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12 September 2018

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 20 September 2018 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely



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 July 2018

### **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.

**5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15.**

To answer questions from Members who have given the appropriate notice.

**Page No.**

**6. ANTI-FRAUD, BRIBERY AND CORRUPTION STRATEGY (Including Money Laundering) 04 - 29**

To consider a report seeking approval of a draft updated Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy).

**7. INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2018/2019 OPERATIONAL AUDIT PLAN 30 – 33**

To note a report on the internal audit reports produced in respect of the 2018/2019 Internal Audit Plan.

**8. COMMUNICATIONS AND MARKETING STRATEGY 34 – 55**

To note a report on the strategic framework of the current Communications and Marketing Strategy and to consider approval of the 2018/2019 action plan with the addition of a paragraph setting out the District Council's digital-by-default approach to surveys and questionnaires that support consultations with residents, businesses and other stakeholders into the Communications and Marketing Strategy.

**9. REVENUE BUDGET MONITORING QUARTER 1 2018/19 56 – 59**

To note a report summarising the Council's forecast outturn position as at the end of June 2018.

**10. RISK MANAGEMENT – CHIEF EXECUTIVE'S ANNUAL REPORT & UPDATED RISK MANAGEMENT POLICY AND STRATEGY 60 – 84**

To consider a report seeking approval of the District Council's risk management arrangements and the updated Risk Management Strategy and Policy 2018 – 2020.

**11. COMPLAINTS MONITORING 85 – 91**

To note a report providing information on formal complaints made under the District Council's internal Complaints Procedures; those referred to the Local Government Ombudsman and against individual elected Member behaviour at Town, Parish and District Council level.

**12. EXCLUSION OF PUBLIC AND PRESS**

At this point the Committee will consider excluding the public and press from the meeting for the reasons shown in italics below.

*(This item contains personal information which relates to individuals and businesses affairs).*

### **13. ARREARS FOR WRITE OFF**

**92 - 96**

To consider a report providing information about debtor write offs authorised by the Head of Resources, under delegated authority, and seeks approval for the write off of individual debts exceeding £1,500 in accordance with the Council's Financial Regulations.

Members of the Committee - Councillors Deborah Botham, Albert Catt, Tom Donnelly, Steve Flitter, Chris Furness (Vice Chairman), Alyson Hill, Neil Horton, Angus Jenkins, Jean Monks, Garry Purdy, Mike Ratcliffe, Lewis Rose, Mark Salt, Jacquie Stevens (Chairman), Colin Swindell, John Tibenham, Joanne Wild.

Substitutes – Councillors Jason Atkin, Jennifer Bower, Richard Bright, Sue Bull, Sue Burfoot, David Chapman, Ann Elliott, Richard FitzHerbert, Helen Froggatt, Susan Hobson, Vicky Massey-Bloodworth, Dermot Murphy, Joyce Pawley, Irene Ratcliffe, Philippa Tilbrook.

**GOVERNANCE AND RESOURCES COMMITTEE**

20th September 2018

Report of the Head of Resources

**ANTI-FRAUD, BRIBERY AND CORRUPTION STRATEGY (Including Money Laundering)**

**PURPOSE OF THE REPORT**

The purpose of this report is to present for consideration a draft updated Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy) which is attached as Appendix 1 to this report.

**RECOMMENDATION**

That the Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy) attached at Appendix 1 is approved.

**WARDS AFFECTED**

All of the District

**STRATEGIC LINK**

The maintenance of an up to date Anti-Fraud, Bribery and Corruption Strategy contributes to the Council's core values of being open and transparent when making decisions and using public resources ethically and responsibly.

**1. BACKGROUND**

1.1 One key element of effective financial governance is that the Council has appropriate arrangements in place in respect of fraud. The Council last reviewed its Anti-Fraud and Corruption Strategy and Money Laundering Policy in 2016. It was agreed at the time that the Strategy should be periodically reviewed to ensure that it is kept up-to-date and remains relevant.

**2. REPORT**

2.1 In line with good practice for all public bodies the Council should have in place an up to date Anti –Fraud, Bribery and Corruption Strategy. The formal commitment to this strategy will serve to restate the Council's zero tolerance of fraud and all forms of malpractice. The refresh of the strategy will also provide an opportunity to promote the key message to both Members and Employees.

2.2 The strategy that has been recommended for adoption has been reviewed and updated to reflect developing good practice. The main change in the document is to reflect the requirements of The Money Laundering, Terrorist Financing and Transfer of Funds (information on the payer) Regulations 2017. If there are

further legislative or changes in best practice then the strategy will be reviewed accordingly.

### **3. RISK ASSESSMENT**

#### **3.1 Legal**

Fraud, Bribery, Corruption and Money Laundering are all criminal activities. This strategy is intended to minimise the risk that the Council suffers as a result of such activity, or that the Council is unwittingly used to undertake or assist such activity.

#### **3.2 Financial/Risk**

There are no direct financial implications of adopting the Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy), and it is envisaged that any costs will be met within existing budgets.

The development and effective publication of a revised strategy will help to mitigate the risk of fraud and help ensure that the Council has effective measures in place to deter, prevent and detect fraud and corruption.

The failure to minimise fraud and corruption could lead to a significant risk of a critical public response and loss of credibility thereby undermining the reputation of the Council.

### **4 OTHER CONSIDERATIONS**

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

### **5 CONTACT INFORMATION**

Karen Henriksen, Head of Resources  
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Sandra Lamb, Head of Corporate Services  
Telephone: 01629 761281; Email: [sandra.lamb@derbyshiredales.gov.uk](mailto:sandra.lamb@derbyshiredales.gov.uk)

Jenny Williams, Internal Audit Consortium Manager  
Telephone: 01246 345468; Email: [jenny.williams@chesterfield.gov.uk](mailto:jenny.williams@chesterfield.gov.uk)

### **5 BACKGROUND PAPERS**

None

## **7 ATTACHMENTS**

Appendix 1 – Anti- Fraud, Bribery and Corruption Strategy (including money laundering policy)



### **Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy)**

#### **POLICY STATEMENT**

Derbyshire Dales District Council expects that both Members and Officers will demonstrate the highest standards of behaviour in the conduct of public business.

In undertaking its functions and activities, the Council will not tolerate any form of fraud, corruption, bribery, abuse of position or other malpractice, whether it is attempted by persons or organisations within or external to the Council.

The Council is committed to working in an open, honest and fair way and will:

- Maintain a policy and culture characterised by zero tolerance of fraud and malpractice
- Encourage the prevention of fraud, bribery and corruption or other malpractice
- Promote the detection of fraud, bribery, corruption or other malpractice
- Maintain clear procedures for investigation and further action where necessary

It is expected that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

The Council also expects that individuals and organisations, with which it comes into contact, will act towards the Council with honesty and integrity.

The Council expects all partners in both public and private sectors to establish robust and transparent governance arrangements.



## **Anti-Fraud, Bribery and Corruption Strategy**

### 1. **INTRODUCTION**

1.1 The Council is opposed to all forms of fraud and corruption. It recognises that fraud and corruption undermine the standards of public service which it promotes and reduce the resources available for the good of the whole community and erodes public confidence in our governance.

1.2 The Anti-Fraud, Bribery and Corruption Strategy is designed to: -

- provide a clear statement of values;
- encourage prevention;
- promote detection,
- act as a deterrent; and
- set out a clear approach for investigation of any concerns, complaints etc.

1.3 **Fraud** is defined as:

- The intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain.
- Failure to disclose information where there is a legal duty to do so.
- False Representation.
- Abuse of Position

**Corruption** is defined as:

*The offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person.*

**Theft** is defined as:



*A person shall be guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.*

**Bribery** is defined as:

*An inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage.*

Or

Giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for already having done so.

Bribery Includes:

- Bribery of another person
- Accepting a Bribe
- Failure to prevent or disclose Bribery

Further details concerning bribery and related offences and in particular concerning the interpretation of the Bribery Act 2010 can be found at the website given below:

<http://www.legislation.gov.uk/ukpga/2010/23/contents>

1.4 Benefit fraud is where a person,

- a) makes a false statement or representation; or
- b) causes or allows a false statement or representation; or
- c) fails to notify a change of circumstances; or causes or allows another person to fail to notify a change of circumstances for the purpose of obtaining or increasing entitlement to housing/council tax benefit for themselves or another.

1.5 This document presents a Strategy for an Open and Honest Council characterised by a clear policy of Zero Tolerance of Fraud, Bribery, Corruption and related activities. The sections which follow set out the framework which it is intended will help secure that objective.

## 2. **CULTURE**

2.1 The Council is determined that the culture and tone of the organisation will continue to be one of honesty and opposition to fraud and corruption.

2.2 All individuals and organisations associated with the Council are required to act with integrity. Council staff and Members, at all levels, will lead by example.

- 2.3 The Council's staff are an important element in its stance on fraud and corruption. They are encouraged to raise any concerns and can do this in the knowledge that these will be treated in confidence and properly investigated.
- 2.4 This commitment to investigate the concerns of any members of staff has been formally acknowledged by the Council by the adoption of a Confidential Reporting (Whistleblowing) Policy.

The Confidential Reporting (Whistleblowing) Policy aims to: -

- encourage individuals to feel confident in raising serious concerns and to question and act upon concerns about working practice.
- provide avenues by which these concerns can be raised and subsequently to supply feedback on any action taken.
- ensure that a response is provided to any concerns raised and that people raising concerns are aware of how to pursue them if they are not satisfied.
- reassure individuals that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.

Full copies of the Confidential Reporting (Whistleblowing) Policy are available on the Council's Intranet or in printed format if required. It should be noted that the Confidential Reporting (Whistleblowing) Policy covers all issues (not just fraud and corruption).

- 2.5 Where either staff or members of the public have concerns there are a number of channels available to report these concerns through:

- The Chief Executive
- Heads of Service
- Managers
- The Monitoring Officer
- The Internal Audit Consortium Manager/Senior Auditor
- The Council's External Auditors
- The Confidential Reporting (Whistleblowing) Policy
- Or through the Council's Complaints Procedure

- Alternatively benefit fraud can be reported directly to the Department for Work and Pensions at their website.
- 2.6 Senior Management are responsible for following up any allegation of fraud or corruption received and will do so by taking the following action: -
- immediately informing the Head of Resources or the Internal Audit Consortium Manager/Senior Auditor or the Chief Executive;
  - recording and securing all evidence received and collected;
  - ensuring that evidence is sound and adequately supported;
  - implementing Council disciplinary procedures where appropriate;
  - where the matter is raised through the Confidential Reporting (Whistleblowing) Policy, responding in accordance with that Policy.
- 2.7 Senior Management are expected to deal swiftly and firmly with those who defraud the Council or who are corrupt.
- 2.8 The investigation process must not be misused and any abuse, such as raising malicious allegations, will be dealt with as a disciplinary matter.

### 3. **PREVENTION**

#### 3.1 **Staff**

- 3.1.1 Staff recruitment will be in accordance with the Council's Recruitment and Selection procedures particularly with regard to the obtaining of written references. These will be used to assist in verifying the previous record of potential staff in terms of propriety and integrity. All recruitment processes must involve the Human Resources Section.
- 3.1.2 Employees of the Council must follow the Code of Conduct which is included in the Council's Constitution
- 3.1.3 Employees must declare in writing any circumstances where their personal interests (financial and non-financial) may conflict with those of the Council e.g. processing a planning application form for a relative or friend. Standard forms are available on the intranet on which to make declarations. Any concerns regarding a potential conflict of interest must be discussed with a senior manager.
- 3.1.4 The Council has in place agreed disciplinary procedures which management and employees must follow.
- 3.1.5 Many procedures have been designed to ensure that the work of one member of staff is checked by another. These types of checks are important deterrents to fraud. Managers must ensure that all

staff have access to procedural guidance and should periodically confirm that the agreed procedures are being operated.

- 3.1.6 Where necessary staff will receive appropriate training to ensure that they are equipped to identify and tackle fraud related matters.
- 3.1.7 Investigation officers will receive appropriate levels of training ensuring high quality investigations. This will include training by other professional investigation bodies such as the police.
- 3.1.8 Computer Payroll details will be compared with computer benefit details and any matches will be investigated. Likewise any data matches raised by the National Fraud Initiative will be investigated. The provisions of the Data Protection legislation will be applied.

## 3.2 **Members**

3.2.1 Councillors and co-opted members must follow the rules in Part 5 of the Council's Constitution, including:

- General Principles of Conduct
- Members' Code of Conduct
- Code of Conduct on Planning Matters
- Summary of other rules affecting members' conduct
- Protocol on Member / Officer Relations

Councillors learn about these rules as part of the induction process and further ongoing training will be provided as appropriate.

3.2.2 The Council has a Governance and Resources Committee to deal with standards of conduct of Councillors.

## 3.3 **Systems**

3.3.1 It is a management responsibility to maintain the internal control system. This includes the responsibility for the prevention of fraud and other illegal acts. By undertaking an agreed plan of work, internal audit will evaluate the adequacy and effectiveness of these controls as a means of assisting management to discharge its responsibilities.

3.3.2 The Head of Resources has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure the proper arrangement of the Council's financial affairs. In addition, the Monitoring Officer is responsible for ensuring that the Council's

business is conducted in accordance with legislation and good practice.

3.3.3 To help him/her do this, all service financial recording systems must be designed in consultation with and to the satisfaction of the Head of Resources.

3.3.4 The Council's Financial Regulations and Procedures are set down in Part 4 of the Council's Constitution. These Regulations and Procedures set out in detail how the Council's financial affairs are to be administered and controlled.

#### 3.4 **Combining with Others**

3.4.1 Arrangements are in place to encourage the exchange of information between the Council and other agencies on fraud and corruption activity as an aid to prevention/detection. The agencies involved include: -

- External Audit ;
- Department for Work and Pensions
- Inland Revenue
- Customs and Excise.

In exchanging data with other organisations the Council will comply with the requirements of the Data Protection Legislation.

#### 4. **DETECTION AND INVESTIGATION**

4.1 The internal control and other monitoring systems outlined above have been designed to highlight fraudulent activity, and they should be sufficient in themselves to deter fraud.

4.2 It is the responsibility of managers to prevent and detect fraud and corruption. However it is often the alertness of other staff, Members and the public that enables detection to occur and appropriate action to be taken.

4.3 Financial Procedures require managers to immediately notify the Head of Resources or the Internal Audit Consortium Manager/Senior Auditor of any financial irregularity or suspected irregularity. Reporting is essential because it:

- Ensures consistent treatment;
- Enables investigation to be assisted by an independent team;

- Ensures agreed investigation procedure is followed.
- 4.4 Depending on the nature and the anticipated extent of the allegations, the Audit Section will normally work closely with Management and other Agencies, such as the Police, to ensure that all allegations and evidence are properly investigated and reported upon, and where appropriate, maximum recoveries are secured for the Council.
- 4.5 The Council's Disciplinary procedures will be used where the outcome of an investigation indicates improper behaviour by a Council Employee.
- 4.6 Ignoring potential/possible fraud, including benefit fraud, may be construed as improper behaviour by a Council employee. If an employee has any suspicion, they should make appropriate officers aware, so that the matter can be investigated in accordance with the confidential reporting (Whistleblowing) policy.

The people to contact are:-

- your Manager
- your Head of Service
- the Chief Executive
- The Head of Resources
- the Internal Audit Consortium Manager/Senior Auditor
- the Benefits Team

Where your own Manager is not available or should you so choose then you should contact another senior manager.

- 4.7 Causing or allowing a person to either make a false statement or declaration, or to fail to notify a change of circumstances is an offence under the law relating to the payment of benefit. Any employee / member involved is liable to prosecution.
- 4.8 Where financial impropriety is discovered, the Council's presumption is that the Police will be called in. Referral to the Police is a matter for the Chief Executive, in consultation with the Head of Resources and relevant Head of Service. Referral to the Police will not prohibit and should not delay action under the Disciplinary Procedure.

## 5. **HOUSING BENEFIT AND COUNCIL TAX SUPPORT (Local Council Tax Reduction)**

- 5.1 Whilst encouraging genuine claimants to apply for benefit the Council has adopted a number of initiatives to detect and prevent fraudulent applications, such as: -
- checks at the start and during the life of a benefit claim;
  - A page on the Council's website that provides a range of information for reporting suspected fraud.

- Publicity for a national fraud ‘hotline’ and the reporting tool on the Department for Work and Pensions website together with details on the Council’s website of other channels for reporting issues.
- participation in all DWP sponsored or similar Data matching exercises, including National Fraud Initiative (NFI), Housing Benefit Matching Service (HBMS) and Real Time Information (RTI) to identify and investigate data irregularity;
- internal data matching, payroll data to benefit data;
- using computer links to the Department for Work and Pensions to check entitlements, to receive benefit notifications, and to check National Insurance numbers and other data;
- having a prosecution policy for alleged benefit /council tax fraudsters;
- undertaking land registry checks;
- co- operating with the Department for Work and Pensions Single Fraud Investigation Service (SFIS) on the referring and investigation of potential Housing Benefit and associated social security benefit fraud.
- Regular articles in ‘Dalesmatters’.
- The employment of a shared Revenues Counter Fraud Assistant
- Resources allocated to the identification and correction of data inaccuracies or fraud associated with single person discount fraud on council tax liability

5.2 The Council has adopted a Policy to undertake the Prosecutions of persons who have committed criminal offences in obtaining housing benefit and/or council tax support to which they were not entitled.

5.3 Benefit staff receive training in fraud awareness. Codes of Conduct have been established for Benefits staff. These explicitly state that no employee should deal with any claimant who is personally known to them or get involved in any case where they have a pecuniary interest, e.g. the claim is in respect of a property they own or for a member of their family.

## 6. **RAISING AWARENESS OF THIS POLICY STATEMENT**

6.1 To be effective, it is essential that all staff and Members are aware of the existence of this Policy Statement. This will be achieved through a variety of means, such as: -

- Inclusion on the Council’s Internet and Intranet site;

- Articles in Dalesmatters and Staffmatters;

## **CONCLUSION**

- 7.1 The Council has in place a clear set of systems and procedures to assist it in the fight against fraud and corruption.
- 7.2 The Council will maintain a continuous overview of such arrangements through the annual review of the Constitution and Financial Regulations / Procedures, various Codes of Conduct and audit arrangements.
- 7.3 This Policy Statement will be subject to periodic review to ensure its continued relevance.

September 2018



**DERBYSHIREDALES DISTRICT COUNCIL**

**ANTI-MONEY LAUNDERING POLICY  
(INCORPORATING TERRORIST FINANCING  
REQUIREMENTS)**

**(September 2018)**

## DERBYSHIRE DALES DISTRICT COUNCIL

### ANTI – MONEY LAUNDERING POLICY

#### 1. Introduction

- 1.1 The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017) came in to force in June 17 and, for any offences committed after 26 June 2017, replace the Money Laundering Regulations 2007. The 2017 Regulations impact on certain areas of local authority business and require local authorities to establish internal procedures to prevent the use of their services for money laundering.

#### 2. Purpose of the Policy

- 2.1 The legislative requirements concerning anti-money laundering procedures are lengthy and complex. This policy has been written so as to enable the Council to comply with the Proceeds of Crime (Anti-Money Laundering) Practical guidance for Public Service Organisations by the Chartered Institute of Public Finance and Accountancy (CIPFA) relating to the anti- money laundering regulations.
- 2.2 While all organisations are required to take appropriate steps to prevent money laundering local authorities do not undertake activities which have been identified as being high risk and the approach outlined is considered proportionate to what is considered to be a low risk to the Council and its employees. While the Council undertakes activities considered to be ‘low risk’ what constitutes money laundering is very widely defined and it is important that the Council takes appropriate steps to prevent money laundering.
- 2.3 The purpose of the Policy is to make all staff aware of the legislation and their responsibility under it including the consequence of non – compliance of the Policy.
- 2.4 Potentially any member of staff or member could be caught by the money laundering provisions if they suspect money laundering and either become involved with it in some way and/or do nothing about it.
- 2.5 Whilst the risk of the Council of contravening the legislation is low, it is extremely important that all employees are familiar with their legal responsibilities as serious criminal sanctions could be imposed for breaches of the legislation.

#### 3. The Council's Obligations

- 3.1 Under the Legislation Organisations conducting “relevant Business” must:
- Appoint a Money Laundering Reporting Officer (“MLRO”) (Compliance and Nominated Officer) to receive disclosures from employees of money laundering activity;

- Implement a procedure to enable the reporting of suspicions of money laundering;
- Maintain client identification procedures in certain circumstances; and
- Maintain record keeping procedures.
- Undertake an assessment of the money laundering risk that the council is exposed to
- Train relevant employees on their anti-money laundering responsibilities

3.2 The Council has a ceiling of £10,000 on any one transaction.

#### **4. Scope of the Policy**

- 4.1 This Policy applies to all staff and elected members of the Council and aims to maintain high standards of conduct, by reducing the risk of criminal activity through money laundering. This policy sets out the procedures, which must be followed.
- 4.2 Failure by staff and members to comply with the procedures set out in this Policy may lead to a criminal offence being committed and disciplinary action being taken against them. Any disciplinary action will be dealt with in accordance with the Council's Disciplinary Policy and Procedure.
- 4.3. Managers must ensure that all staff are aware of this policy and their duties within it.
- 4.4. The Anti Money Laundering Policy is part of the Council's Anti -Fraud and Corruption policy and Strategy and sits alongside its Confidential Reporting Code and Employees Code of Conduct.

#### **5. What is Money Laundering?**

- 5.1. Money laundering is a process by which the illegal proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises.
- 5.2. The source of money, either in cash, paper or electronic form (often referred to as "dirty money") is disguised and given the appearance of being clean funds. These are normally used to hide the proceeds of serious criminal activities such as terrorism, drug smuggling, theft and fraud.
- 5.3. The money laundering legislation and regulations attempt to provide a preventative solution to this problem.
- 5.4. The broad definition of money laundering means that potentially anybody (and therefore any Council employee, irrespective of what Council business they are undertaking) could contravene the Regulations if they become aware of or

suspect the existence of criminal property and continue to be involved in a matter which relates to that property without reporting their concerns.

5.5 Primary money laundering offences include:

- Concealing, disguising, converting, transferring criminal property or removing it from the UK
- Entering into or becoming concerned in an arrangement which you know or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person
- Acquiring, using or processing criminal property

There are also two secondary offences:

- failure to disclose any of the three primary offences
- “tipping off” whereby somebody informs a person or persons who are, or who are suspected of being involved in money laundering, in such a way as to reduce the likelihood of their being investigated or prejudicing an investigation.

## **6. What is Terrorist Financing?**

6.1 The Terrorism Act 2000 creates a money laundering offence under Section 18 whereby a person commits an offence if he or she enters into or becomes concerned in an arrangement which facilitates the retention or control by or on behalf of another person of terrorist property:

- by concealment
- by removal from the jurisdiction
- by transfer to nominees, or
- in any other way.

## **7. Money Laundering Reporting Officer (MLRO)**

7.1 The Money Laundering Reporting Officer will receive staff disclosures on suspicions of money laundering and decide on disclosure to National Crime Agency (NCA).

7.2 The Money Laundering Reporting Officer is:

The Head of Resources  
Town Hall  
Bank Road  
Matlock  
Derbyshire  
DE4 3GL  
Tel: 01629 761284

7.3 In the absence of the MLRP the Head of Corporate Services is authorised to deputise 01629 761281

7.4 The Legal Section is available to give advice as required.

## Disclosure Procedure

- 8.1 Reporting to the Money Laundering Reporting Officer
- 8.2 Enquiries can be made of the individual to establish whether or not there is an innocent explanation before deciding whether or not to make a disclosure to the MLRO. However, once you have reasonable grounds for knowing or suspecting that the individual is engaged in money laundering a report must be made and the suspected money launderer must not be informed of this. Under no circumstances must an employee do anything that may tip off the subject of the report that such report has been made.
- 8.3 Where you know or suspect that money laundering activity is taking/has taken place, or become concerned that your involvement in a matter may amount to a prohibited act under the legislation, you must disclose this as soon as practicable to the MLRO. This disclosure should be within “hours” of the information coming to your attention, not weeks or months later.  
**SHOULD YOU NOT DO SO, THEN YOU MAY BE LIABLE TO PROSECUTION.**
- 8.4 Your disclosure should be made using the disclosure forms attached as **Appendix 1**. The report must include as much detail as possible, for example:  
Full details of the people involved (including yourself if relevant) e.g. name, date of birth, address, company names, directorship, phone numbers etc. Full details of the nature of their/your involvement:
- 8.5 Once you have reported the matter to the MLRO you must follow any directions they may give. You **MUST NOT** make any further enquiries into the matter yourself: any necessary investigation will be undertaken by the National Crime Agency (NCA). Simply report your suspicions to the MLRO who will refer the matter to the NCA if they consider this appropriate. All members of staff will be required to co-operate with the MLRO and the authorities during any subsequent money laundering investigation.

## 9. Consideration of disclosure by the Money Laundering Reporting Officer

- 9.1 Upon receipt of a disclosure report (copy attached as Appendix 1) the MLRO must note the date of receipt on the section of the report and acknowledge receipt of it. They should advise you of the timescale within which they expect to respond to you.
- 9.2 The MLRO will consider the report and any other available internal information they think relevant: e.g.
- Reviewing other transaction patterns and volumes
  - The length of any business relationship involved
  - The number of any one-off transactions and linked one-off transactions
  - Any identification evidence held

- 9.3 And undertake such other reasonable inquiries they think appropriate in order to ensure that all available information is taken into account in deciding whether a report to the National Crime Agency (NCA) is required (such enquiries being made in such a way as to avoid any appearance of tipping off those involved). The MLRO may also need to discuss the report with you.
- 9.4 Once the MLRO has evaluated the disclosure report and any other relevant information, they must make a timely determination as to whether:
- There is actual or suspected money laundering taking place; or
  - There are reasonable grounds to know or suspect that this is the case; and
  - Whether he needs to seek consent from the NCA for a particular transaction to proceed.
- 9.5 All disclosure reports referred to the MLRO and reports made by him to the NCA must be retained by the MLRO in a confidential file kept for that purpose for a minimum of 5 years.
- 9.6 The MLRO commits a criminal offence if he knows or suspects, or has reasonable grounds to do so, through a disclosure being made to him, that another person is engaged in money laundering and he does not disclose this as soon as practicable to the NCA.

## **10. Training**

- 10.1 In support of this policy, the Council will:
- Make all staff aware of the requirements and obligations placed on the Council and on themselves as individuals by the anti-money laundering legislation; and
  - Give targeted training to those most likely to encounter money laundering.

**STRICTLY CONFIDENTIAL**

**Report to: Money Laundering Reporting Officer (MLRO)**

**Re: money laundering activity suspicion**

To: ....., DDDC Money Laundering Reporting Officer

**From:**

Name.....Post.....  
*[Insert name of employee or member and post title]*

Service: ..... Ext/Tel No: .....  
*[Insert service area and contact details]*

**DETAILS OF SUSPECTED OFFENCE:**

**Name(s) and address (es) of person(s) involved:**

*[If a company/public body please include details of nature of business]*

*[Please continue on a separate sheet if necessary]*

**Nature, value and timing of activity involved:**

*[Please include full details e.g. what, when, where, how]*

*[Please continue on a separate sheet if necessary]*

**Nature of suspicions regarding such activity:**

*[Please continue on a separate sheet if necessary]*

**Have you discussed your suspicions with anyone else?**

*[Please tick the relevant box]*

Yes

No

**If yes, please specify below, explaining why such discussion was necessary:**

*[Please continue on a separate sheet if necessary]*

**Has any investigation been undertaken (as far as you are aware)?**

*[Please tick the relevant box]*

Yes

No

**If yes, please include details below:**

*[Please continue on a separate sheet if necessary]*



**Have you consulted any supervisory body guidance re money laundering (e.g. the Law Society)?**

*[Please tick the relevant box]*

Yes

No

**If yes, please specify below:**

*[Please continue on a separate sheet if necessary]*

**Do you feel you have a reasonable excuse for not disclosing the matter to the National Crime Agency? (E.g. are you a lawyer and wish to claim legal professional privilege?)**

*[Please tick the relevant box]*

Yes

No

**If yes, please set out full details below:**

*[Please continue on a separate sheet if necessary]*

**Are you involved in a transaction which might be a prohibited act under sections 327- 329 of the Act and which requires appropriate consent from the NCA?**

*[Please tick the relevant box]*                       Yes             No

Section 327 - Concealing, disguising, converting, transferring criminal property or removing it from the UK.

Section 328 – entering into or becoming concerned in an arrangement which you know or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person.

Section 329 – acquiring, using or possessing criminal property.

**If yes, please enclose details in the box below:**

*[Please continue on a separate sheet if necessary]*

**Please set out below any other information you feel is relevant:**

*[Please continue on a separate sheet if necessary]*

**DECLARATION:**

**Signed:**..... **Dated:**.....

***Please do not discuss the content of this report with anyone you believe to be involved in the suspected money laundering activity described. To do so may constitute a tipping off offence, which carries a maximum penalty of 5 years imprisonment.***

**THE FOLLOWING PART OF THIS FORM IS FOR COMPLETION BY THE MLRO**

Date report received: .....

Date receipt of report acknowledged: .....

**CONSIDERATION OF DISCLOSURE:**

**Action Plan:**

**OUTCOME OF CONSIDERATION OF DISCLOSURE:**

**Are there reasonable grounds for suspecting money laundering activity?**

**If there are reasonable grounds for suspicion, will a report be made to the National Crime Agency?**

*[Please tick the relevant box]*       Yes     No

**If yes, please confirm date of report to NCA: .....and complete the box below:**

**Details of liaison with the NCA regarding the report:**

**Notice Period:** ..... **To** .....

**Moratorium Period:** ..... **To** .....

**Is consent required from the NCA to any ongoing or imminent transactions which would otherwise be prohibited acts?**     Yes     No

**If yes, please confirm full details in the box below:**

.....

**Date consent received from NCA:** .....

**Date consent given by you to employee or member:** .....

**If there are reasonable grounds to suspect money laundering, but you do not intend to report the matter to the NCA, please set out below the reason(s) for non-disclosure:**

*[Please set out any reasonable excuse for non-disclosure]*

**Date consent given by you to member or employee for any prohibited act transactions to proceed: .....**

**Other relevant information:**

**Signed:.....Dated:.....**

**THIS REPORT IS TO BE RETAINED FOR AT LEAST FIVE YEARS**

GOVERNANCE AND RESOURCES COMMITTEE  
20th September 2018

Report of the Head of Resources

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## **INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2018/2019 OPERATIONAL AUDIT PLAN**

### **PURPOSE OF REPORT**

This report asks the Committee to consider the internal audit reports produced in respect of the 2018/2019 Internal Audit Plan.

### **RECOMMENDATION**

That the findings and conclusions of the internal audit reviews that have taken place this period are noted.

### **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.

---

## **1 SUMMARY**

- 1.1 The 2018/19 Operational Audit Plan was approved by the Chair and Vice Chair of the Governance and Resources Committee on 1st March 2018 (meeting cancelled due to snow). 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 since this committee last considered a report for audits included in the 2018/19 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 level of assurance that can be given in respect of the audit area examined and the number of recommendations made / agreed where a full response has been received.
- 2.4 The assurance provided column in Appendix 1 gives an overall assessment of the assurance that can be given in terms of the controls in place and the system's ability to meet its objectives and manage risk in accordance with the following classifications:

<b>Assurance Level</b>	<b>Definition</b>
<b>Substantial Assurance</b>	There is a sound system of controls in place, designed to achieve the system objectives. Controls are being consistently applied and risks well managed.
<b>Reasonable Assurance</b>	The majority of controls are in place and operating effectively, although some control improvements are required. The system should achieve its objectives. Risks are generally well managed.
<b>Limited Assurance</b>	Certain important controls are either not in place or not operating effectively. There is a risk that the system may not achieve its objectives. Some key risks were not well managed.
<b>Inadequate Assurance</b>	There are fundamental control weaknesses, leaving the system/service open to material errors or abuse and exposes the Council to significant risk. There is little assurance of achieving the desired objectives.

- 2.5 Three reports have been issued all with a conclusion of "Substantial Assurance". Two medium and 2 low priority recommendations have been made within the reports and subsequently accepted by management.

## 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

Telephone: 01246 345468; Email: [Jenny.williams@chesterfield.gov.uk](mailto:Jenny.williams@chesterfield.gov.uk)

## 6 BACKGROUND PAPERS

None

## 7 ATTACHMENTS

Appendix 1 - Summary of Internal Audit Reports Issued 16th June 2018 – 21st August 2018



## DERBYSHIRE DALES DISTRICT COUNCIL

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

#### Summary of Internal Audit Reports Issued 16th June 2018 – 21st August 2018

Report Ref	Report Title	Scope and Objectives	Overall Opinion	Date		Number of Recommendations	
				Report Issued	Response Due	Made	Accepted
D007	Creditors	To review the systems and procedures in place for raising orders and paying invoices	Substantial	26/7/2018	16/8/2018	2 (1M 1L)	2
D008	Cyber Security	To ensure that the risks associated with cyber security are identified and well managed	Substantial	1/8/2018	26/8/18	1L	1
D009	Treasury Management	To review the Council's lending, borrowing and investment procedures	Substantial	7/8/2018	28/8/2018	1M	1

GOVERNANCE & RESOURCES COMMITTEE  
20 SEPTEMBER 2018

Report of the Head of Corporate Services

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## **COMMUNICATIONS AND MARKETING STRATEGY**

### **SUMMARY**

The Communication and Marketing Strategy sets out how residents, employees and service users are kept informed about what the District Council is doing, how it is spending public money, and the District Council services they can access.

### **RECOMMENDATIONS**

1. That the strategic framework of the current Communications and Marketing Strategy is noted.
2. That the addition of a paragraph in the Communications and Marketing Strategy is approved (1.7), setting out the District Council's digital-by-default approach to surveys and questionnaires that support consultations with residents, businesses and other stakeholders.
3. That the action plan for 2018/2019 is approved.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

Good communications with residents, employees and service users is key to all the District Council's corporate priorities and pivotal to providing excellent services.

---

## **1 BACKGROUND**

- 1.1 The District Council adopted its current Communications and Marketing Strategy in September 2014, reflecting the development of technology and the needs both of the public and the District Council, which had evolved dramatically since the previous strategy's adoption in 2011. This fourth annual update sets ambitious yet realistic targets to support the Council's Corporate Objectives and core values.
- 1.2 The aim of the Strategy is to ensure our communications help to promote a positive image of the Council, and, in marketing terms, help us to meet the needs and wants of our customers in a fast moving digital world.

- 1.3 The adopted Strategy sets out a multi-channel approach to reach a wide variety of customers and stakeholders, underlining traditional forms of communication while embracing more modern approaches.
- 1.4 Communicating well is the responsibility of everyone and the Strategy is designed to be a useful tool for the corporate leadership team, heads of services and all employees and elected members. It sets a framework for communications and gives direction to all media, online, internal, marketing, publications and public relations communications actively undertake on behalf of the district council.
- 1.5 The Communications and Marketing Strategy sets out ways to:
- Make the Council easy to understand and talk to
  - Co-ordinate and direct communications
  - Ensure that everyone understands our targets and what the outcomes will be
  - Ensure that staff and partners understand their contribution
  - Make sure people know the outcome of the changes the District Council makes
  - Ensure openness and transparency
  - Make people feel better informed, proud to live in Derbyshire Dales, proud to work for the Council and proud to work with it.
- 1.6 The Strategy (attached as Appendix 1) is without a timeframe. This is deliberate and seeks to set a strategic framework with a more dynamic approach to actions which can be measured by way of an Annual Action Plan, monitored by a Communications & Marketing Hub comprising officers from all Council service areas.
- 1.7 It is felt however that an additional paragraph should be added to the Strategy this year, setting out clearly that surveys and questionnaires supporting the council's consultations with residents, businesses and other stakeholders will be digital by default. We live in a digital age, and while paper versions of online surveys and questionnaires can be made available on request, our digital by default policy recognises that the vast majority of our residents now have access to the internet directly or indirectly through family, friends and their local library. Adding paper-based consultation feedback to the digital survey database is time-consuming and resource-heavy for the council. Consultations will however continue to be promoted using a combination of digital and traditional media and, where timing allows, through the twice-yearly Dales Matters residents' newsletter.

## **2. REVIEW OF 2017/18 ACTION PLAN**

- 2.1 *Enhance the District Council's reputation by upgrading and improving signage across the district in a second phase of this project*

9 of our 16 new boundary welcome signs are now sponsored by local businesses on a two-year basis, bringing in £10,190 sponsorship income against an original outlay of £2,785. New signs have been ordered for our 30 smaller parks and gardens (the majority of which currently have no reference to the District Council) and, like the welcome signs, these too will feature a second sponsorship panel. New external signage at the Town Hall is now complete and 100 bench plaques have been installed in our larger parks. All the installation work has been carried out by our own Clean & Green Team. New temporary signs have been designed in-house for use during this year's Matlock Bath Illuminations, creating a specific high quality corporate identity for the event.

*2.2 Make SIDD fully available to staff and Members externally, transferring the current Members' Portal to an improved platform on SIDD*

Our intranet, SIDD, is now an extranet, sitting on an external server staff can access from home if necessary. The Members' Portal potential switch has been deferred to post May 2019 elections by the Member Development Group.

*2.3 Support members and managers with new presentational and social media training*

Social Media workshops for Members and senior officers took place at the Town Hall on 26 February and 12 March and were well received. Presentational training has been deferred to post May 2019 elections.

*2.4 Increase e-newsletter database names and addresses from 3,505 to 3,855 (+10%)*

Despite losing some subscribers with the outsourcing of the leisure centres, the current number of email addresses in the e-newsletter database is 4,048, so we have hit the target.

*2.5 Issue a minimum of two media releases every week*

In week 32 of 2018 (w/c 6 August) we had issued 57 press releases, so are slightly behind the curve, but should catch up.

*2.6 Ensure all leases and licences include District Council branding by condition to enhance the authority's reputation*

Events officers have confirmed that licensees are instructed to give the District Council credit on any promotional materials.

*2.7 Review the corporate identity guide to ensure it is fit for purpose in the 21st century*

New District Council logos are now in circulation and our Corporate Image Guide has been updated.

2.8 *Utilise our online panel to gauge the overall level of satisfaction in the District Council*

Our Policy Officer has access via Survey Monkey to 697 people who have signed up to our online panel. The annual satisfaction survey was due to be issued at the end of August, and the Communications Department has also created ongoing satisfaction surveys for individual service areas including Environmental Health and Planning.

2.9 *Continue to use video to improve democracy/accountability of council meetings and to increase engagement across our digital media platforms*

All full council and special council meetings are now broadcast live using in-house resources and we have extended the live broadcasts to include the last two rounds of Community Forums. The Communications Department is currently exploring ways to extend the process to include recordings or live streaming of key committee meetings.

### **3. NEW ACTION PLAN 2018/19**

The big issue for the next Action Plan is once again allocating a sum from the communications budget set aside annually to improve the reputation of the District Council. This amount was £12,000 in 2016/17, facilitating the upgrade of our website, but was reduced in the year to September 2018 to £5,000.

The Communications & Marketing Hub, which has Councillor Pawley as Member Representative, has agreed that in the coming year we need to continue to address the issue of signage in a third phase, which will comprise:

- Continuing to pursue sponsorship opportunities for signage, bins and toilets
- introducing statement signs in our larger parks to replace the current ad hoc distribution of too many smaller signs
- reviving memorial plaque sponsorship of park benches in liaison with the Environmental Services service area

The aim of the Communications & Marketing Hub is to fund the 'statement' parks signage via the £5,000 allocated budget, boosted, if necessary, by sponsorship income.

The full Action Plan would look like this:

3.1 *Enhance the District Council's reputation by upgrading and improving signage across the district in a 3rd phase of this project, to include rationalisation of signage in our larger parks through the installation of statement information signs. It is proposed that our Matlock Hall Leys Park be used to create a template to be followed elsewhere.*

- 3.2 *Continue to generate sponsorship to support the Action Plan, focusing on welcome signs, parks signs, Big Belly Bins and advertising in our paid-for public toilets.*
- 3.3 *Improve access to the current Members' Portal.*
- 3.4 *Support members and managers with new presentational and social media training.*
- 3.5 *Ensure all leases and licences include District Council branding by condition to enhance the authority's reputation, linking to a new Events Strategy.*
- 3.6 *Utilise our online panel to gauge the overall level of satisfaction in the District Council.*
- 3.7 *Measure the success of large event promotions and marketing (eg Matlock Bath Illuminations) via social media engagement tools, post-event surveys and takings/visitor numbers.*
- 3.8 *Explore the extension of video coverage to include key committee meetings to further improve democracy/accountability.*

Communications and Marketing Hub Member Representative **Councillor Joyce Pawley** will report verbally to the Committee.

## **4 RISK ASSESSMENT**

### **4.1 Legal**

An effective communications strategy helps to reinforce the District Council's ambition and raises proper accountability. The Strategy has been framed within the legislative framework regarding publicity. The legal risk is therefore low.

### **4.2 Financial**

The Communications Strategy can be delivered within existing budgets and, therefore, the financial risk arising from this report is 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**

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**7. BACKGROUND PAPERS**

None

**8. ATTACHMENTS**

Appendix 1 - Communications and Marketing Strategy (updated September 2017)



# Communications & Marketing Strategy







## **CONTENTS**

<b>Introduction</b>	<b>1</b>
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# Derbyshire Dales District Council

## Communications & Marketing Strategy

(Adopted, Corporate Committee, 18 September 2014)

(Latest action plan to Governance & Resources Committee, 20 September 2018)

### Introduction

Communication plays an important role in everything we do at Derbyshire Dales District Council.

Communicating **well** is the responsibility of everyone at the District Council, not just the communications team. This strategy is designed to be a useful tool for the corporate management team, heads of services, all employees and council members.

It sets a framework for district council communications and gives direction to all media, online, internal, marketing, publications and public relations communications activity undertaken on behalf of the district council.

Our commitment is to use a **multi-channel approach** to reach the wide variety of customers and stakeholders we serve, including residents, employees, businesses, community partners, visitors to the district and all levels of government.

Externally, a key focus is to promote the district council's services to give us a competitive edge, supporting and enhancing regular activities.

Internal communications will involve all staff in shaping services as the district council continues to go through major changes.



We will seek to provide communications services on the most cost-effective basis, for example by accelerating our shift towards digital communications and taking a “digital first” position on crisis management

We will commit to continuing improvement of the usefulness of our website and keep content fresh and updated as we move a greater share of our communications activity online, utilising free social media channels.

Communication works best when it is a two-way process (we need to listen as well as talk) and when messages are clear and easy to understand. Our social media channels (particularly Facebook and Twitter) provide a voice for local people to air their views and discuss issues with the council.

The challenge for an organisation with more than 100,000 customers and a large range of services is how it communicates clearly and simply in a complex and constantly changing environment, with ever increasing financial pressures. This strategy seeks to address that challenge.

Research shows that communication with residents is a key driver to overall satisfaction with council performance. It is also at the heart of good customer service and effective, meaningful consultation – and critical to delivery of the council’s role in the community.

This strategy sets out the framework within which we can respond to this challenge.



## Aims, Vision and Objectives

### Aims

The ultimate aim of our communications is that all staff, residents, partners and everyone who deals with the council will have a clear understanding and a positive perception of our vision, aims, values, services and achievements, leading to higher levels of satisfaction and engagement.

### Vision

*What are we trying to do?*

To make its vision come alive, the district council must be able to communicate with (and influence) a wide range of organisations, individuals and partners.

*We therefore need to ...*

- make the council easy to understand and talk to
- coordinate and direct communications so that all parts of the district council are working towards shared objectives, in support of council strategy
- ensure that everyone understands our targets, and what the outcomes will be – showing people what success looks like
- ensure staff and partners understand their contribution through clear objectives, milestones and deadlines
- make sure people know the outcome of the changes the district council makes
- ensure openness and transparency
- make people feel better informed, proud to live in Derbyshire Dales, proud to work for the council, and proud to work with it.

In other words, we need to continue to build the district council as *a brand*.



The visual element of this brand – our corporate identity – is generally understood by staff and customers. Our brand is an important communications tool, *made up of these components...*

- Our overall purpose – what are we here for?
- Our values – what drives us to do the things we do?
- Our key messages – what are we saying about what we offer?
- Our service delivery – what do we provide, compared with what we promise?
- Our behaviour – how do we treat our customers and our staff?

It is important we bring these elements together in a unified approach across all communications channels, so that we are consistent in tone, look and feel. People need to understand who we are and what we stand for.

In this, our Communications Strategy will dovetail with the council's Customer Access Strategy.

## **Objectives**

- To secure and strengthen the reputation of the council in the community and an effective and efficient provider of high quality outcomes - focused on our values and priorities
- To build and maintain a professional corporate identity for consistent and co-ordinated use throughout the organisation
- To promote the image of the council as an effective, efficient and listening organisation focused on the public and their needs
- To ensure that communications are consistent and co-ordinated across all channels to give maximum support to the council's strategic priorities
- To ensure all staff understand the priorities of the council and feel valued and able to contribute to major changes affecting services they provide
- To ensure that our communications activities reflect the full diversity of the community and help ensure equality of access to all our services.

It is important also that the district council increases its efforts to understand what local communities are saying.

This strategy will dovetail with our Consultation Strategy in sharing information gained through consultation programmes such as citizens' panel consultation, channel shift

initiatives and increasing use of new technology devices to generate instant feedback on topical issues.

## Delivering our objectives

The district council's reputation is based on perceptions – how people see us. Managing our reputation means first of all understanding what those perceptions are, deciding how we want to be seen, and planning how to get there.

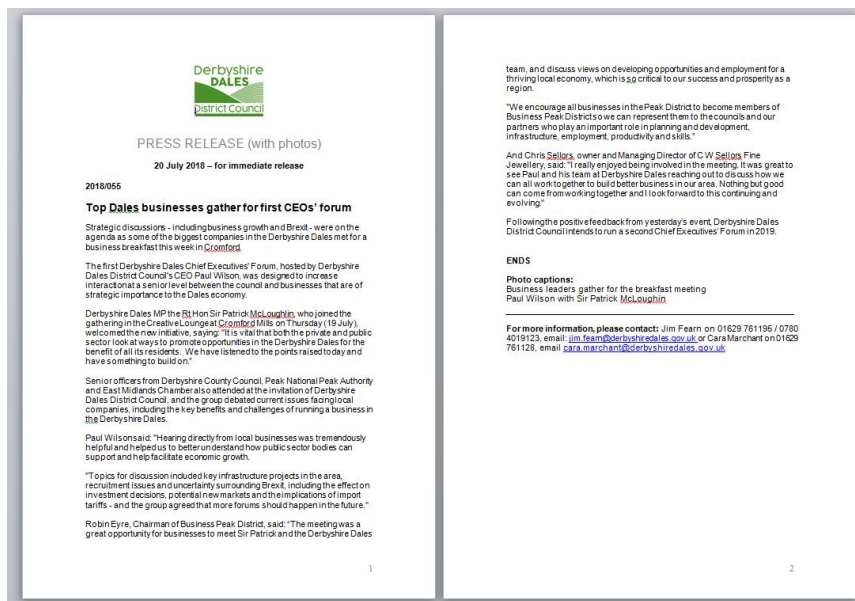
We will tackle this by focusing internal capacity on the district council's key messages and ensuring that the most appropriate level of resource is available for our key priorities and activities.

### Our communications platforms can be broken down into three:

- Traditional Media, Publications, Campaigns and PR
- Digital Media
- Internal Communications

## TRADITIONAL MEDIA, PUBLICATIONS, CAMPAIGNS AND PR

We will seek to maintain and further improve positive media coverage and develop our media relations service to promote and defend the council, recognising the proven link between the public's sense of feeling informed and feeling satisfied. Our target is to issue two positive **media releases** every week of the year, alongside, where possible, engaging photography (chiefly taken in-house).



It will also be the responsibility of the communications team to handle a communications problem or bundle of problems by identifying:

- the nature of the problem or challenge
- the key considerations in addressing it
- the key drivers of those decisions (crucially, insight into audiences)
- the resources required
- the stages to go through

We will issue reactive statements to media on request after gaining advice and approval first from the head of service (corporate management team member) and/or council leaders.

Despite our increasing focus on e-communications channels, the twice-yearly **Dales Matters** newsletter, delivered to all 34,000 homes in the district, remains an important communications tool. 90% of our citizens' panel (surveyed November 2013) had seen a copy of Dales Matters and 75% read half or most of it.

We will continue to edit, design and organise publication and distribution of Dales Matters, directed by an editorial panel comprising a representative from every service area.

Similarly, we will edit, design and organise publication of other special publications such as:

- Council Tax information leaflet
- Agricultural Business Centre annual leaflet (including Bakewell Farmers' Market dates)
- Community Safety newsletter (twice yearly)
- Other leaflets and fact sheets (including an A-Z of council services)

**Farmers' Market 2016 DATES**

Generally held on the last Saturdays of the month from 9am to 2pm – our multi-award winning Farmers' Market is now the second largest in the UK. Stalls under cover at the Agricultural Business Centre, with beautiful lighting.

30 January	23 July*
27 February	27 August
26 March	24 September
30 April	29 October
28 May	26 November
25 June	17 December**

\* one week early for Bakewell Show  
\*\* two weeks early for Christmas

**AGRICULTURAL BUSINESS CENTRE**

**Bakewell Farmers' Market**

**One of the BEST!**

Derbyshire Dales District Council's Agricultural Business Centre (ABC) is home to the multi-award-winning Bakewell Farmers' Market. It is the second largest farmers' market in the country and a success story for the District Council.

When the Farmers' Markets in Bakewell started in 2000, there were just 28 producers. This number has expanded gradually over the years to more than 75 stalls today, located mostly indoors at the fabulous ABC.

The atmosphere is first class and the spinoff is that local hotels and businesses in and around Bakewell reap the benefits of the trade generated by the Farmers' Markets.

We are dedicated to encouraging and maintaining environmental sustainability, so most stallholders come from within a 30 mile radius of Bakewell, though some speciality producers are allowed to attend from up to 100 miles away.

While there are some crafts, most of the stalls are dedicated to locally produced food and drink.

Watch us on youtube: [www.youtube.com/derbysdalesabc](http://www.youtube.com/derbysdalesabc)

**CONTACT US...**

- [www.derbysdales.gov.uk/abc](http://www.derbysdales.gov.uk/abc)
- 01629 813 777
- [abc@derbysdales.gov.uk](mailto:abc@derbysdales.gov.uk)

Sign up for our free e-newsletter: [www.derbysdales.gov.uk/enewsreg](http://www.derbysdales.gov.uk/enewsreg)

We will maintain and develop our programme of media and integrated **campaigns** that underpin the district council's values and priorities.

We will use no/low-cost external sites such as poster frames in our pay & display car parks and public toilets to promote our services, including:

- Markets
- Parks and open spaces
- Special events such as our Matlock Bath Illuminations
- Do it online campaigns (channel shift)



The communications team, in consultation with the head of corporate services, will regularly change the organisation's **corporate email sign-off** as another channel to promote ongoing campaigns.

We will continue to evaluate and cost the potential of paid-for media (including local commercial radio stations and newspapers/magazines) to further promote our campaigns.



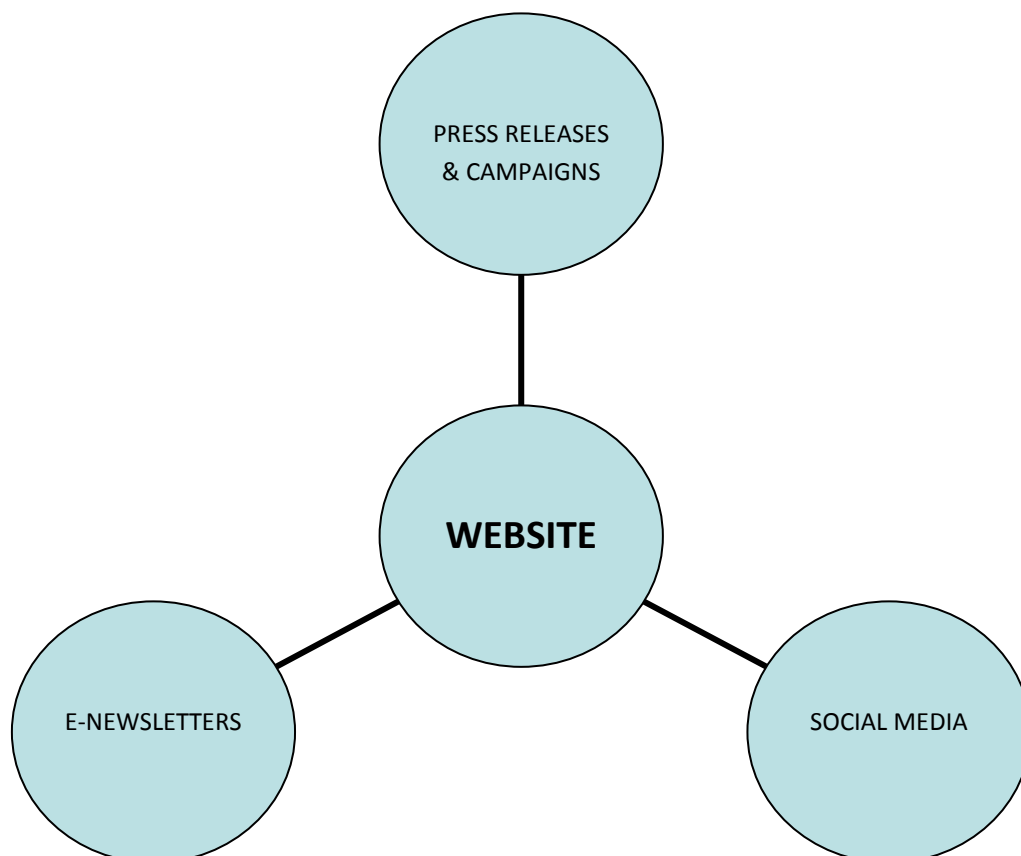
## DIGITAL MEDIA

We recognise the value of our website as a source of information, as a point for customer transactions and as a low-cost alternative to face-to-face and telephone contact.

Our communications going forward will have a digital focus, building on the platform created by our website, relaunched in 2012 using an open source (Joomla) content management system to serve the public and businesses of Derbyshire Dales.

We will further develop the website to make it even easier to find the information you need, to report faults and incidents, to ask questions and to conduct many different types of transactions, all in a 24/7 environment.

Not only is this usually faster than alternative methods of contact, it means you can conduct your business with the district council when and where you like, while doing so at a lower cost to the taxpayer. We will aim to further increase use of the website, which currently attracts more than 40,000 visits every month and is the "hub" of our communications.



We are committed to continuing to improve visitor numbers and the accessibility of the website, creating new web forms and payment portals.

We applied the same principles to the development of a new intranet site for staff (launched autumn 2014).

**Social media** platforms have become an integral part of our communications strategy. We recognise the opportunities that social media can deliver in terms of reputation enhancement, engaging with the public using their medium of choice, greater two-way dialogue and the insights that social media can provide, and as an opportunity to reduce cost versus other communications channels.

We will exploit the penetration of social media in dealing with crisis communications, providing regular news updates on our digital channels to create a channel shift away from phone calls to service centres during busy periods.

While operating and monitoring established Facebook, Twitter, Instagram and YouTube channels, we will examine the potential of other social media platforms. District council service areas will be assisted in setting up their own social media channels on request.



We will continue to use social media management tools such as Hootsuite to monitor our own social media activity and also gain a better understanding of the conversations about us in which we are not currently participating.

In parallel with the development of this Communications Strategy, we will continue to promote and, where necessary, update, our social media policy and staff guidelines.

We will seek to build our **e-newsletter** (MailChimp) database, enabling us to target key messages on a regular basis to engaged people in our communities. We recognise the huge potential of e-newsletters as an effective communications channel

**Surveys and questionnaires supporting the council's consultations with residents, businesses and other stakeholders** will be digital by default. We live in a digital age, and while paper versions of online surveys and questionnaires will be made available on request, our digital by default policy recognises that the vast majority of our residents now have access to the internet directly or indirectly through family, friends and their local library. Adding paper-based consultation feedback to the digital survey database is time-consuming and resource-heavy for the council. Consultations will be promoted using a combination of digital and traditional media and, where timing allows, through the twice-yearly Dales Matters residents' newsletter.

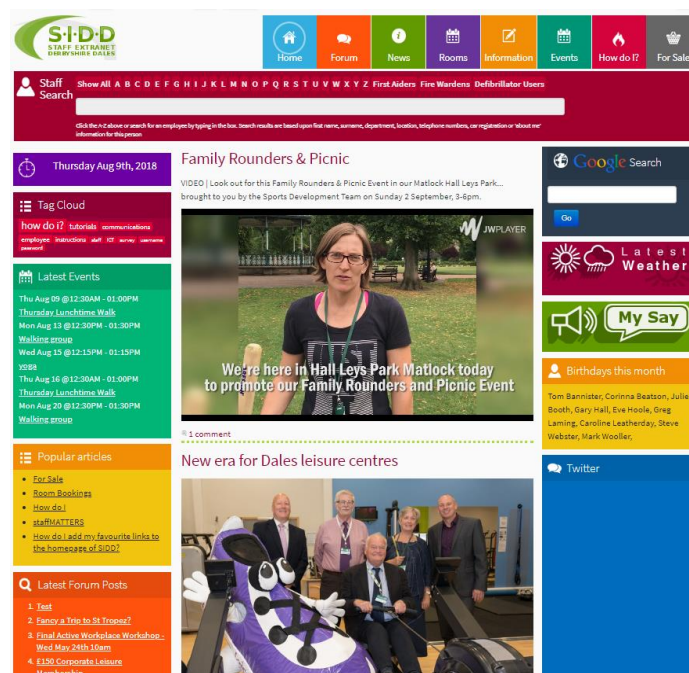
## INTERNAL COMMUNICATIONS

Internal communications play a key role in ensuring staff keep in touch with the district council's plans and priorities, and the challenges ahead.

Employees need to understand how their actions contribute to the overall achievement of priorities and how their behaviour affects the way the organisation is perceived internally and externally.

Our internal communications will include:

- Publication of the staffMATTERS internal newsletter, published 4 times a year
- A new (autumn 2014) more accessible intranet site (SIDD)
- An online forum where staff can advertise activities and events (internal and external) and suggest good ideas
- Regular all-staff emails
- In-house posters
- Screensaver messages on staff PCs
- Core briefings **videos** to get our messages across



Through all the channels listed above, we will support our consultation teams in their work to help the district council understand what the public truly want, to deliver on our values and priorities and to provide the best possible value for money.

## Looking ahead

A Peer Review carried out in 2013 helped the district council re-set its vision – which is to use the reduced resources available to us more efficiently to maintain and - where possible - improve the quality of life for Derbyshire Dales people. A key aim of our communications is to help local people understand the financial challenges faced by the district council and the hard choices it is having to make in terms of service delivery.

Our plans are built on clear **values** that will help to steer us through the years ahead. Applying these values will mean that the district council is not only smaller, but also more flexible and more responsive to local people's needs and expectations.

### **We value:**

- the uniqueness of our communities, businesses and residents
- working in partnership to deliver affordable, quality services
- our employees
- teamwork, working together across the organisation
- creative thinking and ambition

### **Supporting our values:**

- the Council will be open and transparent when making decisions and will use public resources ethically and responsibly.
- we will behave with integrity, courtesy and respect, listening and responding to the very best of our abilities and treating everybody fairly, and by encouraging Members and staff to deliver improvements through their own personal development.

### **Providing the basics**

In the coming years, we will have less money and will have to make sure we spend it where the need is greatest. Our role is to make sure local people get good outcomes from their services and we understand that it is the quality of the service that matters to local people, not who provides it.

*Our focus should be on:*

Promoting and regularly reinforcing the distinctive qualities both of the Derbyshire Dales and the district council. It is appropriate therefore to build communications skills across the organisation, supported by an in-house communications resource that is empowered to identify and solve communications problems, and resourced to implement solutions.

## Helping communities help themselves

The district council is at its most effective when it is helping people to live successful lives as independently as possible and helping communities to help themselves. We believe that if power is in the hands of local people, you get better results and achieve better value.

*Our approach will be to:*

- Give individuals more say about the services they receive and the support they receive
- Empower communities to do more themselves and give them the tools they need for community action
- Recognise that some areas need more help than others and that, with a little support, they can get their ideas off the ground
- Support the transfer of buildings and other assets to community ownership so that they can become a hub for local activity – flexible and responsive to local needs.

## Evidence and analysis

What do our customers and stakeholders say?

We continue to invite customers and stakeholders to help us set some key priorities that support our values. Research has revealed our customer and stakeholder priorities are focused on *a thriving district*:

### 1. Business growth and job creation

Help new businesses to start; help existing businesses to grow and promote key development sites in/around towns

### 2. Affordable housing

Identify and deliver new affordable housing sites and improve housing for vulnerable people

### 3. Market towns

Reviving stall markets and seeking public realm improvements

## Action Plan 2017/18

- Enhance the District Council's reputation by upgrading and improving signage across the district in a second phase of this project
- Make SIDD fully available to staff and Members externally, transferring the current Members' Portal to an improved platform on SIDD
- Support members and managers with new presentational and social media training
- Increase e-newsletter database names and addresses from 3,505 to 3,855 (+10%)
- Issue a minimum of two media releases every week
- Ensure all leases and licences include District Council branding by condition to enhance the authority's reputation
- Review the corporate identity guide to ensure it is fit for purpose in the 21st century
- Utilise our online panel to gauge the overall level of satisfaction in the District Council
- Continue to use video to improve democracy/accountability of council meetings and to increase engagement across our digital media platforms

GOVERNANCE AND RESOURCES COMMITTEE  
20<sup>th</sup> September 2018

Report of the Head of Resources

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## REVENUE BUDGET MONITORING QUARTER 1 2018/19

### PURPOSE OF REPORT

This report summarises the Council's forecast outturn position as at the end of June 2018.

### RECOMMENDATION

That the identified variances and current overall forecast position are noted.

### WARDS AFFECTED

All

### STRATEGIC LINK

Effective budgetary control is important to ensure effective management of Council resources.

---

## 1. BACKGROUND

- 1.1 In response to recommendations made by both internal and external audit the Council is increasing the frequency of reporting budget monitoring to Councillors. This will provide assurance that the budget set by Council on 5<sup>th</sup> March 2018 is being effectively monitored, also providing sufficient time for remedial action to be taken if required.
- 1.2 The Council will present monitoring and budgetary information on a quarterly basis in line with the dates below.

Quarter 1	20th September G&R
Quarter 2 inc. revised budget	29th November Council
Quarter 3	28th February G&R
Outturn	23rd May Council

The Q2 and Q4 dates coincide with the presentation of service performance management information to Council, enabling service and financial performance to be considered together.

### SUMMARY

- 1.3 On 5<sup>th</sup> March 2018 Council set a total revenue budget of £10,306,550. The full year forecast to March 2019 based on initial monitoring and identification of major variances projects an underspend of £55,000 as shown in the table below. The major variances are described within the following paragraphs; other smaller variances are currently offsetting each other. All budgets will be revisited in detail and revised at quarter 2.



<b>Services</b>	<b>Original Budget £000's</b>	<b>Forecast Outturn £000's</b>	<b>Variance £000's</b>
Resources and Corporate Budgets	3,766	3,804	38
Corporate Services	1,691	1,691	0
Housing Services	854	855	0
Regeneration and Policy	521	504	(13)
Community and Environmental Services	2,114	2,126	12
Regulatory Services	911	911	0
Chief Executives and Human Resources	450	358	(92)
<b>Total</b>	<b>10,307</b>	<b>10,252</b>	<b>(55)</b>

#### 1.4 **Resources and Corporate Budgets**

##### Resources

The internal appointment to an additional senior accountancy post has resulted in a vacancy within Resources (£17,000). Arrangements are being made to recruit an Accountancy Assistant. This saving is being partially offset by the increased hours required for the new internal auditor £5,000.

##### Corporate Budgets

Corporate Budgets include the Council wide turnover target of £50,000. This has already been achieved by quarter 1 and the relevant savings are included within each specific service area. To avoid double counting the variance within Corporate Budgets is shown as an overspend.

#### 1.5 **Corporate Services**

Corporate Services is currently forecasting a breakeven position. Savings arising from the vacant Section 106/CIL officer are being offset by pressures on subscriptions and software support budgets. In addition the imminent departure of the property solicitor will increase the need for temporary cover. The effect on the budget will continue to be monitored.

There is a significant emerging pressure within Legal as a result of the increase in contract workload. The additional work being undertaken helps to mitigate risk to the Council by preventing procurement breaches, ensuring contract T&Cs are not onerous for the Council and providing advice during the procurement process. Additional capacity has previously been provided by two locum solicitors. Whilst being effective in the short term this will not deliver value for money over the longer term and predicted workloads point to a more permanent solution being required. The Head of Corporate Services is currently considering options or a revised structure to meet the needs of the organisation and to continue protect the interests of the Council.

#### 1.6 **Housing Services**

There are no significant net variances within Housing Services.

#### 1.7 **Regeneration and Policy**

There is currently a part time vacancy within Regeneration and Policy generating an underspend of £13,000. Several unsuccessful attempts have been made to fill the Principal Regeneration Manager resulting in the work being undertaken by external consultants. Adjustments to the budget will be made in the revised budget to reflect the reapportionment of resources.

## 1.8 **Community and Environmental Services**

### Environmental Services

The review of public conveniences will have a significant impact on budgets within the waste section. The savings generated were proposed on the Council's efficiency plan but not included in the approved 2018/19 budget and therefore show as a favourable variance in the current year. A delay in the introduction of charging has reduced the part year saving but in total public conveniences are still forecast to generate an under-spend of approx. £100,000 in 2018/19.

The other significant variances within waste are trade waste (£20,000), where the service continues to generate additional income from increased customers, and Clean and Green staffing where temporary vacancies have been managed to produce a turnover saving of £30,000.

The hot weather is currently contributing to higher than budgeted car park income. At the time of writing the effect on the final summer bank holiday was not known which could have a significant impact on final income levels. On current forecasts combined with a potential increase in prices from January 2019 the current income budget is expected to be overachieved by approx. £60,000.

Internment fees within cemeteries are also currently forecast to be overachieved by approx. £20,000.

### Active Communities

Active Communities budgets are dominated by the successful transfer of Leisure services to Freedom Leisure from 1<sup>st</sup> August 2018. As previously reported to Council the profile of contract payments is not linear as the Council incurs higher costs in the early contract years. Although producing significant savings over the contract term this was previously identified to produce a pressure in 2018/19 of £312,000. Final balances and transfers are being agreed with Freedom Leisure and external suppliers and early forecasting indicates the actual outturn will be in line with the previously identified pressure.

In addition savings of £70,000 are forecast following changes to senior management arrangements.

## 1.9 **Regulatory Services**

There are currently several underspends within the employee budgets within Regulatory Services. These savings are forecast to be used to fund additional consultancy work with no significant net variance. Planning fees are cautiously forecast to achieve the set budget. This budget will be monitored for any possible increase in subsequent reports.

## 1.10 **Chief Executive's and Human Resources**

Following the retirement of the former Chief Executive, underspends of £92,000 have been identified. These have been generated by the now vacant corporate director post following the successful internal appointment to CEO (£96,000). These are partially offset by an over-spend in recruitment (£4,000) mainly attributable to the selection process for the CEO post.

## **2. RISK ASSESSMENT**

### **2.1 Legal**

The process by which budgets are monitored is a useful mitigation tool to ensure that the Council meets its statutory duty to manage a balanced budget.

### **2.2 Financial**

The financial details are set out in the body of the 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**

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Mark Nash, Financial Services Manager on 01629 761214 or  
Email: [mark.nash@derbyshiredales.gov.uk](mailto:mark.nash@derbyshiredales.gov.uk)

## **5. BACKGROUND PAPERS**

None

## **6. ATTACHMENTS**

None

GOVERNANCE AND RESOURCES COMMITTEE  
20 September 2018

Report of the Chief Executive

## **RISK MANAGEMENT – CHIEF EXECUTIVE’S ANNUAL REPORT & UPDATED RISK MANAGEMENT POLICY AND STRATEGY**

### **PURPOSE OF REPORT**

The Council’s Risk Management Policy and Strategy requires the Chief Executive to report to Members, by way of an annual report, on the Council’s Risk Management arrangements and how Key Strategic Risks are being managed.

This report describes the Council’s risk management processes and working practices, which ensure that risk management arrangements continue to be effective, timely and fit for purpose, providing the Council with the correct levels of insight and support in relation to its risk exposure.

This report also asks Members to approve an updated Risk Management Policy and Strategy.

### **RECOMMENDATION**

1. That the report and risk management arrangements be approved.
2. That the Risk Management Strategy and Policy 2018 – 2020 be approved.

### **WARDS AFFECTED**

Not applicable

### **STRATEGIC LINK**

Effective Risk Management provisions enable significant risks to be identified, controlled and monitored so contributing to the provision of all services.

---

## **1 REPORT**

### **1.1 Introduction**

The Council’s [Risk Management Policy and Strategy](#), approved by this Committee in September 2016, requires the Chief Executive to report to Members, by way of an annual report on the Council’s Risk Management arrangements and how key strategic risks are being managed.

The first part of this report covers the Chief Executive’s Annual Report. It describes the current risk management processes and working practices, which have been developed to ensure they continue to provide the Council with the correct levels of insight and support in relation to its risk exposure. The report illustrates the strategic

risks and scores them as high (red), medium (yellow) or low (green). The report also shows the actions that are planned to mitigate or reduce the risks.

The Risk Management Policy and Strategy is due for review in 2018. The second part of this report recommends an updated Policy and Strategy for Members' approval. Revisions to the document reflect the current organisation structure, processes and procedures.

## 1.2 Background

The Council operates a risk management programme whereby risks associated with the Corporate Plan, its key strategic objectives and individual Service Plan Key Actions are formally assessed.

The Council identifies risks at two levels:

- **Strategic Risks:** These are the risks that will significantly impact the Council in the delivery of its Strategic Objectives and Corporate Plan; and
- **Operational (Service) Risks:** These are the risks which will impact on the delivery of each service at an operational level. Managing these risks will assist each Head of Service in the delivery of their Service Plan objectives and key actions.

Relevant individuals meet on a quarterly basis to discuss the risks facing the Council and the delivery of its objectives. Those risks highlighted during these sessions are analysed and prioritised and further actions identified. These are captured within the Operational and Strategic Risk Registers.

An essential part of the process involves ensuring all risks have clear ownership. Service Managers are required to identify the key internal controls for each risk they are responsible for and to identify mitigating controls. The risk management methodology provides guidance for risks to be scored, enabling officers to report risks which may prevent them from achieving their required aims.

Risks are regularly reported to the Risk Continuity Group, which in turn reports quarterly to the Corporate Leadership Team, ensuring that risks, risk management etc. are challenged and reported effectively.

Further guidance on the Council's risk management processes and procedures can be found in the [Risk Management Policy and Strategy](#); dated September 2016.

## 1.3 Recent developments and achievements

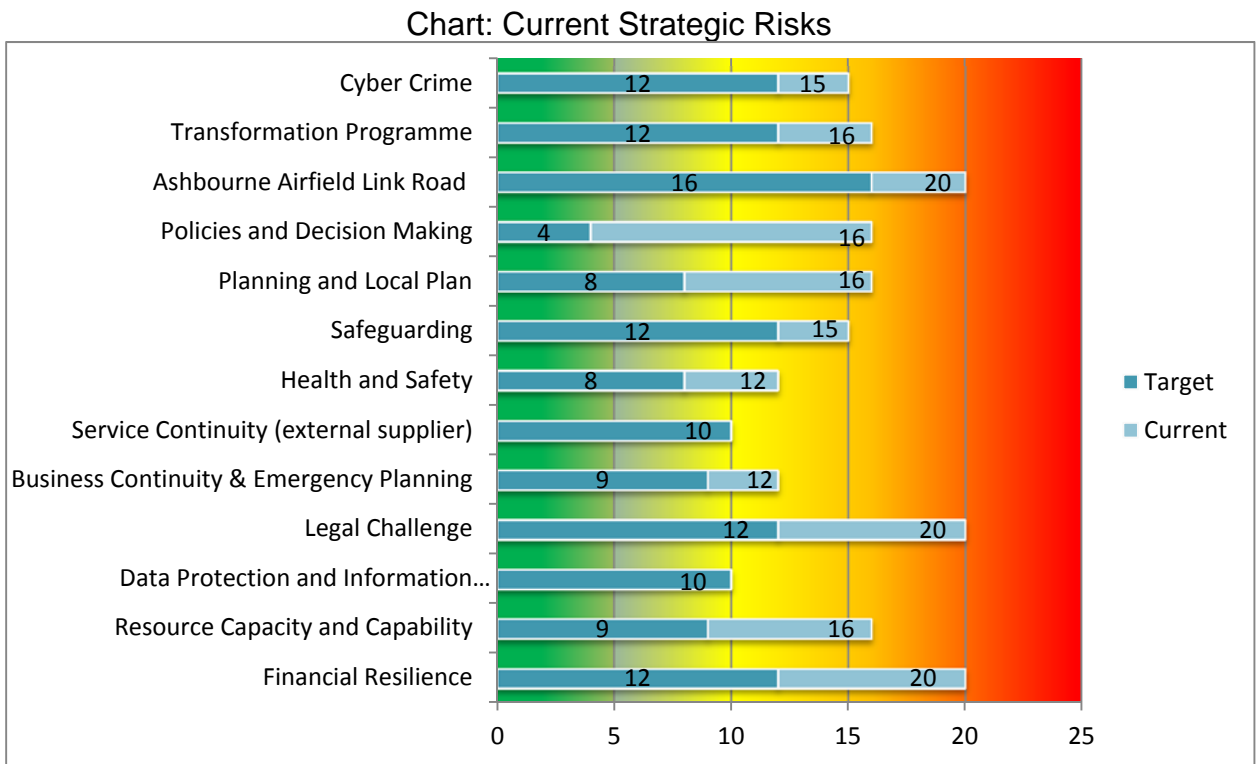
The Council remains committed to ongoing risk management activities. Risk management practices and procedures are well embedded. The Risk Continuity Group continues to be well attended; key actions arising in the last twelve months include:

- Regular reviews of the strategic risk register
- Regular discussions relating to events being held in the District
- A review of the Risk Management Strategy and Policy

- Preparation of the draft annual report
- Monitoring of progress of implementation of recommendations from the review that took place subsequent to the Grenfell Tower fire
- A presentation on cyber-crime and insurance from our brokers, Aon.

#### 1.4 Current strategic risks

1.4.1 Strategic Risks are considered by relevant officers and documented within the Strategic Risk Register. Those risks identified and reported to the Corporate Leadership team in June 2018 are as follows:



1.4.2 A comparison of current risks with the chart shown in last year's report shows an improved situation with fewer high risks, as illustrated in the table below:

Level of Risk	Rating	Number of risks 2018	Number of risks 2017	Direction of travel
Low	1 - 4	0	0	-
Medium	5 - 16	10	11	↓
High	17 - 25	3	2	↑

1.4.3 Members will recall that arrangements for Information governance / data protection had been consistently identified as 'high' strategic risk. During 2016/17 the Council commissioned an external risk-based review of these processes. Following the consultant's report, the Council put in place an action plan and additional resources aimed at reducing these risks by May 2018, when the General Data Protection Regulations came into force with more stringent fines and penalties than applied under the previous data protection act. The engagement of a data protection consultant and the appointment of an Information Governance Officer, as well as the co-operation of employees across the Council, ensured that key tasks on the GDPR

action plan were implemented by June 2018. As a result, the strategic risk has now been reduced from “high” to “medium”.

1.4.4 The strategic risk for legal challenge in respect of contracts, liabilities, compliance and safeguarding has been increased from “medium” to “high”. There is an increased need for Legal Services to be involved in the contractual and procurement processes; also for staff knowledge and awareness in how to be 'contract safe', in order to protect the Council from potential litigation and financial loss. However, the resources available in Legal to support this are limited. Contract standing orders were updated in May 2018, new procurement procedures have been established and officer training has taken place. A review of the legal team resources is underway.

1.4.5 Business continuity management planning and exercises are planned for 2018/19.

## 1.5 Strategic Risk Action Plan

Service managers and the Risk Continuity Group have identified that the following further mitigating actions are required in order to further mitigate strategic risks and reduce the Council’s risk profile.

<b>Strategic Risk</b>	<b>Mitigating Actions Identified</b>
Financial Resilience	<ul style="list-style-type: none"> <li>• Update the Efficiency Plan and Medium Term Financial Strategy to set out the approach to achieving the savings that are required.</li> <li>• Carry out further service reviews to identify process improvements etc.</li> <li>• Clearer picture on outlook expected when government announces details of changes to the rate retention scheme, the Local Government Finance Settlement for 2019/20 and the results of the Fair Funding Review.</li> </ul>
Resource: Capacity and Capability	<ul style="list-style-type: none"> <li>• Consider use of additional hours, temporary staff, external secondment and external agencies for resource support</li> <li>• Apprenticeship scheme to be used more effectively.</li> <li>• If required, neighbouring authorities could be approached for resource support.</li> <li>• More focus on PDRs</li> <li>• Learning and Development policy will address skills for the future rather than separate succession planning</li> <li>• Delivery of 2018/19 Learning and &amp; Development</li> <li>• Fully utilise E-Learning Platform</li> </ul>
Data Protection & Information Governance	<ul style="list-style-type: none"> <li>• Implement outstanding action on the GDPR Action Plan, relating to contractual changes and data sharing agreements.</li> <li>• Work towards PCI-DSS for payment card transactions.</li> </ul>
Legal challenge in respect of contracts etc.	<ul style="list-style-type: none"> <li>• Consideration of contract management and procurement operations to ensure that risks are assessed and performed at the relevant levels/timelines etc.</li> <li>• Consider mandatory training on equalities and consultation issues for frontline officers</li> <li>• e-module for equalities training to be delivered</li> <li>• Roll out PSS Live to ensure that there is a record of</li> </ul>

	<p>inspections, reducing the risk of successful compensation / insurance claims</p> <ul style="list-style-type: none"> <li>• Procurement hub to co-ordinate all low level procurement</li> <li>• Refresh procurement training to all employees</li> <li>• Review limit of indemnity for official indemnity insurance</li> <li>• Due diligence over insurance limits of liability &amp; contractual terms of contractors</li> <li>• Review of external support for procurement</li> <li>• CLT to review Events Strategy &amp; resources</li> </ul>
Business Continuity & Emergency Planning	<ul style="list-style-type: none"> <li>• Update Business Continuity Plan in line with updated information from services</li> <li>• Further agile working to be considered as part of the ongoing service reviews</li> <li>• Mutual aid possibilities being explored</li> <li>• Consider impacts on strategic partners e.g. CAB</li> <li>• Unified communications as part of telephone system replacement programme</li> </ul>
Continuity of Service (where there is an External Supplier)	<ul style="list-style-type: none"> <li>• Review contracts to ensure exit strategies are included and documented. Where these are not in place discuss with suppliers how these could be implemented.</li> <li>• Identify alternative/temporary solutions for key contracts and minimum delivery requirements</li> <li>• Develop suite of contracts to include provisions to mitigate this risk</li> </ul>
Health & Safety	<ul style="list-style-type: none"> <li>• Continue to grow and develop the Safety Committee.</li> <li>• Ensure that the RCG is informed of risks on a regular basis to reflect risks in the department and strategic risk registers.</li> <li>• Engage with the providers to identify any proactive measures that the Council could take, if not already being performed</li> <li>• Tree &amp; Footpath Risk Assessments ongoing</li> <li>• Refine inspection reporting regime to ensure regular inspections take place and are recorded</li> <li>• Review the asbestos register to ensure that this is up to date.</li> <li>• Continue to update fire risk assessments.</li> <li>• Update risk assessments in relation to rock falls and monitor in accordance with survey</li> <li>• Develop maintenance programme for rock faces</li> <li>• Review procedures for dealing with emergency incidents e.g., footpaths</li> <li>• Introduction of health monitoring for manual workers</li> </ul>
Safeguarding	<ul style="list-style-type: none"> <li>• Implement recommendations from Internal Audit Review</li> <li>• Further reviews of safeguarding policy and training</li> <li>• Consider internal safeguarding workshops with Club First officer</li> <li>• Consider mandatory training for members</li> <li>• Ensure all employees complete online training</li> </ul>
Planning & Local Plan	<ul style="list-style-type: none"> <li>• Ongoing Local Plan monitoring</li> <li>• CIL consultation and adoption underway</li> </ul>



	<ul style="list-style-type: none"> <li>• Implications of new NPPF to be reported to Council in January 2019</li> <li>• Statutory Review Local Plan by 2022 to determine if longer term changes to residential patterns required</li> </ul>
Policies & Decision Making	<ul style="list-style-type: none"> <li>• Further training as necessary</li> <li>• Fully utilise E-Learning Platform e.g. Equality</li> <li>• Member workshops on keys areas for savings e.g. commercialism, Public conveniences</li> <li>• Improved reporting &amp; presenting</li> <li>• In depth risk assessments for commercial projects</li> </ul>
Ashbourne Airfield Link Road	<ul style="list-style-type: none"> <li>• Detailed plan and redesign for alternative access underway</li> <li>• Section 73 variation under consideration</li> <li>• Understanding and expediting landowner agreements</li> <li>• County Council remains scheme promoter</li> </ul>
Transformation Programme	<ul style="list-style-type: none"> <li>• Consider lessons learned from other programmes and implement learning where appropriate.</li> <li>• Business process Re-engineering yet to be implemented in Development Management to make best use of EDMS</li> <li>• Customer Access Strategy &amp; Online Payment Facilities to be taken forward by Innovation Hub focusing on environmental services (bins) with business process re-engineering where helpful.</li> </ul>
Cyber Crime	<ul style="list-style-type: none"> <li>• Consider malware protection</li> <li>• Consider software that will raise employee awareness of “phishing”</li> <li>• Provide refresher training every 2 years for ICT security awareness</li> <li>• Carry out full assessment of cyber risks</li> <li>• Consider need for insurance cover</li> </ul>

## 2 RISK ASSESSMENT

### 2.1 Legal

The report documents an effective system of risk management, which aims to identify, control and mitigate risk. Whilst not all risk can be mitigated, the measures currently in place provide for low legal risk.

### 2.2 Financial

There are no financial 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**

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Or email: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

**5. BACKGROUND PAPERS**

None.

**6. ATTACHMENTS**

Appendix 1 Risk Management Policy and Strategy

# Derbyshire Dales District Council

## Risk Management Policy & Strategy 2018-2020

### Contents

Version:	V4 – Final version for approval at G&R Committee
Name of Executive Lead	Paul Wilson – Chief Executive
Agreed by Risk Continuity Group:	21 June 2018
Approved by Corporate Leadership Team	28 August 2018
To Be Approved by Governance & Resources Committee	20 September 2018
Date This Version Issued	11 September 2018
Review date:	June 2020

1	Introduction	4
2	Risk Management Organisational Structure	9
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<b>Appendix A</b>	<b>Risk Grading</b>	
<b>Appendix B</b>	<b>Risk Management Glossary</b>	
<b>Appendix C</b>	<b>Risk Continuity Group Terms of Reference</b>	

## Risk Management Strategy Statement

It is the Council's policy to proactively identify, understand and manage the risks inherent in our services and associated within our plans and strategies, so as to encourage responsible, informed risk taking.

Risk management is all about understanding, assessing and managing the Council's threats and opportunities. The Council accepts the need to take proportionate risk to achieve its strategic obligations, but expects these to be appropriately identified, assessed and managed. Through managing risks and opportunities in a structured manner, the Council will be in a stronger position to ensure that we are able to deliver our objectives. As a result, through risk management, the Council aims to:

- a) Implement effective risk management as a key element of good governance and rigorous performance management. All Members and Officers will ensure that they identify, manage and act on opportunities as well as risks to enable the Council to achieve its objectives and integrate risk management into the culture and day to day working of the Council.
- b) Utilise risk as an integral part of corporate and business planning, policymaking, performance management and ensuring effective service delivery.
- c) Embed a systematic and consistent approach to risk management throughout the Council.
- d) Ensure that strategic partnerships, outsourced or externally provided arrangements are adequately risk assessed and managed.
- e) Maintain risk management policies, procedures etc ensuring these comply with best practice and statutory requirements. On an annual basis, the Risk Continuity Group will review the risk management process and will recommend further enhancements to further embed risk management within the Council. The Risk Management Strategy will be endorsed by the Corporate Leadership Team and I will be the accountable Officer to ensure that this is performed.
- f) Identify clear roles and accountability for risk management within the Risk Management Strategy. These will recognise process enhancements, day to day risk management requirements, oversight and scrutiny, along with the Council's need to support Officers in training and awareness programmes.

We recognise that it is not always possible, nor desirable, to eliminate risk entirely. However, visibility of these areas is essential, so that the Council can explore external options, such as insurance.



**Paul Wilson**

## Risk Management Strategy

### 1 Introduction

#### 1.1 Purpose and objectives of the Strategy

The purpose of this Risk Management Strategy is to establish a framework for the effective and systematic management of risk, which will ensure that risk management is embedded throughout the Council and makes a real contribution to the achievement of the Council's vision and objectives. As a result, the objectives of this strategy are to:

- Define what risk management is about and what drives risk management within the Council;
- Set out the benefits of risk management and the strategic approach to risk management;
- Outline how the strategy will be implemented; and
- Identify the relevant roles and responsibilities for risk management within the Council.

Effective risk management will require an iterative process of identification, analysis, and prioritisation, action, monitoring and reporting of material risk. The processes required to deliver these objectives will need to ensure:

- Clear identification of corporate aims and priorities, service objectives and key actions.
- Specification of roles and responsibilities in respect of risk management activities.
- Consideration of risk as an integral part of corporate and business processes.
- Requirements to analyse, prioritise, respond to, monitor and report on material and significant risks.
- Specification of guidance and support arrangements to assist officers in their consideration of risk.
- Facilitation of shared organisational intelligence and learning.

Risks will be managed through a series of provisions applying at different levels. These include:

- Expression of the strategic risk tolerance in corporate aims and service plans through application of our risk scoring methodology.

- At operational level by budget allocation and monitoring through effective performance management arrangements.
- At project level through application of established risk assessment techniques in compliance with business continuity planning.
- Good corporate governance provisions as provided by the Governance & Resources Committee's Terms of Reference.
- Annual review of arrangements to assess against good practice (Chief Executive's Annual Report).
- Examination of corporate and insurable risks to identify risk reduction measures (Risk Continuity Group).
- Provide for risk assessment evidence in all decision making processes of the Council by inclusion in all Committee reports.
- Maintain documented procedures, toolkits and guidance for use across the Council by application of the risk register process and usage advice.
- Provide officers with suitable information and training to enable them to perform their duty (Risk Continuity Group and Performance and Development Reviews).
- Make all partners, providers and delivery agents aware of the Council's expectations on risk, both generally as set out in the Risk Management Policy, and where necessary, in particular areas of service delivery

## 1.2 Risk Management Definitions

There are a number of ways in which organisations express risks and as a result, the risk management definitions can vary. Therefore, we have included a risk management glossary of the Council's risk management definitions.

A full glossary of definitions can be found in **Appendix B**.

## 1.3 What is risk management?

Risk can be defined as ***"a threat that an event or action will adversely affect the Council's ability to achieve its objectives, perform its duties or meet expectations of its stakeholders"***

***Risk Management*** - Risk is unavoidable; organisations must manage risk in a way that can be justified to a level which is tolerable and as a result, risk is the chance that an event will occur that will impact upon the organisation's objectives. It is measured in terms of consequence and likelihood.

The holistic approach is vital to ensure that all elements of the organisation are challenged including decision making processes, working with partners, consultation, existing policies and procedures and also the effective use of assets – both staff and physical assets.

The risks facing the Council will change over time, some changing continually, so this is not a one off process. Instead the approach to risk management should be continual and the risks and the approach to managing them should be reviewed regularly.

It is important to note that risks can also have an upside; their impact can in some cases be positive as well as negative. Risk is also often said to be the flipside of opportunity so the whole risk management process can also help the Council identify positive opportunities that will take it forward. Risk management needs to be seen as a strategic tool and will become an essential part of effective and efficient management and planning.

#### **1.4 Why do we want (and need) to do risk management?**

Risk management will, by adding to the business planning and performance management processes, strengthen the ability of the Council to achieve its objectives and enhance the value of the services provided.

**We are required to do it** - Risk management is something that the Council is required to do, for example:

- The CIPFA/SOLACE framework on Strategic Governance requires the Council to make a public assurance statement annually, on amongst other areas, the Council's Risk Management Strategy, process and framework. The framework requires the Council to establish and maintain a systematic strategy, framework and processes for managing risk.

**Benefits of risk management** - Successful implementation of risk management will produce many benefits for the Council if it becomes a living tool.

- Achievement of the Councils objectives and vision;
- A consistent approach to the way risks are managed throughout the Council;
- Improved informed decision making – risks reported and considered within Council decision making;
- Becoming less risk averse in innovation (because you understand) and hence are more innovative;
- Improved business planning through a risk based decision making process;
- A focus on outcomes not processes;





- Improved performance (accountability and prioritisation) - feeds into performance management framework;
- Better governance - and demonstration of it to stakeholders; and
- Helping to protect the organisation.

### 1.5 Where does risk management fit?

In short the answer is “*everywhere*”. Effective risk management should be applied within all decision making processes at an *appropriate scale*. So the risk management approach should encompass all types of risks and the table below may aid in the identification of risks to the Council.

Sources of risk	Risk examples
<b>STRATEGIC</b>	
<b>Infrastructure</b>	Functioning of transport, communications and infrastructure. Impact of storms, floods, pollution.
<b>Legislative and Regulatory</b>	Effects of the change in Central Government policies, UK or EU legislation, local and National changes in manifestos. Exposure to regulators (auditors/inspectors).
<b>Social Factors</b>	Effects of changes in demographic profiles (age, race, social makeup etc.) affecting delivery of objectives. Crime statistics and trends. Numbers of children/vulnerable adults ‘at risk’.
<b>Technological</b>	Capacity to deal with (ICT) changes and innovation, product reliability, developments, systems integration, cyber-crime etc. Current or proposed technology partners.
<b>Competition and Markets</b>	Cost and quality affecting delivery of service or ability to deliver value for money. Competition for service users (leisure, car parks etc.). Success or failure in securing funding.
<b>Stakeholder related factors</b>	Satisfaction of the Council’s taxpayers, Central Government and other stakeholders.
<b>Environmental</b>	Environmental impact from Council, stakeholder activities (e.g. pollution, energy efficiency, recycling, emissions, contaminated land etc.). Traffic problems and congestion.
<b>OPERATIONAL (Internal influences)</b>	
<b>Finance</b>	Associated with accounting and reporting, internal financial delegation and control, e.g. managing revenue and capital resources, taxation and pensions.
<b>Human Resources</b>	Recruiting and retaining appropriate staff and applying and developing skills in accordance with corporate objectives, employment policies, health and safety.
<b>Contracts and Partnership</b>	Failure of contractors to deliver services or products to the agreed cost and specification. Procurement, contract and life cycle management, legacy. Partnership arrangements, roles and responsibilities.
<b>Tangible Assets</b>	Safety and maintenance of buildings and physical assets e.g. plant and equipment,

Sources of risk	Risk examples
	ICT equipment and control
<b>Environmental</b>	Pollution, noise, licensing, energy efficiency of day-to-day activities.
<b>Processes</b>	Compliance, assurance, project management, performance management, revenue and benefits systems, parking systems etc.
<b>Professional Judgement and Activities</b>	Risks inherent in professional work, designing buildings, safeguarding vulnerable children and adults.
<b>CORPORATE GOVERNANCE</b>	
<b>Integrity</b>	Fraud and corruption, accountability, transparency, legality of transactions and transactions and limit of authority.
<b>Leadership</b>	Reputation, authority, democratic changes, trust and branding.
<b>Policy and Strategy</b>	Clarity of policies, communication. Policy Planning and monitoring and managing performance.
<b>Data and information for decision making</b>	Data protection, data reliability and data processing. Control of data and information. E-government and service delivery.
<b>Risk Management</b>	Incident reporting and investigation, risk analysis or measurement, evaluation and monitoring. Taking advantage of opportunities.

There is therefore a consistent approach from the top to the bottom of the Council. So a mechanism will exist for risks to be escalated up (bottom up) within the Council whilst the top risks are also explicitly identified and managed (top down).

In practice this means that the Council will carry out risk assessments and develop the following risk registers:

- **Strategic Risk Register** – the strategic, high level council risks related specifically to the Corporate Plan; and
- **Operational Risk Registers** – the risks facing the service and the achievement of its service objectives, as outlined in the Service Delivery Plan. Depending on the structure and complexity of the service there may also be a need/desire to have sub-unit risk registers which feed into the service risk register.

Given the changing landscape of local government the importance of projects and partnerships are ever increasing, so a more specific and tailored risk management approach is required.



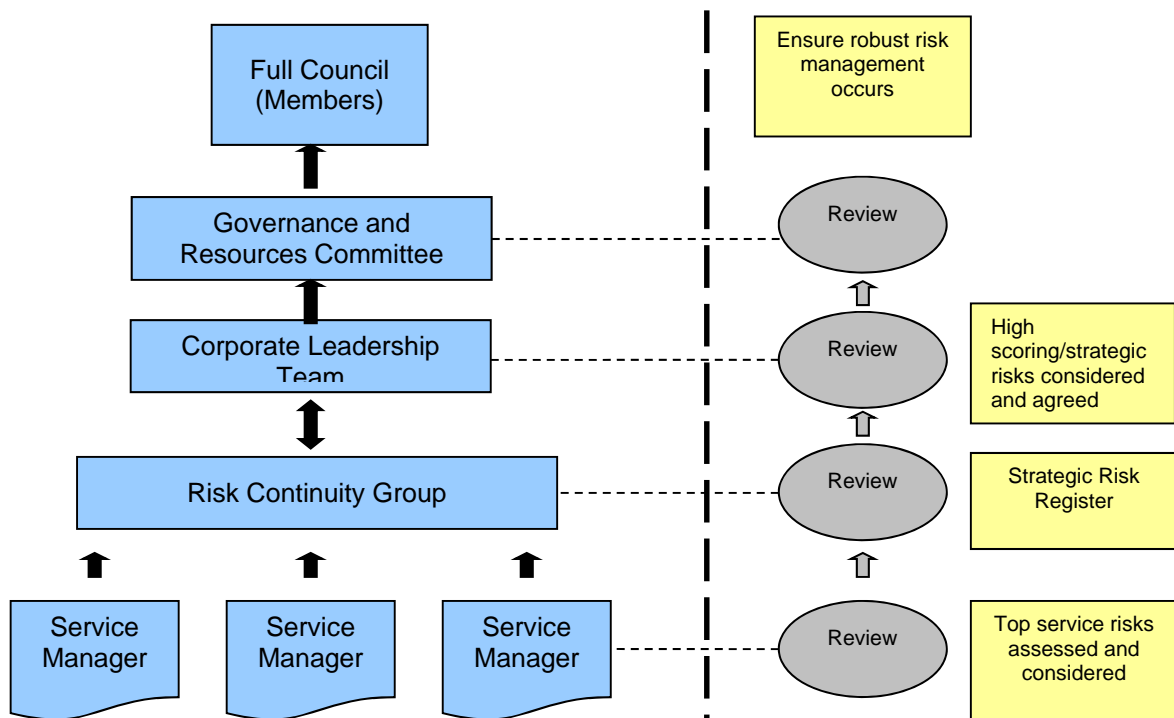
## 2 Risk Management Organisational Structure

### 2.1 Reporting structure

The risk management process is a continuous one and risks can therefore be reported at any time. However risks will be formally reported as follows:

- Service Managers are required to review and update the risks that sit within their service on a quarterly basis via departmental meetings. These updates are fed into the operational risk registers, as well as the strategic risk register where appropriate.
- On a quarterly basis the Risk Continuity Group (RCG) receives a copy of the Council’s Strategic Risk Register as well as a summary report for challenge and consideration. The Corporate Leadership Team considers the Risk Continuity Group minutes following each quarterly meeting of the RCG.
- A risk management annual report is produced by the Risk Continuity Group to be reported to the Corporate Leadership Team and escalated to the Governance and Resources Committee. A copy of the Annual Report is given to all councillors.

The reporting structure is represented below:



### 3. Roles and Responsibilities

In cases of operational risk, risk management will follow existing service management arrangements. Strategic risk will be managed at Head of Service Level. The Risk Continuity Group will be accountable to the Corporate Leadership Team and will be the “driving force” behind developing and implementing the Council’s Risk Management Strategy. The constitution of the Group is shown at **Appendix C**. Heads of Service will nominate an officer to serve on the Risk Continuity Group to enhance the linkage between Service Line Managers and the Corporate Leadership Team.

Risk needs to be addressed at the point at which decisions are being taken. Where Members and Officers are asked to make decisions, they should be advised of the risks associated with recommendations being made as necessary. The Council needs to be able to demonstrate that it took reasonable steps to consider the risks involved in a decision. Risks must be addressed within Committee reports, as part of the corporate check.

There needs to be a balance between the efficiency of the decision making process and the need to address risk. All reports to Council or Committees include a section that assesses risks.

The following describes the roles and responsibilities that Members and officers will play in introducing, embedding and owning the risk management process:

Group/ individual	Roles & Responsibilities
<b>Members</b>	<ul style="list-style-type: none"> <li>▪ Endorse the Risk Management Policy and Strategy;</li> <li>▪ Agree the priorities determined by officers;</li> <li>▪ Review the effectiveness of the risk management process;</li> <li>▪ Governance &amp; Resources Committee’s Terms of Reference include corporate governance provision;</li> <li>▪ Receive reports from the Chief Executive (Officer with responsibility for risk management) stating whether effective risk management arrangements operate;</li> <li>▪ Approve risk tolerance levels or the “risk appetite” of the Council i.e. the definition of high (red) risk, medium (amber) risk and low (green) risk as recommended by the Corporate Leadership Team;</li> <li>▪ Consider the risks involved in making any decisions;</li> <li>▪ Hold the Corporate Leadership Team accountable for the effective management of risk; and</li> <li>▪ The Leader and Chief Executive approve the Annual Governance Statement, which is the public disclosure of the annual outcome of this assessment (the assurance statement) and published in the annual Statement of Accounts.</li> </ul>
<b>Elected Members</b>	<ul style="list-style-type: none"> <li>▪ Members are responsible for governing the delivery of services to the local community and have a responsibility to understand the risks that their Council faces and be aware of how these risks are being managed. One way of gaining assurance that identified risks are being effectively managed is by robust, constructive challenge and scrutiny.</li> </ul>



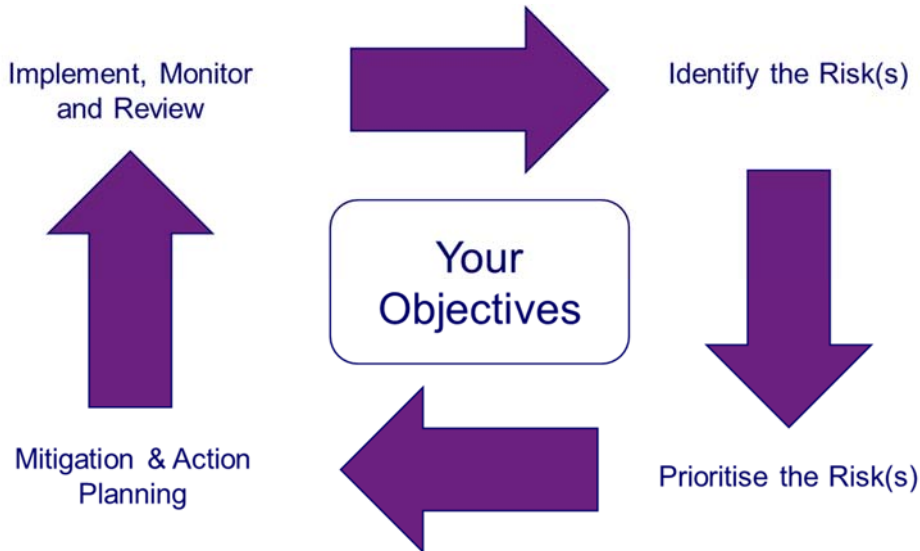
Group/ individual	Roles & Responsibilities
<b>Corporate Leadership Team</b>	<ul style="list-style-type: none"> <li>▪ Scrutinise significant risks in more detail as part of their annual work programme, as appropriate;</li> <li>▪ Take corporate responsibility for risk;</li> <li>▪ Address issues that cannot be addressed within service budgets or risk management fund of an extreme or high assessment;</li> <li>▪ Receive report of all extreme or high assessments;</li> <li>▪ Receive minutes of Risk Continuity Group meetings.</li> </ul>
<b>Risk Continuity Group</b>	<ul style="list-style-type: none"> <li>▪ Oversee the Strategic Risk Register;</li> <li>▪ Report to CLT at the defined frequency all highly scored risks;</li> <li>▪ Prepare and recommend changes to the risk management strategy;</li> <li>▪ Identify and assess risks;</li> <li>▪ Prepare, monitor and review the strategic risk register;</li> <li>▪ Recommend actions to address risks; and</li> <li>▪ Arrange and provide risk management training as appropriate.</li> </ul>
<b>Chief Executive</b>	<ul style="list-style-type: none"> <li>▪ Overall responsibility for ensuring that strategic risks are effectively managed within the Council; and</li> <li>▪ Provide an annual statement of assurance on strategic risks.</li> </ul>
<b>Heads of Service</b>	<ul style="list-style-type: none"> <li>▪ Review risk treatment schedules as identified by the line managers and team leaders;</li> <li>▪ Champion and take overall responsibility for implementing the Risk Management Framework and embedding risk management throughout the Council.</li> <li>▪ Review risk action plans and ensure they are implemented;</li> <li>▪ Contribute towards the identification and management of operational risks for their service;</li> <li>▪ Maintain awareness of and help promote the approved risk management strategy to all staff;</li> <li>▪ Ensure that risks which have been identified are addressed and mitigated and that any high risks are addressed urgently; and</li> <li>▪ Ensure that risk management is incorporated into service plans and project plans.</li> </ul>
<b>Line Managers &amp; Team Leaders</b>	<ul style="list-style-type: none"> <li>▪ Identify and analyse risks;</li> <li>▪ Undertake assessments at service level;</li> <li>▪ Evaluate risk/perform risk assessment</li> <li>▪ Prepare risk register entries;</li> <li>▪ Prepare the risk treatment schedule; and</li> <li>▪ Prepare risk action plan.</li> </ul>
<b>All Employees</b>	<p>All employees have a responsibility to:</p> <ul style="list-style-type: none"> <li>▪ Manage risk effectively in their job and report opportunities and risks to their service managers;</li> <li>▪ Participate in risk assessment and action planning where appropriate;</li> <li>▪ Adhere to Council policies and procedures; and</li> <li>▪ Attend training and development sessions as appropriate</li> </ul>



Group/ individual	Roles & Responsibilities
<b>Project Leaders</b>	<ul style="list-style-type: none"> <li>▪ Project leaders have a responsibility to ensure that the risks associated with their projects are identified, recorded and regularly reviewed as part of the project management process.</li> </ul>
<b>Internal Audit</b>	<p>Internal Audit's role is to maintain independence and objectivity. Internal Audit is not responsible or accountable for risk management or for managing risks on management's behalf. Internal Audit will:</p> <ul style="list-style-type: none"> <li>▪ Audit the risk management process;</li> <li>▪ Assess the adequacy of the mechanisms for identifying, analysing and mitigating key risks;</li> <li>▪ Provide assurance to officers and Members on the effectiveness of controls; and</li> <li>▪ The Risk Register will drive the Internal Audit Plan to ensure resources are used on the areas of highest risk and where the need for assurance is greatest.</li> </ul>

## 4. Risk Management Process

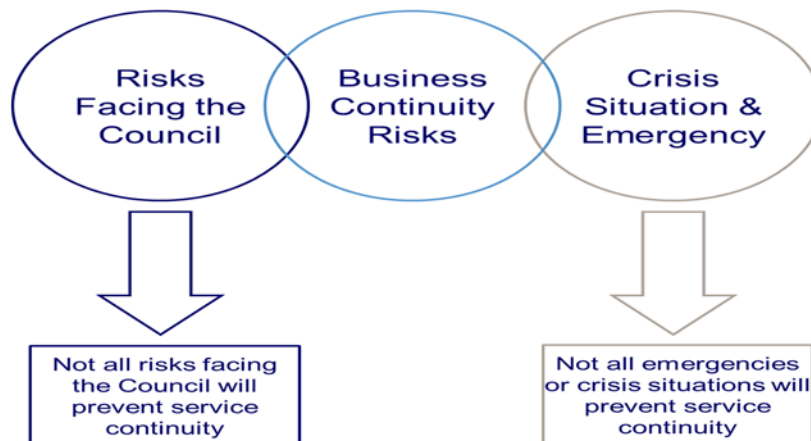
The risk management process follows a four step approach; these are indicated in the diagram below and should be driven by the Council’s objectives.



## 5 Links to other Business Processes

### Risk management, emergency planning and business continuity

There is a link between these areas however it is vital for the success of risk management that the roles of each, and the linkages, are clearly understood. The diagram below sets out to demonstrate the differences.



**Risk management** is about trying to identify and manage those risks which are more than likely to occur and where the impact on the Council's objectives can be critical or even catastrophic.

**Business continuity management** is about trying to identify and put in place measures to protect the priority functions against catastrophic risks that can stop the organisation in its tracks. There are some areas of overlap e.g. where the I.T infrastructure is not robust then this will feature as part of the organisation risk assessment and also be factored into the business continuity plans.

**Emergency planning** is about managing those incidents that can impact on the community (in some cases they could also be a business continuity issue) e.g. a plane crash is an emergency, it becomes a continuity event if it crashes on the office.

## 6. Communication

The Risk Management Strategy and Policy will be published on the Council's website so that all members of staff, partners, stakeholders and interested members of the public can have access and easily refer to it. The document will be reviewed every two years and following any key changes e.g. Central Government policy, inspection regimes and following any internal reorganisation.

## 7 Training

Training will be facilitated via workshops, the Council's online learning portal, etc., with a view to enabling all officers to confidently undertake the process of risk identification and mitigation within their service areas.

## 8 Monitoring of Risk

The Council will monitor risk in the following ways:

- Risk Assessments will be undertaken annually to reflect Service Plan Objectives and Key Actions.
- The Council risk registers, both strategic and operational, will be the prime record which contains risk assessments, mitigation controls and review frequency information in accordance with the Councils Risk Management Methodology.
- The Risk Continuity Group will comply with their Terms of Reference as defined in **Appendix C**.
- Internal Audit will review the Council's risk management arrangements as part of its strategic audit plan.



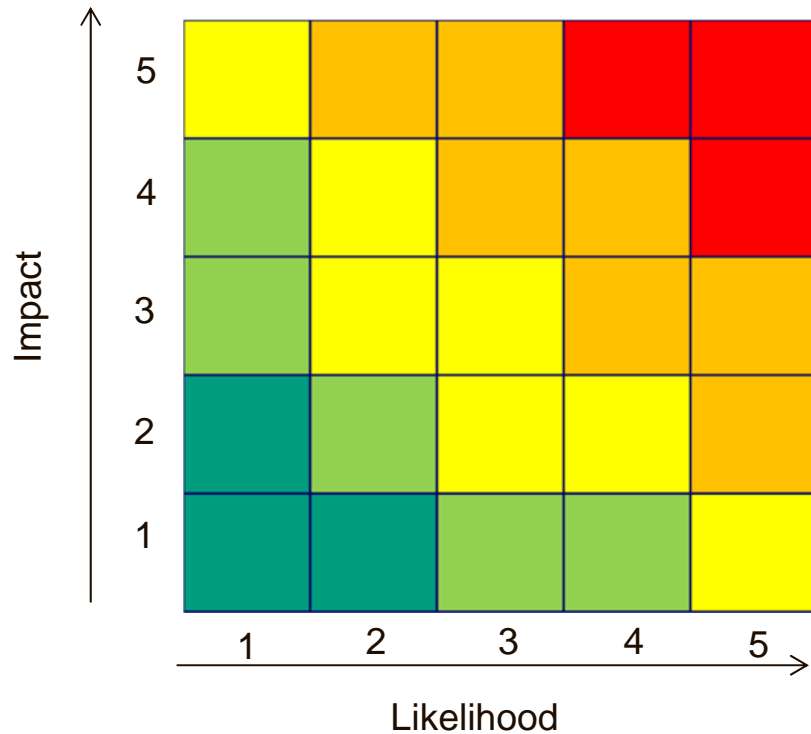
## 9 Conclusion

This strategy will set the foundation for integrating risk management into the Council's culture. It will also formalise a process to be applied across the Council to ensure consistency and clarity in understanding the role and benefits of strategic risk management.

The quarterly reporting and escalation of risks should interlock with the existing quarterly arrangements for performance reporting. The intention being that the management of risks incorporated into business plans so that by reporting on performance reports naturally progress on the mitigation of risks.

The adoption of the strategy will formalise the risk management work undertaken to date and will move the Council towards meeting the requirements of recognised best practice and inspection.

## Appendix A – Risk Grading



1 Very Low	2 Low	3 Medium	4 Probable	5 High
Unable to recall previous event	Once in last 20 years	Occurred elsewhere in last 10 years	Happened in last 4 – 10 years	Happened once or more in past 4 years

Severity	Definition
<b>5 Critical</b>	<p><b>Personal safety</b> – Death</p> <p><b>Financial loss</b> – Over £250,000 for legal obligation claim/fine/custodial sentence, Business loss claim/fine/custodial sentence.</p> <p><b>Personal Privacy infringement</b> – All personal details compromised</p> <p><b>Reputation</b> – Officer/Members forced to resign</p>
<b>4 Major</b>	<p><b>Personal safety</b> – Major injury</p> <p><b>Financial loss</b> - Up to £100,000 - £250,000 for legal obligation claim/fine, Business loss claim/fine.</p> <p><b>Personal Privacy infringement</b> – Severe personal details compromised</p> <p><b>Reputation</b> – Local or public interest/National press aware</p>
<b>3 Possible</b>	<p><b>Personal safety</b> – Injury outpatients</p> <p><b>Financial loss</b> - Up to £50,000 - £100,000 for legal obligation claim/fine, Business loss claim/fine.</p> <p><b>Personal Privacy infringement</b> – Isolated, personal detail compromised</p> <p><b>Reputation</b> – Subject to formal report to Council</p>
<b>2 Unlikely</b>	<p><b>Personal safety</b> – Minor injury, not serious</p> <p><b>Financial loss</b> - Up to £1,000 - £50,000 for legal obligation claim/fine, Business loss claim/fine.</p> <p><b>Personal Privacy infringement</b> – Embarrassment, none lasting effect</p> <p><b>Reputation</b> – Contained within section/Department</p>
<b>1 Rare</b>	<p><b>Personal safety</b> – Minor First aid</p> <p><b>Financial loss</b> - Up to £1,000 for legal obligation claim, Business loss claim</p> <p><b>Personal Privacy infringement</b> – Minor, none consequential</p> <p><b>Reputation</b> – Minor, none lasting</p>

## Appendix B – Risk Management Glossary

<b>Risk</b>	Risk can be defined as a threat that an event or action will adversely affect the Council's ability to achieve its objectives, perform its duties or meet expectations of its stakeholders.
<b>Hazard</b>	Anything that has the potential to cause harm.
<b>Risk Management</b>	Risk is unavoidable, organisations' must manage risk in a way that can be justified to a level which is tolerable and as a result, risk is the chance that an event will occur that will impact upon the Organisation's objectives. It is measured in terms of consequence and likelihood.
<b>Assessing risks</b>	The approach and process used to prioritise and determine the likelihood of risks occurring and their potential impact on the achievement of the Council's objectives.
<b>Contingency</b>	An action or arrangement that can be put in place to minimise the impact of a risk if it should occur.
<b>Control (control measures)</b>	Any action, procedure or operation undertaken to either contain a risk to an acceptable level, or to reduce the likelihood.
<b>Corporate Governance</b>	Set of internal controls, processes, policies, affecting the way the Council is directed, administered or controlled.
<b>Service risk</b>	Significant operational risks which affect the day-to-day activities of the council.
<b>Identifying risks</b>	The process by which events that could affect the achievement of the Council's objectives, are drawn out and listed.
<b>Risk Prioritisation</b>	Risk prioritisation is the process used to evaluate the hazard/ risk and to determine whether precautions are adequate or more should be done. The risk is compared against predetermined acceptable levels of risk.
<b>Impact</b>	The effect that a risk would have if it occurs.
<b>Issue</b>	An event or concern that has occurred or is taking place and needs to be addressed (as opposed to a risk which has not yet, or might not, occur).
<b>Consequence</b>	A measure of the impact that the predicted harm, loss or damage would have on the people, property or objectives affected.
<b>Likelihood</b>	A measure of the probability that the predicted harm, loss or damage will occur
<b>Risk Treatment</b>	The action(s) taken to remove or reduce risks
<b>Managing and controlling risks</b>	Developing and putting in place actions and control measures to treat or manage a risk.
<b>Control</b>	The control of risk involves taking steps to reduce the risk from occurring such as application of policies or procedures.
<b>Mitigation (Plan)</b>	A strategy that reduces risk by lowering the likelihood of a risk event occurring or reducing the impact of the risk should it occur.
<b>Objective</b>	Something to work towards – goal.
<b>Operational risk</b>	Risks arising from the day to day issues that the Council might face as it delivers its services.
<b>Overall risk score</b>	The score used to prioritise risks – impact multiplied by likelihood.
<b>Risk Assessment</b>	Analysis undertaken by management when planning a new process or changing an existing procedure to identify risks that may occur, their potential impact and likelihood of occurrence. It will also identify the controls needed to control the risk and who is responsible for this.
<b>Risk Register</b>	A risk register is a log of risks of all kinds that threaten an organisations success in achieving its objectives. It is a dynamic living document which is populated through the organisations risk assessment and evaluation process. The risk register enables risks to be quantified and ranked. It provides a structure for collating information about risks.

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## Appendix C – Committee Risk Continuity Group Terms of Reference

- a) To implement effective risk management as a key element of good governance and rigorous performance management;
- b) To discuss, agree and recommend as appropriate, all matters relating to risk policy and risk strategy in respect of the Council;
- c) To oversee all issues of risk, including implementation of the Council’s Risk Management /strategy and to promote a holistic approach to the management of risk throughout the Council;
- d) To promote good risk management practices throughout the Council with the aim of reducing insurance claims and premiums while ensuring that there is adequate insurance cover;
- e) To reduce the risks within the /council’s services to the benefit of staff and the public;
- f) To review the Corporate Risk Register and report issues arising to the Corporate Leadership Team;
- g) To provide a forum to discuss risk management issues and responsibilities throughout the Council
- h) To annually review the role and function of the Risk Continuity Group.

GOVERNANCE AND RESOURCES COMMITTEE  
20 SEPTEMBER 2018

Report of the Head of Corporate Services & Monitoring Officer

## COMPLAINTS MONITORING

### PURPOSE OF THE REPORT

This report provides information on formal complaints made under the District Council’s internal Complaints Procedures; those referred to the Local Government Ombudsman, and against individual elected member behaviour at town, parish and District Council level.

### RECOMMENDATION

That the report is noted.

### WARDS AFFECTED

Various

### STRATEGIC LINK

Complaints monitoring has direct links to the Council’s core values of fairness and equality, listening to people and quality of service. Additionally it links to the Council’s aim of providing excellent services.

## 1. FORMAL COMPLAINTS ABOUT THE DISTRICT COUNCIL’S SERVICES

### 1.1 Complaints Procedure

This section of the report provides details of complaints against the Council that were dealt with through the Council’s Complaints Procedure as formal complaints. During 2017/18 the District Council received 61 official complaints, compared to 45 in the previous year.

The following table shows the number of complaints by service area compared to the previous year.

Service Area	Nature of complaint	2016/17	2017/18
Community Development -	Leisure	5	1
Corporate Services	Legal	0	2
Corporate Services	Customer Service	2	2
Environmental Services	Refuse collection	11	10
Environmental Services	Car Parks	7	19
Environmental Services	Residents Parking Permit	8	6
Environmental Services	Public Conveniences	2	1
Environmental Services	Street Cleaning	0	1
Regulatory Services	Development Management	7	10

Service Area	Nature of complaint	2016/17	2017/18
Regulatory Services	Traveller Sites	0	2
Regulatory Services	Environmental Health	2	2
Regulatory Services	Licensing	0	1
Resources	Council Tax	1	3
Resources	Benefits	0	1
<b>Total</b>		<b>45</b>	<b>61</b>

The number of complaints appears to equate to the relative public profile of our services. Of particular note however, is the increase in complaints regarding car parking and development management.

The car parking figure includes a number of complaints regarding the residents parking concessions in a number of car parks, which were triggered by an increase in fees. The free resident's car parking permits are included in their own category.

The increase in complaints regarding Development Management is proportionate to the increase in activity generally. Whilst complaints about individual decisions are excluded from the remit of the complaints procedure, complainants focus on the process leading to the decision in their complaint. This has been a theme in the recent mandatory training for Councillors. One such complaint resulted in a judicial review application and progression to the LGO. No adverse findings were made.

## 1.2 Referral to Chief Executive

Anyone who is unhappy with the initial response to their complaint can ask for it to be reviewed by the Chief Executive. 11 complaints were referred during the year, which is an increase of 4 from the previous year.

## 2. LOCAL GOVERNMENT OMBUDSMAN

Complainants who remain dissatisfied with the handling of their complaint following the final stage of the internal complaints procedure may take their issue up with the Local Government Ombudsman (LGO).

The LGO's annual review letter is attached at Appendix 2 and shows that 2 complaints relating to the District Council were received during this period, and 8 decisions were issued which are summarised below. No findings were made against the District Council, which is a significant achievement.

Service	Date	Outcome
Planning & Development	25-Nov-16	Closed after initial enquiries
Housing	03-Jun-16	Advice given
Corporate & Other Services	31-Aug-16	Closed after initial enquiries
Planning & Development	25-Nov-16	Not Upheld
Planning & Development	11-Oct-16	Referred back for local resolution
Corporate & Other Services	02-Dec-16	Closed after initial enquiries
Corporate & Other Services	17-Jan-17	Incomplete/Invalid
Planning & Development	15-Dec-16	Referred back for local resolution

8 complaints were made in the previous 12 month period.

### 3. COMPLAINTS ABOUT INDIVIDUAL MEMBER BEHAVIOUR

3.1 The Monitoring Officer received 2 complaints about individual Member behaviour during 2017/18.

3.2 Under the provisions of the Localism Act, the Monitoring Officer is required to assess such complaints against agreed criteria and the relevant authority's Code of Conduct, in consultation with the Independent Person.

3.3 The Assessment involves an examination of the evidence provided with a view to concluding whether on the face it -

(a) the matter falls within the remit of the Code of Conduct. If the answer to this question is 'no', the complaint is immediately dismissed. If the answer is 'yes' the matter proceeds to the next stage;

(b) the potential exists, if proven, for the alleged behaviour to amount to a breach of the District Council's Code of Conduct. If the answer to that is 'No' the complaint is dismissed. If the answer is 'yes', the Monitoring Officer must balance the severity of the potential breach in terms of the public interest in requiring the matter to proceed to a full investigation or to consider whether an alternative remedy is more relevant in the circumstances.

3.4 The complaints received in 2017/18 are summarised below and is a reduction on th previous year.

No	Summary of complaint	Outcome
1	This complaint relates to an allegation of bullying and harassment by the subject member towards an employee of the Council. In consultation with the Independent Person, the matter was investigated.	The investigation concluded that there was no breach of the Town Council's Code of Conduct. Recommendations were made however to the Town Council which were subsequently accepted to adopt a protocol to regulate elected member/officer relationships and for mediation to take place between the two parties
2	Failure to identify and understand the reasons for a decision on a planning application for residential development and erection of a building for class B2/B8 use on Ashbourne Road, Cubley. The subject members were all members of the Planning Committee involved in making the said decision. The allegation linked the alleged behaviour with compliance with the Planning Code of Good Practice as a ground for breaching the District Council's Code of Conduct.	The Monitoring Officer concluded in agreement with the Independent Person that no evidence had been submitted to suggest a breach of the Code of Conduct. The complaint was dismissed.

#### **4. CONFIDENTIAL REPORTING POLICY**

- 4.1 The Confidential Reporting Policy, or Whistleblowing Policy, requires the Monitoring Officer to report to the Committee periodically, on matters referred to her under the terms of the Policy. No matters was referred under the policy in 2017/18.

#### **5. RISK ASSESSMENT**

##### 5.1 Legal

There was no breach of a rule of law in any of the complaints submitted. For elected Members, Mandatory training is aimed specifically at mitigating the chances of a serious complaint being submitted. The same philosophy has now being rolled out to employees and both Codes of Conduct include attendance at mandatory training.

For town and parish Council issues, the Monitoring Officer has personal responsibility to provide advice on ethical issues and invests time to help parish and town councils develop and mitigate the risk of serious complaints. In the majority of cases that assistance is welcomed by the parties involved and provides a more cost effective solution to problems. The legal risk continues to be low to medium.

##### 5.2 Financial

There are no financial considerations arising from this report.

#### **6. 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.

#### **7. CONTACT INFORMATION**

Sandra Lamb, Monitoring Officer, Tel: 01629 761281  
e-mail [sandra.lamb@derbyshiredales.gov.uk](mailto:sandra.lamb@derbyshiredales.gov.uk)

#### **8. BACKGROUND INFORMATION**

None

#### **9. APPENDICES**

Appendix 1 - LGO Annual review of Decisions 2018



18 July 2018

*By email*

Paul Wilson  
Chief Executive  
Derbyshire Dales District Council

Dear Paul Wilson,

### **Annual Review letter 2018**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

#### **Complaint statistics**

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

### **Future development of annual review letters**

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will therefore be seeking views from councils on the future format of our annual letters early next year.

### **Supporting local scrutiny**

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at [www.lgo.org.uk/scrutiny](http://www.lgo.org.uk/scrutiny) I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

### **Learning from complaints to improve services**

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

### **Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Local Authority Report:** Derbyshire Dales District Council  
**For the Period Ending:** 31/03/2018

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	2	1	0	0	3	1	2	0	9

## Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
0	0	4	2	2	0	0%	8

### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.  
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
0	0