the refuse and recycling collection service	94% satisfaction overall with refuse and recycling service.	Serco / Head of Environmental Services	March 2017
	Agree and progress the corporate	Programme for 2016-17 completed including:	Completed: <ul style="list-style-type: none"> <li>• Local Plan</li> </ul>	Heads of Service	March 2017

Equality Objectives	Actions	Performance Measures / Targets	Outcome	Lead	By when
	programme of priority Equality Impact Assessments for 2016-17	<ul style="list-style-type: none"> <li>• Markets</li> <li>• Public Conveniences – second review</li> <li>• Sex Entertainment Venues</li> <li>• Local Plan</li> <li>• Charging for wheeled bins</li> <li>• Council Tax Support Scheme 2017-18</li> <li>• Budget</li> <li>• Leisure Review</li> <li>• Events Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Charging for Wheeled Bins</li> </ul> Not required: <ul style="list-style-type: none"> <li>• Council Tax Support Scheme 2017 – 18</li> <li>• Budget</li> </ul> Rolled over to 2017 – 18: <ul style="list-style-type: none"> <li>• Markets</li> <li>• Public Conveniences</li> <li>• Sex Entertainment Venues</li> <li>• Leisure Review</li> <li>• Events Strategy</li> </ul>		
	Service Reviews – any potential equality impacts to be identified through EIAs	<ul style="list-style-type: none"> <li>• Service Reviews               <ul style="list-style-type: none"> <li>- Finance</li> <li>- ICT</li> <li>- Estates &amp; Facilities</li> </ul> </li> </ul>		Heads of Service	Ongoing

**CONSULTATION & ENGAGEMENT ACTION PLAN 2016-17**  
**Updated February 2017**

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
<b>Environmental Services</b>						
Customer satisfaction survey with the waste and recycling service (informing performance indicator WM2)	May and November 2016	Telephone survey by Serco	Sample of 400 local residents	N	Heidi McDougall	Results of the survey showed positive results and high levels of customer satisfaction. Environmental Services Department's service plan target for customer satisfaction on performance of the waste and recycling services is 91%. The survey results showed an overall satisfaction result of 94%; an increase from 93% last year ( <a href="#">Community &amp; Environment Committee, 12 January 2017, Minute no: 322/16</a> ).  Additional satisfaction measure in Online Panel survey, Sept – Oct 2016 (minute no: 277/16, <a href="#">Council 24 November 2016</a> )
Public conveniences 2 <sup>nd</sup> review	Summer 2016	Website, Parish & Town Councils; dalesMATTERS; subscribers of newsletter	Parish Councils Local residents Tourists	Y	Heidi McDougall	On <a href="#">12 January 2017, the Community &amp; Environment Committee</a> approved a fundamental review of 25 public conveniences across the district by December 2017 (Minute no: 320/16).
<b>Regulatory Services</b>						
Satisfaction with	April 2015	On line survey	Service users	N	Tim	Survey in place. So far only 5 responses,

<b>Issue/ Consultation Task</b>	<b>Date planned</b>	<b>Methods</b>	<b>Target Groups</b>	<b>EIA required</b>	<b>Lead Officer</b>	<b>Progress</b>
the development control/ management service	onwards (part of the service review)				Braund/Jon Bradbury	so too early to form definitive view on findings.
Sex Entertainment Venue policy	Summer 2016	Prescribed process of consultation	All licensed premises and general public	Y	Eileen Tierney	Consultation to be commenced following Licensing Committee in March 2017.
Service Review- Development Management	Ongoing beyond 2015/16	Web based	Service users	Y	Jon Bradbury/Tim Braund	Pre-application service to be launched April 2017.
<b>Housing</b>						
Complete 3 parish housing needs surveys (HSS11)	March 2016	Postcard to each household in Parish asking them to complete online survey/ telephone. Publicity of survey via Parish newsletter, Parish meetings/ community events.	Residents in the Parish	Y	Rob Cogings/ Isabel Frenzel	Hathersage and Middleton By Wirksworth completed. Tideswell is the 3rd survey planned but won't be completed until 2017/18.
Produce 4 group assessments of the housing needs of	March 2016	Dependent on target group	Not determined yet	Y	Rob Cogings	Not progressed in 2016/17 and deleted from Service Plan.

<b>Issue/ Consultation Task</b>	<b>Date planned</b>	<b>Methods</b>	<b>Target Groups</b>	<b>EIA required</b>	<b>Lead Officer</b>	<b>Progress</b>
vulnerable groups (HSS28)						
Customer satisfaction with housing needs services	Continual	Face to face survey	Customers	TBC	Simon Beynon	
<b>Resources</b>						
Annual ICT internal satisfaction survey	November 2016	Online survey	Staff at DDDC	N	Nick Blaney	Online survey via Intranet, November 2016. Overall satisfaction rating of 97% across all partners of the joint ICT service.
Budget consultation	January-February 2016	Face to face presentation at meetings or electronic/ paper survey	Business and Community Forums	N	Karen Henriksen/ Karen Ludditt/ Steve Capes	January & February 2017 – Business Forum & Community Forums. (NB: East Midlands Chamber of Commerce declined to comment).
Customer satisfaction survey of Council Tax and Housing Benefits claimants	January-February 2018 (every 2 years)	Telephone survey (by Arvato)	Council Tax and Housing Benefit claimants	N	Karen Henriksen/ Arvato	Biannual – not required in 2016 – 17.
<b>Community Development</b>						
Leisure Services Review	Feb – April 2017	Workshop with stakeholders Public consultation	Partner stakeholders, local residents,	Y	Ashley Watts	EIA: Meeting with Lynne/Rob on 20/2/17 and agreed to complete EIA by May 2017.

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
		TBC	businesses and visitors			
Community Engagement Hub projects	Dependent upon which Council services emerge as feasible for community engagement (currently Pavilion, public toilets at Artists Corner- Matlock Bath).	Dependent on the target group- an entry on the engagement plan is needed for each specific project	Modernise current facilities to be able to use for Club Activities, bookings and events	EIA may be needed for specific projects	Rob Wilks	Business Plan and proposal being developed by a partnership group in Ashbourne  Matlock Canoe Club developing business plan and proposals for Artists Corner
Market research into customer profiles and customer satisfaction with Leisure Facilities	June 2017 and ongoing each year until transfer of service	Various - to be determined	Local residents, existing and potential users	N	Dave Turvey	Paul Stefan Coordinating in partnership with UK Active. Complete by June 2017
Ashbourne Skate Park	Following feasibility review of suggested sites	Online survey	Potential users and local residents / businesses near the proposed site	Y	Ros Hession	A community group called Skate Ashbourne has now been formed. Report going to Committee to gain approval from members to release a parcel of land on the recreation ground for development subject to securing the required funds.

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
Area Community Forums- Summer	July 2016 (dates to be set in May)	Public meeting	Local residents Local businesses Service users, Partners	N	All/ Ros Hession	
Area Community Forums- Autumn	October 2016 (dates to be set in May)	Public meeting	Local residents Local businesses Service users, Partners	N	All/ Ros Hession	
Area Community Forums- Winter	February 2016 (dates to be set in May)	Public meeting	Local residents Local businesses Service users, Partners	N	All/ Ros Hession	
Performance indicators CRI8 & CRI9 % people feeling safe outside during the day and night	Online Panel survey, September 2016	Survey	Local residents	N	Karen Cooper	Online Panel survey, Sept-Oct 2016 (minute no: 277/16, <a href="#">Council 24 November 2016</a> )
<b>Regeneration &amp; Policy</b>						
Derbyshire	April 2016 &	Consultation on	Local	Y	Mike Hase	<a href="#">Local Plan Consultation</a>

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
Dales Local Plan	September 2016	Draft Derbyshire Dales Local Plan and Pre-Submission Draft Derbyshire Dales Local Plan	Residents Statutory Consultees Landowners, Developers & Agents			<p>Pre-submission Draft Local Plan consultation:  <a href="http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16/2015-11-10-09-32-18">http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16/2015-11-10-09-32-18</a></p> <p><a href="#">Key Issues Consultation</a>, November 2015 – findings reported to <a href="#">Local Plan Advisory Committee on 12 January 2016 (AGIN 4)</a>.  EIA completed and submitted to DCLG with Draft Derbyshire Dales local Plan, December 2016.</p>
Business Engagement Programme-business forums	September 2016 and March 2017	Six monthly events of 2 hours, each on a specific theme plus workshops and networking.	Local businesses with growth plans	N/A	Giles Dann	<p>The District Council has held three rounds of Business Forums (March 2015, November 2015 and February 2016) as well as other business events delivered in partnership with Business Peak District e.g. Social Media workshops held in November and December 2016. District Council business forums have been attended by nearly 150 business representatives. The purpose of these forums is to:</p> <ul style="list-style-type: none"> <li>• increase awareness of the District Council's Economic Development priorities and support role;</li> <li>• identify business needs and barriers to growth and increase dialogue with the District Council on these issues;</li> <li>• increase awareness of current initiatives and programmes to support Dales businesses;</li> </ul>



Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
						<ul style="list-style-type: none"> <li>allow time for business networking.</li> </ul> <p>The forums have evolved to include practical content for businesses on topics of relevance which have been well received by attendees. These have included marketing, Top 10 Apps for your business, and HR issues.</p> <p>The next forums are being held on 28 February and 8 March 2017 with access to finance as the theme.</p>
Annual Business Survey – themed on ‘sites and premises’ for 2015	March 2017	On-line survey	Local businesses	N/A	Giles Dann	A comprehensive business survey was conducted in Autumn 2016, and reported to the <a href="#">Community and Environment Committee on 12 January 2017</a> (Minute no: 317/16). Future surveys are to be conducted on a biennial basis.
Evaluate local economic impact of Eroica Britannia 2016	July 2016	Surveys with partners (details TBC)	Businesses, participants and spectators	N/A		<p>The business survey revealed that 41% said they were busier than usual whereas 31% said they were quieter and 25% remained the same. 38% saw an increase in sales, whereas 28% saw a decrease and 31% saw no affect.</p> <p>Total spend inside the Festival and outside within the local economy has been estimated at £3,000,819 (a 12% increase on 2015). Of this, £438,000 was spent within the local economy (an 18% increase on 2015). This equates to 8 new jobs created (based on tourism industry standard values of £54k additional visitor spend equalling</p>

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
						one job created).
How's business survey	October 2016	On-line survey	Visitor economy businesses	N/A	Gill Chapman	Deferred to Autumn 2017
Built Sports Facilities, Playing Pitch and Open Spaces Strategy	May/June 2017	Physical audit of existing provision and forecast of future need. Public consultation	Local residents, sports groups and strategic health bodies	Y	Mike Hase Rob Wilks	All 3 elements of the evidence base are in draft following extensive consultation completed by the consultant. Drafts waiting comment before we work towards production of the final strategy document and sign off in May/June 2017.
Performance indicators POL8 & POL9, N14& N15 % residents agreeing the Council provides value for money, satisfaction with how the Council runs things, feel can influence decisions in their locality, satisfied with the area	September – October 2016	On-line Panel survey	Local residents	N	Steve Capes	Online Panel survey, Sept – Oct 2016 (minute no: 277/16, Council 24 November 2016)
<b>Corporate Services</b>						
Customer	Ongoing-	Online survey	Local	N	Sandra Lamb	Online survey undertaken April-June 2016

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
Satisfaction Monitoring (internal & external) of Business Support services	after service delivery		residents & stakeholders			



## **Equality, Consultation & Engagement Plan**

**2017 – 2018**

## 1. Introduction

Derbyshire Dales Council has statutory duties under the [Equality Act 2010](#) which should be considered across all the Council's public functions. The Act defines a range of 'protected characteristics':

- Age
- Religion or belief (including non-belief)
- Disability
- Pregnancy and maternity
- Gender reassignment
- Sex / gender
- Marriage and civil partnership (with regard to discrimination)
- Sexual orientation
- Race

The [Equality Act 2010 S.149](#) sets out three broad aims in the form of a statutory general equality duty which requires the Council to have due regard to the need to:

- Eliminate discrimination, victimisation and harassment
- Advance equality of opportunity
- Foster good relations between different groups

The [Equality Act 2010 \(Specific duties\) Regulations 2011](#) set out further specific duties for public bodies which support delivery of the three aims of the general equality duty. These require the Council to:

- Publish annually equality information about its workforce and service users
- Set equality objectives and specify the steps it will take to achieve them, at least every four years

The Equality Plan 2017 – 2018 supports delivery of the Council's statutory equality duties and therefore sets out:

- How the Council takes account of equalities issues in the decisions it makes (section 3)
- An overview of the Derbyshire Dales community (section 4)
- The Council's equality objectives and the steps it is taking to achieve them (section 5)
- Equality performance indicators used by the Council to monitor its progress
- Equality improvement actions for the year ahead.

The Council also has a duty to consult which is integral to mainstreaming equalities, particularly in the setting and delivery of equality objectives. The Action Plan (at the end of this document) sets out the key pieces of externally facing consultation and engagement that are identified at the time that the service plans are being written. As being aware of the impact of changing

services/policies on different groups of individuals is often crucial in shaping the scope and shape of public consultation, the need to produce an Equality Impact Assessment (EIA) is also identified in this plan. Progress with achieving this plan is reported annually.

## 2. Equality and Diversity Policy

Treating everybody fairly is a core value of Derbyshire Dales District Council. The Council's commitment and approach to promoting equality as a public service provider and employer is set out in its [Equality & Diversity Policy](#).

The [Dignity and Respect for All](#) policy aims to encourage people living, working and visiting the Derbyshire Dales to show consideration to one another and to treat each other fairly.

## 3. Equality Impact Assessment, Monitoring and Engagement

To inform its decision making and ensure that its policies and practices are fair, the Council undertakes [Equality Impact Assessments](#) where relevant and proportionate.

It also carries out equalities monitoring of its policies and practices, where appropriate, to ensure that everyone is treated fairly. Monitoring data is published annually as part of its [Equality Information](#).

The Council actively seeks feedback from its customers and staff to ensure effective consultation about its services and plans. It has a [Consultation and Engagement Strategy 2014-2019](#) which sets out the ways in which it will engage with those living, working and visiting the District to improve services.

## 4. The Derbyshire Dales Community

The 2011 Census and other data provide the following picture of the Dales ([ward profiles and other equality information](#) published annually on the Council's website are also available):

- **Sex (gender)** – Of the population of 71,116, 49.3% of residents are male and 50.7% female (similar to the national position)
- **Age** – the district has an ageing population. People aged 65 and over make up 22.3% of the population (the highest in Derbyshire) compared to 16.3% in England. The under 25s make up 25.3% of the population (the lowest in Derbyshire) compared to 30.8% in England. 61.1% are of working age (16-64 years). The District's older population is forecast to grow at a much higher rate than nationally over the next 20 years
- **Disability and long term ill health** – people whose day to day activities are limited make up 18.5% of the population compared to 17.6% in England. In addition, 12.7% of local people provide unpaid care compared with 10.2% in England. Levels of daily activity limitation are significantly higher among those over 60 years of age.
- **Race** – 96.8% of residents are White British compared to 79.8% in England. A further 1.8% are from other white backgrounds (particularly Eastern European backgrounds)

- **Marriage and civil partnerships** – 54.8% are married compared with 46.6% in England and 0.3% live within same sex civil partnerships (similar to national position)
- **Pregnancy & Maternity** – since 2001 there has been a 2.4% increase in births (half the Derbyshire average) compared to 7.9% in England
- **Religion or Belief** – 68.7% of residents describe themselves as Christian compared with 59.4% in England. 23.2% declared no religious belief compared with 24.7% in England
- **Sexual Orientation** – The exact number of lesbian, gay or bisexual people living in the Derbyshire Dales is not known. The Government estimate is 5-7% of the population which equates to between 3,500 - 5,000 people in the Derbyshire Dales. Census 2011 data shows that 187 persons in the Dales were in a same sex civil partnership (0.3% of all persons over 16 years of age)
- **Gender Reassignment** – Derbyshire Friend (the main local organisation supporting the LGBT community) has previously estimated that between 150 - 200 people in Derbyshire identify themselves as Transgender.

### **Socio-economic Issues:**

- **Unemployment** – Derbyshire Dales has an unemployment rate of 0.5% (210 persons) compared with 1.5% for England. 18.5% of those unemployed in the District are under 25, compared with 22% for England (DWP Claimant Count, December 2015)
- **Wages** – at £518.20 per week in 2016, average earnings by workplace from full time jobs in the Dales are higher than in 2015 (£471.20). The Great Britain average earnings by workplace from full time jobs rose from £528.50 per week in 2015 to £540.20 in 2016 (ASHE, 2016)
- **Deprivation** – Six of the eight districts in the county showed a net improvement in their rankings between ID 2010 and ID 2015. Derbyshire Dales has shown the greatest improvement in ranking. Whilst showing considerable improvement, Matlock St Giles remains the most deprived ward within the Dales, ranking 16 in the county in 2015 compared to 24 in 2010. (English Indices of Deprivation, Summary Analysis for Derbyshire, 2015).
- **Debt** - Debt issues within the Dales remain a real concern. [Derbyshire Dales CAB dealt with debt enquiries](#) from every ward in the Dales in 2015-16; of these, 962 enquiries came from just 5 wards.
- **Fuel poverty** – 3560 households experienced fuel poverty in 2013, constituting 11.3% of all Dales' households, compared to 10% in Derbyshire and 10.4% in England (DECC, May 2015).
- **Child poverty** - Overall child poverty rates remain lower in the Dales (8.8%) than nationally (18.6%), and are the lowest in Derbyshire (ONS, Local Profiles – Child Poverty, 2013).

## **5. Equality Objectives**

The [Corporate Plan](#) is the key strategy from which the District Council's other strategies, plans and policies cascade. The priorities for the Council for 2017 - 2018 are:

- Business Growth & Job Creation
  - Help New Businesses to Start
  - Help Existing Businesses to Grow
  - Promote Key Development Sites
- Affordable Housing
  - Identify and Deliver New Affordable Housing Sites
  - Improve Housing for Vulnerable People
- Market Towns
  - Reviving Stall Markets
  - Seeking Public Realm Improvements
- Maintain a Clean and Safe District
- Continue to Seek Efficiencies and Innovative Working Practices

Informed by demographic and monitoring of performance data, our equality objectives for 2017-2018 are:

1. Work with partners to help enable more young people to access employment opportunities in the Dales
2. Enhance opportunities for vulnerable people to access suitable housing and live independently at home for longer
3. Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users

Targets are set each year and integrated within service plans to help measure progress towards these objectives. Our equality objectives and targets for 2017 - 2018 are set out in the associated action plan at the end of this document. This action plan also includes other corporate equality performance indicators used to monitor the Council's progress in promoting equality,

## 6. Monitoring and Review

Progress on this Equality Plan will be monitored by the Corporate Leadership Team (Heads of Service, Corporate Directors and the Chief Executive) and reported bi-annually to Members. The Equality Plan will be available to the public via the Council's website and the action plan will be updated periodically.

Corporate performance indicators will be monitored by the identified service manager and reported via the service planning and review process.

## 7. Further Information

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 Derbyshire Dales District Council  
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 Website: <http://www.derbyshiredales.gov.uk/your-council/equalities>



## EQUALITY, CONSULTATION AND ENGAGEMENT PLAN 2017 – 2018

### EQUALITY ACTION PLAN

Equality Objectives	Actions	Performance Measures / Targets	Outcome	Lead	By when
<b>Objective 1: Business Growth and Job Creation</b>	Help new businesses to start	No. of people under the age of 25 supported in starting a new business		Head of Regeneration and Policy	March 2018
<b>Objective 2: Affordable Housing</b>	Improve housing for vulnerable people	Provide adaptations to the homes of 35 disabled people		Head of Regulatory Services	March 2018
		Support 150 social housing tenants affected by Welfare Reform to access financial and budgeting advice by March 2016, and where necessary, help move home		Head of Housing	March 2018
<b>Objective 3 A Clean and Safe District</b>	Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users	% of residents that are satisfied with the refuse and recycling collection service		Serco / Head of Environmental Services	March 2018
	Agree and progress the corporate	Programme for 2017-18 completed including:		Heads of Service	March 2018

Equality Objectives	Actions	Performance Measures / Targets	Outcome	Lead	By when
	programme of priority Equality Impact Assessments for 2017-18	<ul style="list-style-type: none"> <li>• Markets</li> <li>• Public Conveniences – second review</li> <li>• Sex Entertainment Venues</li> <li>• Leisure Review</li> <li>• Events Strategy</li> </ul>			
	Service Reviews – any potential equality impacts to be identified through EIAs	<ul style="list-style-type: none"> <li>• Service Reviews</li> </ul>		Heads of Service	Ongoing

### CONSULTATION & ENGAGEMENT ACTION PLAN

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
<b>Environmental Services</b>						
Customer satisfaction survey with the waste and recycling service (informing performance indicator WM2)	May and November 2017	Telephone survey by Serco	Sample of 400 local residents	N	Head of Service	
Public	December	Website, Parish	Parish	Y	Head of	

<b>Issue/ Consultation Task</b>	<b>Date planned</b>	<b>Methods</b>	<b>Target Groups</b>	<b>EIA required</b>	<b>Lead Officer</b>	<b>Progress</b>
conveniences 2 <sup>nd</sup> review	2017	& Town Councils; dalesMATTERS; subscribers of newsletter	Councils Local residents Tourists		Service	
<b>Regulatory Services</b>						
Satisfaction with the development control/ management service	Ongoing	On line survey	Service users	N	Tim Braund/Jon Bradbury	
Sex Entertainment Venue policy	April 2017	Prescribed process of consultation	All licensed premises and general public	Y	Eileen Tierney	Consultation to be commenced following Licensing Committee in March 2017.
<b>Housing</b>						
Complete 3 <sup>rd</sup> parish housing needs survey (Tideswell) (HSS11)	TBC	Postcard to each household in Parish asking them to complete online survey/ telephone. Publicity of survey via Parish newsletter, Parish meetings/ community events.	Residents in the Parish	Y	Rob Cogings/ Isabel Frenzel	
Customer	Continual	Face to face	Customers	N	Simon	

<b>Issue/ Consultation Task</b>	<b>Date planned</b>	<b>Methods</b>	<b>Target Groups</b>	<b>EIA required</b>	<b>Lead Officer</b>	<b>Progress</b>
satisfaction with housing needs services		survey			Beynon	
<b>Resources</b>						
Annual ICT internal satisfaction survey	November 2017	Online survey	Staff at DDDC	N	Nick Blaney	
Budget consultation	January-February 2017	Face to face presentation at meetings or electronic/ paper survey. Direct consultation with Business Forums and Community Forums	Business and Community Forums	N	Karen Henriksen/ Karen Ludditt/ Steve Capes	
Local Council Tax Support Scheme	Summer 2017	TBC	TBC	Y	Karen Henriksen	
Business Rates Discretionary Relief	Summer 2017	TBC	Local small businesses & charities	N	Karen Henriksen	
<b>Community Development</b>						
Leisure Services Review	Ongoing through 2017	Workshop with stakeholders Public	Partner stakeholders, local	Y	Ashley Watts	

Issue/ Consultation Task	Date planned	Methods	Target Groups	EIA required	Lead Officer	Progress
		consultation TBC	residents, businesses and visitors			
Community Engagement Hub project: Pavilion	Ongoing		Modernise current facilities to be able to use for Club Activities, bookings and events	EIA may be needed for specific projects	Rob Wilks	
Community Engagement Hub project: Public toilets at Artists Corner- Matlock Bath	Ongoing		Modernise current facilities to be able to use for Club Activities, bookings and events	EIA may be needed for specific projects	Rob Wilks	
Market research into customer profiles and customer satisfaction with Leisure Facilities	June 2017 and ongoing each year until transfer of service	Various - to be determined	Local residents, existing and potential users	N	Dave Turvey	
Ashbourne Skate Park	TBC	Online survey	Potential users and local residents / businesses near the proposed site	Y	Ros Hession	

<b>Issue/ Consultation Task</b>	<b>Date planned</b>	<b>Methods</b>	<b>Target Groups</b>	<b>EIA required</b>	<b>Lead Officer</b>	<b>Progress</b>
Area Community Forums- Summer	TBC	Public meeting	Local residents Local businesses Service users, Partners	N	All/ Ros Hession	
Area Community Forums- Winter	TBC	Public meeting	Local residents Local businesses Service users, Partners	N	All/ Ros Hession	
Performance indicators CRI8 & CRI9 % people feeling safe outside during the day and night	TBC	Survey	Local residents	N	Karen Cooper	
<b>Regeneration &amp; Policy</b>						
Business Engagement Programme- business forums	TBC	Six-monthly events, each on a specific theme, plus workshops & networking	Local businesses with growth plans	N/A	Giles Dann	
Biennial Business Survey – themed	Autumn 2018	On-line survey	Local businesses	N/A	Giles Dann	
Evaluate local	July 2017	Surveys with	Businesses,	N/A	Giles Dann	

<b>Issue/ Consultation Task</b>	<b>Date planned</b>	<b>Methods</b>	<b>Target Groups</b>	<b>EIA required</b>	<b>Lead Officer</b>	<b>Progress</b>
economic impact of Eroica Britannia 2017		partners (details TBC)	participants and spectators			
How's business survey	Autumn 2017	On-line survey	Visitor economy businesses	N/A	Gill Chapman	
Performance indicators POL8 & POL9, N14& N15 % agreeing the Council provides value for money, satisfaction with how the Council runs things, feel can influence decisions in their locality, satisfied with the area	September – October 2017	On-line Panel survey	Local residents	N	Steve Capes	
<b>Corporate Services</b>						
Customer Satisfaction Monitoring (internal & external) of Business Support services	Ongoing-after service delivery	Online survey	Local residents & stakeholders	N	Sandra Lamb	

GOVERNANCE AND RESOURCES  
23 March 2017

Report of the Head of Corporate Services

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## **FEEES FOR PROMOTION OF PUBLIC RIGHTS OF WAY DIVERSION ORDERS**

### **PURPOSE OF REPORT**

This report seeks approval to increase the fees and charges for the promotion of public rights of way diversion orders.

### **RECOMMENDATION**

That that fees for the promotion of public rights of way diversion orders be increased as set out in paragraph 2.1 with effect from 1 April 2017.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

The proposal seeks to recover legal and advertising costs. The legal team is an enabling service which helps to support the Council's overall Corporate Plan.

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## **1 BACKGROUND**

- 1.1 The District Council is required on occasions to promote the diversion of public rights of way under the Town and Country Planning legislation to facilitate new development. The promoter of the diversion is responsible for the statutory advertisement fees and according to a decision of the Council taken in 2011, for reimbursement of all legal and support costs.
- 1.2 The District Council is supported by an external consultant who prepares the Orders, walks and inspects the line of the proposed diversion and undertakes the required consultation. The cost of this work has increased recently as a result of increased advertising costs and consultancy services, such that the current scale of fees needs to be revised. The fee structure has not increased since 2011. The Committee last examined the fees and charges for this type of work in 2011 when the fees were £600 for an unopposed order and £1000 for an opposed order.
- 1.3 Over the last 5 years, 8 diversion Orders have been promoted and costs recovered. It is not uncommon for particular diversions to take a significant amount of time to resolve. Promoters wishing to proceed are therefore required to prepay to demonstrate their commitment to the process



## 2 REVISED FEES

2.1 The proposed fee structure is as follows:

### Unopposed Order

Preparation of Order	£1,450
Plan	£ 160
Actual advertising costs	£ 700 (estimate)
Total	£2,310

### Opposed Orders

£2310 (As above) plus

Consultant's fee at £65 per hour for time spent:

- dealing with objections, representations and associated correspondence
- negotiating to resolve objections
- submitting the order to the Planning Inspectorate where objections are maintained and preparing the statement of case
- liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations.

## 3 RISK ASSESSMENT

3.1 Legal

The Council is permitted to recover any costs for such work. The legal risk is low.

3.2 Financial

The proposal seeks to recover legal and advertising costs. The financial risk is, therefore, assessed as low.

## 4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## 5 CONTACT INFORMATION

Sandra Lamb, Head of Corporate Services

Telephone: 01629 761281; Email: [sandra.lamb@derbyshiredales.gov.uk](mailto:sandra.lamb@derbyshiredales.gov.uk)

## 6 BACKGROUND PAPERS

None

GOVERNANCE AND RESOURCES COMMITTEE  
23 MARCH 2017

Report of the Head of Resources

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## **HOUSING BENEFITS OVERPAYMENTS RECOVERY**

### **PURPOSE OF REPORT**

This report seeks Members' approval for further investment in Housing Benefit Overpayment recovery, which should result in improved collection and minimise potential loss of government subsidy.

### **RECOMMENDATION**

That approval is given to fund an enhanced Housing Benefit Overpayment Recovery Service, as set out in section 2 of this report, for a period of two years, with a formal review of progress after one year.

### **WARDS AFFECTED**

None

### **STRATEGIC LINK**

Improvements to Housing Benefits Overpayments recovery will minimise subsidy loss and potential write offs, contributing to the achievement of the Council's corporate savings target.

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## **1 INTRODUCTION**

- 1.1 It has previously been reported that the costs of the housing benefits service are no longer being fully covered by government subsidy. This resulted in a net cost to the Council of £321,391 in 2015/16. The budget for 2017/18 is £295,214. Before 2015/16 the service more or less broke even.
- 1.2 Given the Council's corporate savings target to achieve £1.6m savings by 2019/20, a review of housing benefits income and expenditure has been carried out. It has been identified that housing benefit overpayments have a significant part to play in the current financial situation.
- 1.3 The housing benefits service has been provided by Arvato since June 2014. Arvato provide a housing benefits service to other local authorities and therefore have a lot of experience to draw upon. Managers at Arvato have worked with the Head of Resources to develop the proposals in this report which, if approved and implemented, should result in improved collection and minimise potential loss of government subsidy.

## **2 REPORT**

### **2.1 Overpayment Recovery Performance**

The recovery of Housing Benefit overpayments is a priority. Records confirm that by 31<sup>st</sup> March 2016, 27.41% of the HB debt generated in 2015/16 (in year) had been recovered. In terms of 'all-year' debt, recovery rates at the end of March 2016 were 20.19%.

It is anticipated that by the end of the current year, 2016/17, recovery rates will be closer to 29% (in year), an improvement on the position for 2015/16. However, the position for 'all years' will be 18%. The reduction in achievement reflects the high value of overpayments added in 2016/17 to the total value of overpayments, much of which related to earlier financial years.

### **2.2 Subsidy**

Housing Benefit Overpayments are created and attract a level of subsidy from central government dependant on who is responsible for the overpayment of housing benefit.

- For cases where the claimant has made a mistake or committed fraud, 40% of the assessed overpayment receives a subsidy incentive payment.
- Where the local authority makes a mistake or delays re-assessing a case, and the total value of the overpayments is less than 0.48% of total spend, 100% subsidy is payable.

The incentive is for Local Authorities to recover 100% of the overpayment as well as keeping the subsidy. All monies received are in addition to the subsidy already claimed from the Government. A local authority may use discretion and choose not to recover in all cases but recovery improvements can be initiated to better the overall position.

### **2.3 Reasons for service improvements**

There are a number of reasons why there is scope to improve the Benefits Service in the area of Housing Benefit overpayment collection:

- The current net cost of the service is high (as explained above) and unsustainable;
- The benefits caseload in the Derbyshire Dales area is predominantly stable, with relatively fewer changes of circumstances than many other councils, resulting in historically low levels of overpayments. Speedy claims processing has been a higher priority for the team.
- Resource pressures caused the team to curtail claim reviews, although these have been re-introduced in more recent years, since transfer to Arvato, for high risk cases.
- Software changes over several years (some pre-dating the contract with Arvato) mean that the team has not been able to investigate the integrated debt management functionality fully.

2.4 The transfer of the service to Arvato in 2014, has increased the capabilities and skills of the Benefits team in relation to overpayment recovery, although resources remain limited. The availability and processing of 'Real Time Information' collected by the Government from employers and shared with Benefit administrations from 2015, has significantly increased the levels of overpayments as income changes, previously undetected, have come to light.

## 2.5 Proposals

The proposals that have been developed involve enhanced Overpayment Recovery activity, including the creation of a new post of Housing Benefit Overpayment Officer to manage all of the housing benefit overpayment debt. This approach has been used at another Council and has been found to be successful. The post holder will be employed by Arvato, with the cost of the service being charged to the Council. It is suggested that the appointment is made for a period of 2 years initially, with a formal review of progress after 1 year. The proposed cost of the service is £26,381 for year 1 (subject to the usual contract price adjustment in year 2).

2.6 Details of the proposed Enhanced Overpayment Recovery Activity are shown in Appendix 1. The new post holder would implement all of the debt management functionality of the Benefits processing system and apply all of the existing skills and expertise already gained by Arvato staff elsewhere to improve overpayments processing and collection for Derbyshire Dales.

The starting point will be to review all of the outstanding overpayments and categorise them so that analysis can be undertaken, and decisions made as to next actions. This is likely to take a number of months so collection rates will not improve immediately.

2.7 The table below presents details of how this works in practise, with the cost of the enhanced service being factored in. (Based around 2015/16 subsidy figures).

Recovery %	Recovery Income	Additional subsidy attracted	Difference in subsidy loss	Less cost of service (c£27k)
<b>20.19%</b> <b>(actual)</b> Without HB OP Officer	£262,927	£0	<b>Loss of £69,534</b>	<b>Loss of £69,534</b>
<b>22%</b>	£286,498	£23,571	<b>Loss of £45,963</b>	<b>Loss of c£73,000</b>
<b>24%</b>	£312,543	£49,616	<b>Loss of £19,918</b>	<b>Loss of c£47,000</b>
<b>25%</b>	£325,566	£62,639	<b>Loss of £6,895</b>	<b>Loss of c£34,000</b>
<b>25.53%</b>	£332,468	£69,541	Break even	<b>Loss of c£27,000</b>
<b>27%</b>	£351,611	£88,684	<b>Gain of £19,150</b>	<b>Loss of c£8,000</b>

The table shows that once recovery exceeds slightly more than 22%, the extra costs of the enhanced service will be offset by additional subsidy. A recovery rate of 25% in 2015/16 would have made the Council £23,000 better off in 2015/16, after allowing for the extra cost of the service.

2.8 In addition to the new post, improved monitoring practices will be adopted so that debts are individually managed through the recovery process with appropriate actions taken at each stage, from creation to full collection or write-off should that be required.

- 2.9 For the post-holder to operate effectively, using some of the practices shown in Appendix 1, it will be necessary to review the Council's "Revenues Debt Recovery Policy" to ensure that it reflects current best practice in housing benefits overpayments recovery. If the policy needs to be updated, it will be the subject of a report to the next meeting of this committee.
- 2.10 Appendix 1 states that one of the post-holders duties would be to attend court on the Council's behalf. This will require a change to the Council's scheme of delegation in due course.
- 2.11 To monitor the success of these proposals, it is recommended that the following targets be set for in-year recovery:
- Year 1 = 24%
  - Year 2 = 25.5%

These targets should ensure that the cost of the enhanced service is offset by a reduction in the loss of subsidy.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The proposals to fund an enhanced Housing Benefit Overpayment Recovery Service will improve recovery rates. The legal risk for funding of an enhanced service and the creation of the new post is assessed as low.

#### **3.2 Financial**

The Council has a corporate savings target to save £1.6m over the next three years. The proposals contained in this report should result in improved collection of housing benefit overpayments and minimise potential loss of government subsidy, reducing the net cost to the Council and contributing to the Corporate Savings Target. The financial risk arising from this report is therefore assessed as low.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

Karen Henriksen, Head of Resources  
Telephone: 01629 761284; Email: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

### **6 BACKGROUND PAPERS**

None

### **7 ATTACHMENTS**

Appendix 1 Proposal for Enhanced Overpayment Recovery Activity

## **Proposal for Enhanced Overpayment Recovery Activity**

The post-holder would enable the earlier implementation of enhanced recovery actions designed to increase recovery rates, these include:

### **1. Direct Earnings Attachments (DEA) Real Time Information (RTI)**

RTI referrals commenced during 2015/16 and are designed (in partnership with HMRC and DWP) to identify unreported changes of circumstances. We continue to receive monthly RTI referrals listing the change in income caused by increased hourly rates or a change of employment. The referral lists the details including the name and address of the employer.

Local Authorities have been given the power to recover overpaid Housing Benefit by deductions from earnings without the need to apply for a court order. This is done by using a Direct Earnings Attachment (or DEA). This is delegated power under The Social Security (Overpayments and Recovery) Regulations 2013.

Clearly, not everyone enters into a voluntary repayment agreement. DEAs give us the opportunity to recover overpaid benefits from debtors who are employed if they either refuse to repay, are unable to agree an acceptable repayment plan or who have defaulted on a voluntary repayment arrangement. The new postholder would increase the range of HB debt recovered under this provision.

### **2. DEA (Optional RTI's)**

The Council signed up to receive Optional RTI referrals. These are used to create interventions or reviews in appropriate cases. There is an opportunity to request increased numbers of these as a means to identify unreported changes sooner rather than later. This would reduce the levels of overpayments discovered later and allow for earlier recovery action to be triggered. Again the RTI referral will contain employer information to enable us to negotiate the claimant in making an arrangement on the debt. It is envisaged that the new post-holder would set up the system whereby letters are generated and agreement made/ DEA income is collected.

### **3. Review program to identify changes to reduce the cost of the Council Tax Support (CTS) scheme**

The post-holder would create intervention cases to ensure that current income is being used to calculate CTS entitlements. This would act to reduce the cost of the CTS scheme locally.

### **4. Payment Deduction Program recovery**

The Payment Deduction Program provides an opportunity to recover Housing Benefit debt, predominately from Universal Credit payments, as well as from traditional prescribed DWP benefits, where no ongoing Housing Benefit payments are being made. Capita, the suppliers of the housing benefits IT system (Academy), have introduced new functionality during 2016/17 which will be subject to further enhancements as Universal Credit Full Service rolls out. The post-holder would monitor existing debt and refer cases using Academy functionality to the Department

for Work and Pensions (DWP) for repayment by deductions from ongoing entitlement to legacy benefits payable by Jobcentre Plus. This provides an excellent opportunity from 2017/18 onwards to collect overpaid HB debt.

5. **Blameless Tenant recovery**

We can recover a Housing Benefit overpayment, which is recoverable from a landlord/agent, from any Housing Benefit payments paid direct to the landlord/agent in respect of any of their other tenants. This method of recovery is often known as the 'blameless tenant' and is suggested as a way to increase recovery of debt against landlords receiving regular payment. The post-holder will be active in using this tool to maximise all recovery where applicable.

6. **Use of social media**

In cases other than RTI, we propose using wider social media like Facebook and LinkedIn to identify claimants' employers, which again provides an opportunity to make an arrangement with the customer with DEA as a last resort or as a bargaining tool.

7. **Civil proceedings to register the debt in courts and to aid recovery**

The post-holder will refer recoverable debts to court under existing arrangements for the collection of debt via legal process. The post-holder would attend court hearings where required and would monitor payments arising.

8. **Risk analysis**

The post-holder will undertake risk analysis to identify overpayments arising to provide a better understanding of the types of unreported changes occurring and the cases to concentrate on to prevent new overpayments arising in the future.

9. **Extension of RTI**

The DWP has recently written to LA's concerning the extension of RTI data handling and the implementation of 'Wider Use of Real Time Information (WURTI)'. Failure to declare earnings and employment continues to be the main cause of fraud and claimant error overpayments of Housing Benefit (HB) and so it is proposed to enable data to be accessed to validate the levels of information provided by the claimant where a claim is made or where it is believed that a change of circumstances has occurred. This post-holder would facilitate the checking of entitlements to allow for reassessments to be made sooner rather than later thus managing potential HB debt arising.

GOVERNANCE AND RESOURCES  
23 MARCH 2017

Report of the Head of Corporate Services

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## **REFERRED ITEM**

### **SUMMARY**

To consider a recommendation from the Joint Consultative Committee meeting held on 18 January 2017 for a revised Code of Conduct for all employees of the Council.

### **RECOMMENDATION**

- (1) To adopt the revised Employee Code of Conduct.
- (2) That subject to (1) above, the HR Manager be delegated authority to publish and maintain the list of training classified as mandatory and the posts to which the training relates.

### **WARDS AFFECTED**

Not affected

### **STRATEGIC LINK**

A strong ethical framework helps to underpin the Council's Corporate Plan and is an effective tool in mitigating risk.

## **1 REPORT**

The relevant minute of the Joint Consultative Committee is reproduced in full, below, to assist Members' understanding of the issues involved, with the recommendation to be approved marked by an arrow (→).

### **EMPLOYEE CODE OF CONDUCT**

The Head of Corporate Services presented a report recommending revisions to the Code of Conduct for all employees of the Council. A recent report had highlighted the potential of significant risk to the Council resulting from employees' access to sensitive data and IT security. This risk can be mitigated by providing effective training and it is recommended the Code of Conduct be amended to include the new section on Mandatory Training. All staff will undertake the mandatory training and this will be monitored by the HR Manager, any failure to attend would be treated as a disciplinary matter. The list of topics regarded as mandatory will be reported annually to the Joint Consultative Committee. At present the key subjects are defined as Data Protection, ICT Security and Health and Safety but others will



be added depending on individual posts for example, driving skills assessments and chainsaw operation.

It was moved by Councillor Purdy seconded by Councillor Monks and

<b>AGREED</b> ➔	1. That the Governance and Resources Committee be requested to adopt the revised Employee Code of Conduct
➔	2. That subject to (1) above, the HR Manager be delegated authority to publish and maintain the list of training classified as mandatory and the posts to which the training relates.

GOVERNANCE AND RESOURCES  
23 MARCH 2017

Report of the Head of Corporate Services

---

## **REFERRED ITEM**

### **SUMMARY**

To consider a recommendation from the Joint Consultative Committee meeting held on 18 January 2017 to amend the leave entitlement policy to remove time off provisions in relation to polling day duties.

### **RECOMMENDATION**

To amend the leave entitlement policy to remove time off provisions in relation to polling day duties with immediate effect.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

Not applicable

## **1 REPORT**

The relevant minute of the Joint Consultative Committee is reproduced in full, below, to assist Members' understanding of the issues involved, with the recommendation to be approved marked by an arrow (→).

### **TIME OFF FOR ELECTION DUTIES**

The Head of Corporate Services explained the current leave entitlement policy regarding time off for election duties and the recommended changes. As part of its statutory duty on elections the District Council has to demonstrate that best value has been achieved and comprehensive accounts are prepared to recover the District Council's costs, including the time spent in administering the election. There is a growing concern within the Ministry of

Justice that the Returning Officer's staff could be viewed as being paid twice if they are also employed by the host authority. Given the current economic climate it would seem prudent to separate the functions and ask employees to take a day's leave, TOIL or flexi if they wish to take up election duties on the day. DCC removed the right for their staff some time ago without any negative impact on recruitment. The change was also highlighted as part of a recent STEP review to remove conflict of interest and introduce fairness to those who are not able to take part on election day due to service requirements. The Corporate Leadership Team is in support of the amendment and the Employee Group is broadly in

support. Employees were also invited to comment on the proposal via a short on-line survey and the results were as follows:

<b>Question</b>	<b>Response</b>
Total number of respondents to the survey	50
% of respondents who had worked on elections before	88%
% of respondents willing to undertake duties by taking a day's leave	50%
% of respondents who considered the proposal to be fair	64%

It was advised that since the Agenda was published a further 9 responses had been received. From the total received, 29 said they would work again if the policy was revised and 30 said they would not. Additional comments were received and details are summarised in the report.

A discussion followed and Councillors suggested staff should also be offered the facility to take a day off unpaid leave on election day as well as annual leave, toil and flexi time.

It was moved by Councillor Rose seconded by Councillor Monks and

<b>AGREED</b> →	1. That the Governance and Resources Committee be recommended to amend the leave entitlement policy to remove time off provisions in relation to polling day duties with immediate effect.
→	2. That DDDC staff be allowed to take unpaid leave on election day.



This information is available free of charge in electronic, audio, Braille and large print versions, and in other languages on request.

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## JOINT CONSULTATIVE GROUP

**Minutes of a Meeting held on Wednesday 18 January 2017 in the Council Chamber, Town Hall, Matlock at 2.30pm**

**PRESENT** Councillor Albert Catt - In the Chair

Councillors Steve Flitter, Jean Monks, Joyce Pawley, Garry Purdy and Lewis Rose

Representing UNISON – Denise Dawson and Ashley Watts  
Representing GMB – Jon Bradbury, Ian Buxton

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Deborah Unwin (Human Resources Manager), Annette Reading (Democratic Services Assistant) and James Riggott Collins (Corporate Support Apprentice)

## APOLOGIES

Apologies for absence were received from Andy Cairns (UNISON).

## MINUTES OF THE PREVIOUS MEETING

It was moved by Councillor Catt, seconded by Councillor Purdy and

**AGREED** That the minutes of the meeting held on 13 October 2016 be (Unanimously) approved as a correct record.

Sandra Lamb advised the Committee she was attending as the Head of Corporate Services, not as a GMB member, in order to present the first two items on the Agenda.

## INTERESTS

Sandra Lamb, Dorcas Bunton, Ashley Watts, Jon Bradbury and Ian Buxton declared a possible conflict of interest regarding the first item: Time Off For Election Duties.

## TIME OFF FOR ELECTION DUTIES

The Head of Corporate Services explained the current leave entitlement policy regarding time off for election duties and the recommended changes. As part of its statutory duty on elections the District Council has to demonstrate that best value has been achieved and comprehensive accounts are prepared to recover the District Council's costs, including the time spent in administering the election. There is a growing concern within the Ministry of

Justice that the Returning Officer's staff could be viewed as being paid twice if they are also employed by the host authority. Given the current economic climate it would seem prudent to separate the functions and ask employees to take a day's leave, TOIL or flexi if they wish to take up election duties on the day. DCC removed the right for their staff some time ago without any negative impact on recruitment. The change was also highlighted as part of a recent STEP review to remove conflict of interest and introduce fairness to those who are not able to take part on election day due to service requirements. The Corporate Leadership Team is in support of the amendment and the Employee Group is broadly in support. Employees were also invited to comment on the proposal via a short on-line survey and the results were as follows:

<b>Question</b>	<b>Response</b>
Total number of respondents to the survey	50
% of respondents who had worked on elections before	88%
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% of respondents who considered the proposal to be fair	64%

It was advised that since the Agenda was published a further 9 responses had been received. From the total received, 29 said they would work again if the policy was revised and 30 said they would not. Additional comments were received and details are summarised in the report.

A discussion followed and Councillors suggested staff should also be offered the facility to take a day off unpaid leave on election day as well as annual leave, toil and flexi time.

It was moved by Councillor Rose seconded by Councillor Monks and

#### **AGREED**

1. That the Governance and Resources Committee be recommended to amend the leave entitlement policy to remove time off provisions in relation to polling day duties with immediate effect.
2. That DDDC staff be allowed to take unpaid leave on election day.

#### **Voting**

For: 9  
 Abstention: 1  
 Against: 0

#### **EMPLOYEE CODE OF CONDUCT**

The Head of Corporate Services presented a report recommending revisions to the Code of Conduct for all employees of the Council. A recent report had highlighted the potential of significant risk to the Council resulting from employees' access to sensitive data and IT security. This risk can be mitigated by providing effective training and it is recommended the Code of Conduct be amended to include the new section on Mandatory Training. All staff will undertake the mandatory training and this will be monitored by the HR Manager, any failure to attend would be treated as a disciplinary matter. The list of topics regarded as mandatory will be reported annually to the Joint Consultative Committee. At present the key subjects are defined as Data Protection, ICT Security and Health and Safety but others will be added depending on individual posts for example, driving skills assessments and chainsaw operation.

It was moved by Councillor Purdy seconded by Councillor Monks and

**AGREED**

(Unanimously)

1. That the Governance and Resources Committee be requested to adopt the revised Employee Code of Conduct.
2. That subject to (1) above, the HR Manager be delegated authority to publish and maintain the list of training classified as mandatory and the posts to which the training relates.

**EMPLOYEE GROUP – NOTES OF THE MEETINGS HELD ON 28 SEPTEMBER AND 30 NOVEMBER 2016**

It was moved by Councillor Rose seconded by Councillor Monks and

**AGREED**

(Unanimously)

That the notes of the Employee Group meetings held on 28 September and 30 November 2016 be received.

**SAFETY COMMITTEE – NOTES OF MEETING HELD ON 23 NOVEMBER 2016**

It was moved by Councillor Purdy, seconded by Councillor Monks and

**AGREED**

(Unanimously)

That the notes of the Safety Committee meeting held on 23 November 2016 be received.

**Meeting Closed 3.07pm.**

**Chairman**