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24 December 2019

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 09 January 2020 at 6.00pm in the Council Chamber, Town Hall, Matlock DE4 3NN.**

Yours sincerely

A handwritten signature in black ink, appearing to be 'Sandra Lamb', written over a horizontal line.

Sandra Lamb  
Head of Corporate Services

## **AGENDA**

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

Please advise the Committee Team 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**

05 September 2019

### **3. PUBLIC PARTICIPATION**

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

### **4. INTERESTS**

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

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

|  |                  |
|--|------------------|
| <b>5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15.</b>   |                  |
| To answer questions from Members who have given the appropriate notice.  | <b>Page No.</b>  |
| <b>6. EXTERNAL AUDIT FEE LETTER FOR 2018/19</b>  | <b>04 - 07</b>   |
| To receive the External Audit Fee Letter for the financial year 2018/19.   |                  |
| <b>7. EXTERNAL AUDIT STRATEGY MEMORANDUM</b>   | <b>08 - 28</b>   |
| To receive the External Audit Memorandum outlining the External Audit Plan for the 2019/20 accounts. .   |                  |
| <b>8. INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2019/2020 OPERATIONAL AUDIT PLAN</b>  | <b>29 - 45</b>   |
| To consider approval of the Internal Audit reports produced in respect of the 2019/2020 Internal Audit Plan and also the progress made by management in implementing the agreed audit recommendations.   |                  |
| <b>9. CIPFA FRAUD AND CORRUPTION TRACKER SURVEY 2019</b>   | <b>46 - 74</b>   |
| To note the results of CIPFA's Fraud and Corruption Tracker Survey and the fraud prevention measures that the District Council has in place.   |                  |
| <b>10. FEES AND CHARGES FOR 2020/21</b>  | <b>75 - 113</b>  |
| To consider approval of the Fees and Charges in relation to Community and Environmental Services, Corporate Services and Regulatory Services as recommended in Appendices 1-13 of the report, with effect from 01 April 2020.  |                  |
| <b>11. REWARD &amp; RECOGNITION POLICY</b>   | <b>114 - 135</b> |
| To receive and consider the adoption of the District Council's new employment policy on Reward and Recognition.  |                  |
| <b>12. FAMILY FRIENDLY POLICY</b>  | <b>136 - 171</b> |
| To receive and consider the adoption of the District Council's new employment policy on Family Friendly issues.  |                  |
| <b>13. DERBYSHIRE DALES SAFEGUARDING POLICY - MEMBERS' UPDATE</b>  | <b>172 - 195</b> |
| To note an update on the District Council's revised Safeguarding Policy.   |                  |
| <b>14. PROPOSED LICENCE TO UNDERTAKE WORKS – UNIT 16 BLEINHEIM ROAD, ASHBOURNE AIRFIELD INDUSTRIAL ESTATE</b>  | <b>196 - 200</b> |
| To consider a report seeking approval for the District Council to enter into a short term licence to undertake necessary repair works on third party land at Ashbourne Airfield Industrial Estate. Also to consider approval for the works to be funded through the approved Capital Programme contribution and for delegated authority to be given to officers to negotiate implementation of the repairs, as part of the construction contract to deliver Ashbourne Airfield Link Road when let. |                  |

- 15. RISK MANAGEMENT – CHIEF EXECUTIVE'S ANNUAL REPORT** **201 - 208**  
To receive the Chief Executive's Annual Report and consider approval of the District Council's Risk Management Policy and Strategy.
- 16. JOINT CONSULTATIVE GROUP: MINUTES OF 15 OCTOBER 2019** **209 - 211**  
To receive the Minutes of the Joint Consultative Group meeting held on 15 October 2019.

Members of the Committee - Councillors Jacqueline Allison, Sue Bull (Chair), David Chapman (Vice Chair), Paul Cruise, Tom Donnelly, Steve Flitter, Alyson Hill, Susan9 Hobson, David Hughes, Michele Morley, Garry Purdy, Mike Ratcliffe, Claire Raw, Mark Salt, Peter Slack, Colin Swindell and Mark Wakeman.

Substitutes – Councillors Robert Archer, Jason Atkin, Richard Bright, Neil Buttle, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Clare Gamble, Stuart Lees, Elisa McDonagh, Tony Morley, Peter O'Brien, Joyce Pawley, Andrew Statham, Alasdair Sutton and Steve Wain.

**GOVERNANCE AND RESOURCES COMMITTEE**

09 January 2020

Report of the Head of Resources

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**EXTERNAL AUDIT ADDITIONAL FEE LETTER FOR 2018/19**

**PURPOSE OF REPORT**

This report provides information about an additional fee for external audit for the financial year 2018/19.

**RECOMMENDATION**

That the “Additional Fee Letter 2018/19” from the External Auditor be noted.

**WARDS AFFECTED**

None

**STRATEGIC LINK**

None

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**1 REPORT**

- 1.1 The Council’s external auditor, Mazars, has written to inform the Council of an additional audit fee for the financial year 2018/19.
- 1.2 A copy of the letter is shown at Appendix 1. The external auditor has requested that it be brought to Members’ attention. The reasons for the additional fee are explained in the letter.

**2 RISK ASSESSMENT**

2.1 Legal

There are no legal risks arising from this report.

2.2 Financial

The additional fee of £750 for 2018/19 has been included in the revised budget for 2019/20, which was approved at the Council meeting on 21 November 2019. The financial risk is, therefore, assessed as low.

**3 OTHER CONSIDERATIONS**

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

#### **4 CONTACT INFORMATION**

Karen Henriksen, Head of Resources

Telephone: 01629 761284

e-mail: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

#### **5 ATTACHMENTS**

Appendix 1 – Additional Fee Letter 2018/19 from Mazars

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

Direct Line 0191 383 6300  
Email gavin.baker@mazars.co.uk

Date: 20 September 2019

Dear Karen

### **Derbyshire Dales District Council - Additional Fee Letter 2018/19**

When we issued the Annual Audit Letter for 2018/19 on 15 August 2019, we reported that we had not yet finalised our audit fees for the year. We indicated that if the final fee varied from the fee reported of £29,487 plus VAT, we would write to the Chief Financial Officer setting out the proposed variation and any reasons for the variation, and seeking agreement to it. Any variations to the final fee will also require the approval of Public Sector Audit Appointments Limited (PSAA), which manages the contracts for our work.

You will recall that the fees from the 2018/19 audit year, were set by PSAA at 23% less than the fees for previous years, following the latest national procurement. It is envisaged that where additional work is undertaken beyond that normally expected a fee variation would be appropriate.

We have now assessed the final costs of our audit for 2018/19 and are seeking an additional fee variation of £750 plus VAT, making a total audit fee for the 2018/19 audit of £30,237 plus VAT.

The reasons for the variation are the significant additional work required as part of the audit this year in relation to accounting for IAS 19 pensions, in light of the national issues that arose, particularly in relation to the McCloud judgement.

These issues were summarised on page 10 of our Audit Completion Report, and resulted in amendments to the financial statements as set out on page 14 of the Audit Completion Report.

Extract from page 10 of our Audit Completion Report:

### Significant matters discussed with management

There have been significant issues this year relating to accounting for pensions. These issues are not specific to the Council, but are national issues impacting on all local government bodies. There have been two issues:

- Guaranteed Minimum Pension (GMP) indexation and equalisation – this issue relates to the move to a single-tier new State Pension and equalisation of the GMP benefits between males and females, which has been accounted for to varying degrees by each actuary; and
- The McCloud judgement – this was referenced in the Council's draft financial statements. It relates to claims of discrimination in respect of protections offered to some, but not all, pension scheme members as part of reforms to public sector pensions. In December 2018, the Court of Appeal ruled in a test case that this did amount to unlawful discrimination. At the time the Council was producing its draft financial statements, the Government intended to appeal to the Supreme Court and the outcome was uncertain. During the audit period, the Government has not been granted leave to appeal, meaning that some form of restitution across all public sector pension schemes is more certain, requiring the estimated impact of this to be reflected in the pension disclosures in the financial statements, subject to materiality considerations.

Neither of these issues had a significant impact on the Council in terms of a bottom-line impact on the General Fund balance, although in practice, both these issues will place upward pressure on employers pension contributions reflecting an increased pension liability to recover over the life of the scheme.

The additional work included but was not limited to:

- Assessing the impact of each of these issues as they emerged;
- Communicating and discussing the implications with your officers as the position became clearer;
- Discussing and agreeing the additional steps that would be required to address these issues;
- Reviewing the additional information provided by your officers and by the actuary to assess its reasonableness;
- Considering and following up on issues raised by our own consulting actuary; and
- Checking the amendments to the financial statement disclosures when they had been made.

In arriving at the additional fee variation, I believe we have been fair minded, and we have absorbed an element of our additional costs. However, I believe that a fee variation of £750 plus VAT and an additional contribution by the Council to our additional costs in relation to this work is both reasonable and justified in the circumstances.

Please feel free to contact me if you would like clarification on any point.

Yours sincerely

*Gavin Barker*

Gavin Baker  
Director

**GOVERNANCE AND RESOURCES COMMITTEE**

09 JANUARY 2020

Report of the Head of Resources

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**EXTERNAL AUDIT STRATEGY MEMORANDUM**

**PURPOSE OF REPORT**

This report provides information about the external audit plan for the 2019/20 accounts.

**RECOMMENDATION**

That the report be noted.

**WARDS AFFECTED**

None

**STRATEGIC LINK**

None

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**1 REPORT**

1.1 The Council's external auditor, Mazars LLP, has provided an Audit Strategy Memorandum for the 2019/20 accounts. A copy of the Memorandum is shown at Appendix 1 to this report. The external auditor has requested that the Memorandum be brought to Members' attention. Gavin Barker and John Pressley from Mazars will attend the committee meeting to present the Memorandum and answer any queries relating to it.

**2 RISK ASSESSMENT**

2.1 Legal

There are no legal risks arising from this report.

2.2 Financial

The fees for external audit can be contained within the existing budget. The financial risk is therefore low.

**3 OTHER CONSIDERATIONS**

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



#### **4 CONTACT INFORMATION**

Karen Henriksen, Head of Resources

Telephone: 01629 761284

E-mail: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

#### **5 ATTACHMENTS**

Appendix 1 – Audit Strategy Memorandum 2019/20 from Mazars



# Audit Strategy Memorandum

Derbyshire Dales District Council

Year ending 31 March 2020





## CONTENTS

1. Engagement and responsibilities summary
2. Your audit engagement team
3. Audit scope, approach and timeline
4. Significant risks and key judgement areas
5. Value for Money
6. Fees for audit and other services
7. Our commitment to independence
8. Materiality and misstatements

Appendix A – Key communication points

Appendix B - Forthcoming accounting and other issues

Appendix C – Mazars' client service commitment

This document is to be regarded as confidential to Derbyshire Dales District Council. It has been prepared for the sole use of the Governance and Resources Committee as the appropriate sub-committee charged with governance. No responsibility is accepted to any other person in respect of the whole or part of its contents. Our written consent must first be obtained before this document, or any part of it, is disclosed to a third party.

Mazars LLP  
Salvus House  
Aykley Heads  
Durham  
DH1 5TS

Governance and Resources Committee Members  
Derbyshire Dales District Council  
Town Hall  
Bank Road  
Matlock  
Derbyshire  
DE4 3NN

2 December 2019

Dear Sirs / Madams

**Audit Strategy Memorandum – Year ending 31 March 2020**

We are pleased to present our Audit Strategy Memorandum for Derbyshire Dales District Council for the year ending 31 March 2020

The purpose of this document is to summarise our audit approach, highlight significant audit risks and areas of key judgements and provide you with the details of our audit team. As it is a fundamental requirement that an auditor is, and is seen to be, independent of its clients, Section 7 of this document also summarises our considerations and conclusions on our independence as auditors.

We consider two-way communication with you to be key to a successful audit and important in:

- reaching a mutual understanding of the scope of the audit and the responsibilities of each of us;
- sharing information to assist each of us to fulfil our respective responsibilities;
- providing you with constructive observations arising from the audit process; and
- ensuring that we, as external auditors, gain an understanding of your attitude and views in respect of the internal and external operational, financial, compliance and other risks facing Derbyshire Dales District Council which may affect the audit, including the likelihood of those risks materialising and how they are monitored and managed.

This document, which has been prepared following our initial planning discussions with management, is the basis for discussion of our audit approach, and any questions or input you may have on our approach or role as auditor.

This document also contains specific appendices that outline our key communications with you during the course of the audit, and forthcoming accounting issues and other issues that may be of interest.

Client service is extremely important to us and we strive to continuously provide technical excellence with the highest level of service quality, together with continuous improvement to exceed your expectations so, if you have any concerns or comments about this document or audit approach, please contact me on 0191 383 6300.

Yours faithfully

Gavin Barker  
Gavin Barker (Dec 2, 2019)

Gavin Barker  
Mazars LLP

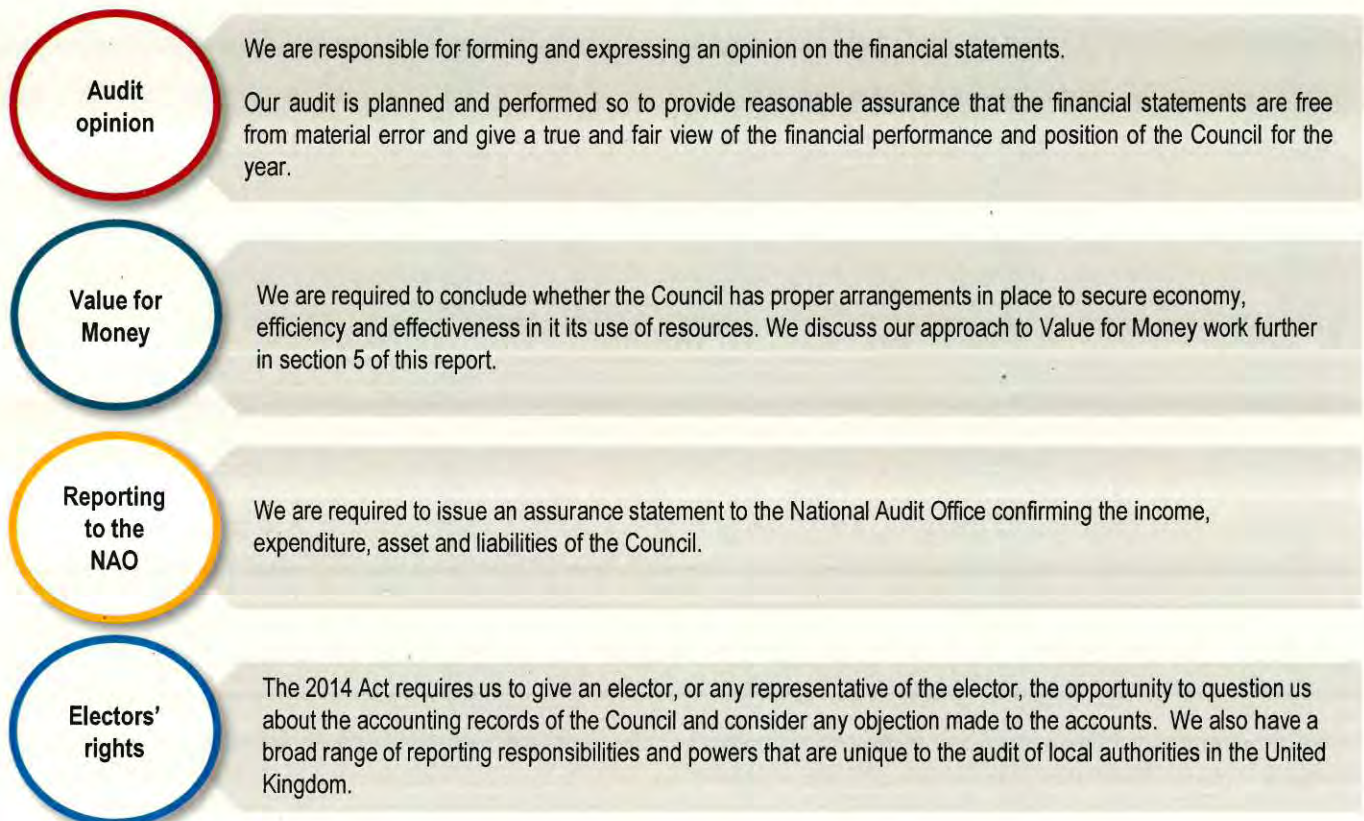
# 1. ENGAGEMENT AND RESPONSIBILITIES SUMMARY

## Overview of engagement

We are appointed to perform the external audit of Derbyshire Dales District Council for the year to 31 March 2020. The scope of our engagement is set out in the Statement of Responsibilities of Auditors and Audited Bodies, issued by Public Sector Audit Appointments Ltd (PSAA) available from the PSAA website: <https://www.psa.co.uk/audit-quality/statement-of-responsibilities/>

## Our responsibilities

Our responsibilities are principally derived from the Local Audit and Accountability Act 2014 (the 2014 Act) and the Code of Audit Practice issued by the National Audit Office (NAO), as outlined below:



Our audit does not relieve management or those charged with governance, of their responsibilities. The responsibility for safeguarding assets and for the prevention and detection of fraud, error and non-compliance with law or regulations rests with both those charged with governance and management. In accordance with International Standards on Auditing (UK), we plan and perform our audit so as to obtain reasonable assurance that the financial statements taken as a whole are free from material misstatement, whether caused by fraud or error. However our audit should not be relied upon to identify all such misstatements.

As part of our audit procedures in relation to fraud we are required to enquire of those charged with governance as to their knowledge of instances of fraud, the risk of fraud and their views on management controls that mitigate the fraud risks.

The Council is required to prepare its financial statements on a going concern basis by the Code of Practice on Local Authority Accounting. As auditors, we are required to consider the appropriateness of the use of the going concern assumption in the preparation of the financial statements and the adequacy of disclosures made.

For the purpose of our audit, we have identified the Governance and Resources Committee as those charged with governance.



## 2. YOUR AUDIT ENGAGEMENT TEAM



**Gavin Barker**  
**Director**

E-Mail: [gavin.barker@mazars.co.uk](mailto:gavin.barker@mazars.co.uk)  
Tel: 0191 383 6300



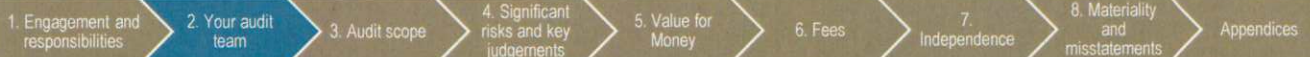
**John Pressley**  
**Manager**

E-Mail: [john.pressley@mazars.co.uk](mailto:john.pressley@mazars.co.uk)  
Tel: 0790 998 0880



**Amber Davidson**  
**Team Leader**

E-Mail: [amber.davidson@mazars.co.uk](mailto:amber.davidson@mazars.co.uk)  
Tel: 0115 964 4744



### 3. AUDIT SCOPE, APPROACH AND TIMELINE

#### Audit scope

Our audit approach is designed to provide an audit that complies with all professional requirements.

Our audit of the financial statements will be conducted in accordance with International Standards on Auditing (UK), relevant ethical and professional standards, our own audit approach and in accordance with the terms of our engagement. Our work is focused on those aspects of your business which we consider to have a higher risk of material misstatement, such as those affected by management judgement and estimation, application of new accounting standards, changes of accounting policy, changes to operations or areas which have been found to contain material errors in the past.

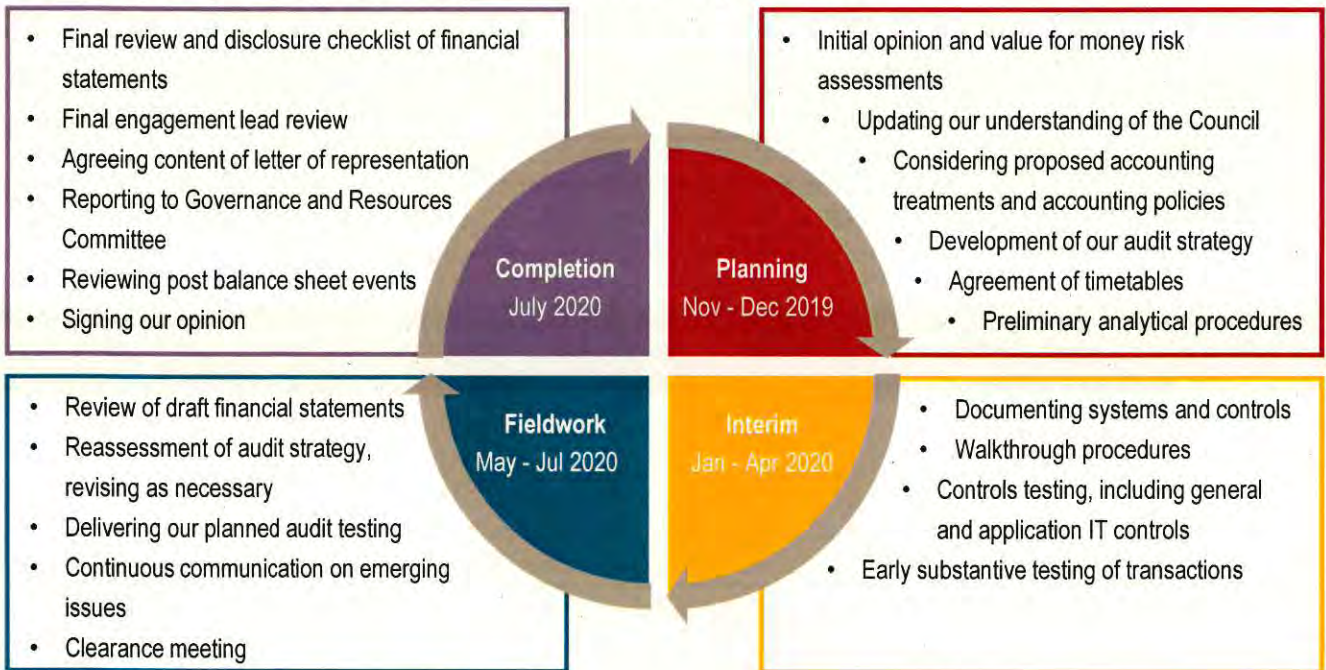
#### Audit approach

Our audit approach is a risk-based approach primarily driven by the risks we consider to result in a higher risk of material misstatement of the financial statements. Once we have completed our risk assessment, we develop our audit strategy and design audit procedures in response to this assessment.

If we conclude that appropriately-designed controls are in place then we may plan to test and rely upon these controls. If we decide controls are not appropriately designed, or we decide it would be more efficient to do so, we may take a wholly substantive approach to our audit testing. Substantive procedures are audit procedures designed to detect material misstatements at the assertion level and comprise tests of details (of classes of transactions, account balances, and disclosures) and substantive analytical procedures. Irrespective of the assessed risks of material misstatement, which take into account our evaluation of the operating effectiveness of controls, we are required to design and perform substantive procedures for each material class of transactions, account balance, and disclosure.

Our audit will be planned and performed so as to provide reasonable assurance that the financial statements are free from material misstatement and give a true and fair view. The concept of materiality and how we define a misstatement is explained in more detail in section 8.

The diagram below outlines the procedures we perform at the different stages of the audit.



### 3. AUDIT SCOPE, APPROACH AND TIMELINE (CONTINUED)

#### Reliance on internal audit

Where possible we will seek to utilise the work performed by internal audit to modify the nature, extent and timing of our audit procedures. We will liaise with internal audit to discuss the progress and findings of their work prior to the commencement of our controls evaluation procedures.

#### Management's and our experts

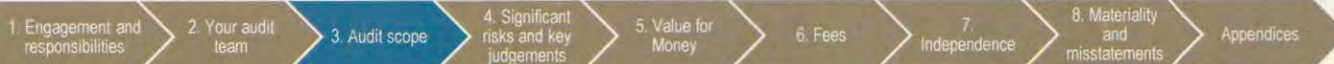
Management makes use of experts in specific areas when preparing the Council's financial statements. We also use experts to assist us to obtain sufficient appropriate audit evidence on specific items of account.

| Items of account                        | Management's expert  | Our expert  |
|---|--|---|
| Defined benefit liability               | Hymans Robertson<br><i>Actuary for Derbyshire Pension Fund</i> | PwC<br><i>Consulting actuary appointed by the NAO</i>       |
| Property, plant and equipment valuation | <i>The Council's internal valuers</i>                          | Gerald Eve<br><i>Valuations expert appointed by the NAO</i> |
| Financial instrument disclosures        | Arlingclose<br><i>Treasury management advisors</i>             | Not applicable  |

#### Service organisations

International Auditing Standards (UK) define service organisations as third party organisations that provide services to the Council that are part of its information systems relevant to financial reporting. We are required to obtain an understanding of the services provided by service organisations as well as evaluating the design and implementation of controls over those services. The table below summarises the service organisations used by the Council and our planned audit approach.

| Items of account  | Service organisation   | Audit approach  |
|---|--|---|
| Pension cost (cost of services)<br>Net interest on defined benefit liability<br>Re-measurements of the net defined benefit liability (OCI)<br>Net pension liability | Derbyshire Pension Fund<br><i>The IAS 19 pension entries that form part of the Council's financial statements are material and are derived from actuarial valuations. The process of obtaining these is co-ordinated by and uses information held and processed by the service organisation.</i> | We will review the controls operating at the Council over these transactions to gain an understanding of the services provided by the service organisation.<br><br>Where we conclude that we do not have a sufficient understanding of the services provided by the service organisation we will seek to obtain assurance by using another auditor to perform procedures that will provide the necessary information about the relevant controls at the service organisation. |



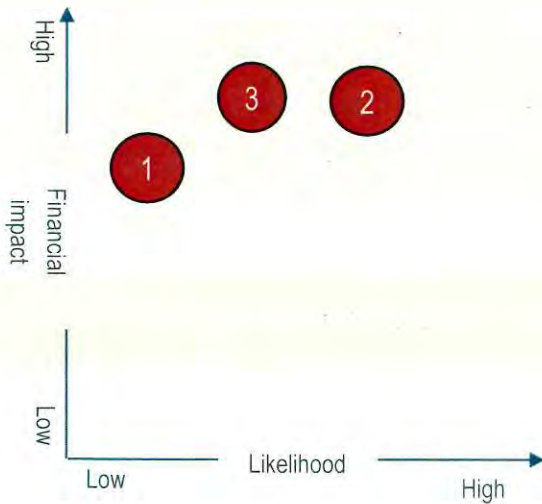


# 4. AUDIT RISKS AND KEY JUDGEMENT AREAS

Following the risk assessment approach discussed in section 3 of this document, we have identified relevant risks to the audit of financial statements. The risks that we identify are categorised as significant, enhanced or standard, as defined below:

- Significant risk** A significant risk is an identified and assessed risk of material misstatement that, in the auditor’s judgment, requires special audit consideration. For any significant risk, the auditor shall obtain an understanding of the entity’s controls, including control activities relevant to that risk.
- Enhanced risk** An enhanced risk is an area of higher assessed risk of material misstatement at audit assertion level other than a significant risk. Enhanced risks incorporate but may not be limited to:
  - key areas of management judgement, including accounting estimates which are material but are not considered to give rise to a significant risk of material misstatement; and
  - other audit assertion risks arising from significant events or transactions that occurred during the period.
- Standard risk** This is related to relatively routine, non-complex transactions that tend to be subject to systematic processing and require little management judgement. Although it is considered that there is a risk of material misstatement, there are no elevated or special factors related to the nature, the likely magnitude of the potential misstatements or the likelihood of the risk occurring.

The summary risk assessment, illustrated in the table below, highlights those risks which we deem to be significant. We have summarised our audit response to these risks on the following pages.



| Risk |   |
|------|---|
| 1    | Management override of control          |
| 2    | Property, plant and equipment valuation |
| 3    | Defined benefit liability valuation     |



## 4. SIGNIFICANT RISKS AND KEY JUDGEMENT AREAS (CONTINUED)

We provide more detail on the identified risks and our testing approach with respect to significant risks in the table below. An audit is a dynamic process, should we change our view of risk or approach to address the identified risks during the course of our audit, we will report this to the Governance and Resources Committee.

### Significant risks

|   | Description of risk  | Planned response  |
|---|--|---|
| 1 | <p><b>Management override of controls</b></p> <p>Management at various levels within an organisation are in a unique position to perpetrate fraud because of their ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Due to the unpredictable way in which such override could occur there is a risk of material misstatement due to fraud on all audits.</p>   | <p>We plan to address the management override of controls risk through performing audit work over accounting estimates, journal entries and significant transactions outside the normal course of business or otherwise unusual. We will use a computer audit analytical technique (CAAT) to efficiently identify journals with risk characteristics and test 100% of such adjustments to the financial ledger.</p>   |
| 2 | <p><b>Property, plant and equipment valuation</b></p> <p>The financial statements contain material entries on the Balance Sheet as well as material disclosure notes in relation to the Authority's holding of PPE. Although the Authority uses a valuation expert to provide information on valuations, there remains a high degree of estimation uncertainty associated with the revaluation of PPE due to the significant judgements and number of variables involved in providing revaluations. We have therefore identified the valuation of PPE to be an area of significant risk.</p> | <p>We plan to address this risk by considering the Authority's arrangements for ensuring that PPE values are reasonable and will engage our own expert to provide data to enable us to assess the reasonableness of the valuations provided by the external valuer. We will also assess the competence, skills and experience of the valuer.</p> <p>We plan to discuss methods used with the valuer and examine test valuations. We will use indices provided by our own expert to confirm the assets not revalued are unlikely to have materially changed in value. We will test all revaluations in year to valuation reports and supporting calculation sheets and ensure the calculations are correct and source data agrees to supporting information.</p> |
| 3 | <p><b>Defined benefit liability valuation</b></p> <p>The financial statements contain material pension entries in respect of retirement benefits. The calculation of these pension figures, both assets and liabilities, can be subject to significant volatility and includes estimates based upon a complex interaction of actuarial assumptions. This results in an increased risk of material misstatement.</p>  | <p>We will discuss with key contacts any significant changes to the pension estimates. In addition to our standard programme of work in this area, we will evaluate the management controls you have in place to assess the reasonableness of the figures provided by the Actuary and consider the reasonableness of the Actuary's output, referring to an expert's report on all actuaries nationally.</p> <p>We will review the appropriateness of the key assumptions included within the valuations, compare them to expected ranges and review the methodology applied in the valuation. We will also consider the adequacy of disclosures in the financial statements.</p>  |

1. Engagement and responsibilities

2. Your audit team

3. Audit scope

4. Significant risks and key judgements

5. Value for Money

6. Fees

7. Independence

8. Materiality and misstatements

Appendices

## 4. SIGNIFICANT RISKS AND KEY JUDGEMENT AREAS (CONTINUED)

### Consideration of other mandatory risks

Auditing standards require us to consider two standard risks for all organisations:

- Management override of controls; and
- Fraudulent revenue recognition.

We have already considered and identified management override of controls as a significant risk above, but set out our considerations in respect of fraudulent revenue recognition below:

|   | Description of risk  | Planned response  |
|---|--|---|
| 1 | <p><b>Fraudulent revenue recognition</b></p> <p>Our audit methodology incorporates this risk as a significant risk at all audits, although based on the circumstances of each audit, it is rebuttable.</p> | <p>We do not consider this to be a significant risk for Derbyshire Dales District Council as:</p> <ul style="list-style-type: none"> <li>• there is an overall low risk for local authorities, and particularly this Council;</li> <li>• there are no particular incentives or opportunities to commit material fraudulent revenue recognition; and</li> <li>• the level of income that does not derive from either grant or taxation sources is low relative to the Council's overall income streams, and generally represents a number of low value, high volume transactions.</li> </ul> <p>We therefore rebut this risk and do not incorporate specific risk procedures over and above our standard fraud procedures to address the management override of controls risk.</p> |



## 5. VALUE FOR MONEY

### Our approach to Value for Money

We are required to form a conclusion as to whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The NAO issues guidance to auditors that underpins the work we are required to carry out, and sets out the overall criterion and sub-criteria that we are required to consider.

The overall criterion is that, 'in all significant respects, the Council had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.'

To assist auditors in reaching a conclusion on this overall criterion, the following sub-criteria are set out by the NAO:

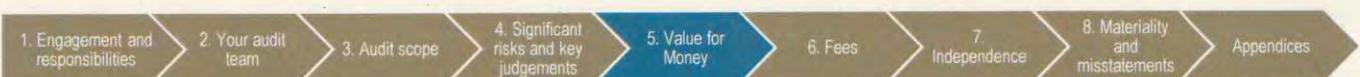
- informed decision making;
- sustainable resource deployment; and
- working with partners and other third parties.

A summary of the work we undertake to reach our conclusion is provided below:



### Significant Value for Money risks

The NAO's guidance requires us to carry out work at the planning stage to identify whether or not a Value for Money (VFM) exists. Risk, in the context of our VFM work, is the risk that we come to an incorrect conclusion rather than the risk of the arrangements in place at the Council being inadequate. As outlined above, we draw on our deep understanding of the Council and its partners, the local and national economy and wider knowledge of the public sector.



## 5. VALUE FOR MONEY (CONTINUED)

### Significant Value for Money risks (continued)

For the 2019/20 financial year, we have identified the following significant risk to our VFM work:

| Description of significant risk   | Planned response  |
|---|---|
| <p><b>Achievement of savings and income generation targets</b></p> <p>The continual pressures on Local Government finances are well documented and led to another challenging budget setting process for 2019/20. During 2018/19 several reviews were undertaken generating savings for the Council. The savings identified were removed from the 2018/19 base budget to produce the 2019/20 budget. The Council approved a balanced 2019/20 budget. The budget included the required S.151 Officer assurances relating to the robustness of the budget and the adequacy of the level of reserves, but acknowledged the risks around the delivery and timing of savings initiatives and the need to address medium term budget shortfalls from 2020/21 onwards.</p> <p>The Medium Term Financial Plan outlines a requirement to identify further ongoing savings (or additional income) of £0.4m by 2020/21. The 2019/20 revenue budget includes a reserve provision to allow a strategic response to emerging budgetary shortfalls.</p> <p>The 2020/21 financial settlement is likely to be a one year settlement. There will be significant changes in local government finances over the next few years, which will culminate in a major change in the way local government is financed from 2021/22 onwards. These include the implications of the Comprehensive Spending Review, the Fair Funding Review and the introduction a new system for business rates.</p> <p>Delays in the delivery of these initiatives have made it difficult for the Council to plan over the medium term. As a result, the need for savings (or income generation), as well as the need to contain cost pressures, will continue to have a significant impact on the Authority's financial resilience, and a prudent approach will be needed until the medium term funding position is clarified.</p> | <p>We will examine the Council's arrangements to ensure financial resilience, specifically:</p> <ul style="list-style-type: none"> <li>• the level of additional income / savings delivered in 2019/20 against budget;</li> <li>• the effectiveness of the actions taken in 2019/20 to contain cost pressures;</li> <li>• the level of additional income / savings required to achieve a balanced budget from 2020/21 to 2022/23;</li> <li>• the robustness and existence of specific plans to deliver the additional income / savings from 2020/21 to 2022/23; and</li> <li>• the impact of savings on useable reserves from 2020/21 to 2022/23..</li> </ul> |



## 6. FEES FOR AUDIT AND OTHER SERVICES

### Fees for work as the Council's appointed auditor

At this stage of the audit we are not planning any divergence from the scale fees set by PSAA as communicated in our fee letter of 17 April 2019.

| Service         | 2018/19 fee   | 2019/20 fee  |
|-----------------|---------------|--------------|
| Code audit work | £30,237+ VAT* | £29,487+ VAT |

\*Includes an additional amount of £750 plus VAT in relation to the work associated with the GMP/McCloud pension liability issue.

### Fees for non-PSAA work

In addition to the fees outlined above in relation to our appointment by PSAA, we have been separately engaged by the Council to carry out additional work as set out in the table below. Before agreeing to undertake any additional work we consider whether there are any actual, potential or perceived threats to our independence. Further information about our responsibilities in relation to independence is provided in section 7.

| Service                            | 2018/19 fee | 2019/20 fee |
|------------------------------------|-------------|-------------|
| Housing Benefits Subsidy Assurance | £nil        | £5,500+VAT  |



## 7. OUR COMMITMENT TO INDEPENDENCE

We are committed to independence and are required by the Financial Reporting Council to confirm to you at least annually, in writing, that we comply with the Financial Reporting Council's Ethical Standard. In addition, we communicate any matters or relationship which we believe may have a bearing on our independence or the objectivity of the audit team.

Based on the information provided by you and our own internal procedures to safeguard our independence as auditors, we confirm that in our professional judgement there are no relationships between us and any of our related or subsidiary entities, and you and your related entities creating any unacceptable threats to our independence within the regulatory or professional requirements governing us as your auditors.

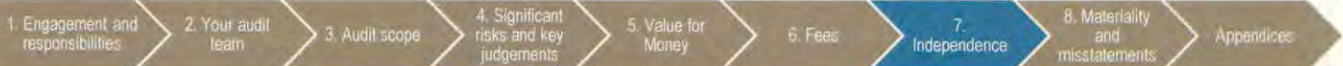
We have policies and procedures in place which are designed to ensure that we carry out our work with integrity, objectivity and independence. These policies include:

- all partners and staff are required to complete an annual independence declaration;
- all new partners and staff are required to complete an independence confirmation and also complete computer-based ethics training;
- rotation policies covering audit engagement partners and other key members of the audit team; and
- use by managers and partners of our client and engagement acceptance system which requires all non-audit services to be approved in advance by the audit engagement partner.

We confirm, as at the date of this document, that the engagement team and others in the firm as appropriate, and Mazars LLP are independent and comply with relevant ethical requirements. However, if at any time you have concerns or questions about our integrity, objectivity or independence please discuss these with Gavin Barker in the first instance.

Prior to the provision of any non-audit services Gavin Barker will undertake appropriate procedures to consider and fully assess the impact that providing the service may have on our auditor independence. Included in this assessment is consideration of Auditor Guidance Note 01 as issued by the NAO, and the PSAA Terms of Appointment.

No threats to our independence have been identified at this stage. Any emerging independence threats and associated identified safeguards will be communicated in our Audit Completion Report.



## 8. MATERIALITY AND MISSTATEMENTS

### Summary of initial materiality thresholds

| Threshold   | Initial threshold (£'000s) |
|---|----------------------------|
| Overall materiality   | 705                        |
| Performance materiality   | 529                        |
| Trivial threshold for errors to be reported to the Governance and Audit Committee | 21                         |

### Materiality

Materiality is an expression of the relative significance or importance of a particular matter in the context of financial statements as a whole. Misstatements in financial statements are considered to be material if they, individually or in aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

Judgements on materiality are made in light of surrounding circumstances and are affected by the size and nature of a misstatement, or a combination of both. Judgements about materiality are based on consideration of the common financial information needs of users as a group and not on specific individual users.

The assessment of what is material is a matter of professional judgement and is affected by our perception of the financial information needs of the users of the financial statements. In making our assessment we assume that users:

- have a reasonable knowledge of business, economic activities and accounts;
- have a willingness to study the information in the financial statements with reasonable diligence;
- understand that financial statements are prepared, presented and audited to levels of materiality;
- recognise the uncertainties inherent in the measurement of amounts based on the use of estimates, judgement and the consideration of future events; and
- will make reasonable economic decisions on the basis of the information in the financial statements.

We consider materiality whilst planning and performing our audit based on quantitative and qualitative factors.

Whilst planning, we make judgements about the size of misstatements which we consider to be material and which provides a basis for determining the nature, timing and extent of risk assessment procedures, identifying and assessing the risk of material misstatement and determining the nature, timing and extent of further audit procedures.

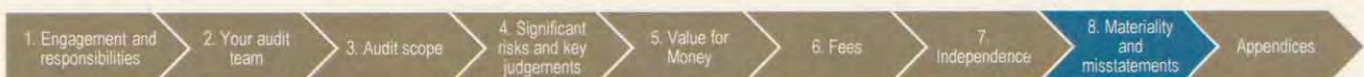
The materiality determined at the planning stage does not necessarily establish an amount below which uncorrected misstatements, either individually or in aggregate, will be considered as immaterial.

We revise materiality for the financial statements as our audit progresses should we become aware of information that would have caused us to determine a different amount had we been aware of that information at the planning stage.

Our provisional materiality is set based on a benchmark of the 2018/19 total gross expenditure. We will identify a figure for materiality but identify separate levels for procedures designed to detect individual errors, and also a level above which all identified errors will be reported to the Governance and Resources Committee.

We consider that total gross expenditure at the surplus/deficit on provision of services level remains the key focus of users of the financial statements and, as such, we base our materiality levels around this benchmark.

We have set our materiality threshold at 2% of the benchmark based on the 2018/19 audited financial statements.





## 8. MATERIALITY AND MISSTATEMENTS (CONTINUED)

Based on the 2018/19 audited financial statements we anticipate the overall materiality for the year ending 31 March 2020 to be £705k ( £751k in the prior year).

After setting initial materiality, we continue to monitor materiality throughout the audit to ensure that it is set at an appropriate level.

### Performance Materiality

Performance materiality is the amount or amounts set by the auditor at less than materiality for the financial statements as a whole to reduce, to an appropriately low level, the probability that the aggregate of uncorrected and undetected misstatements exceeds materiality for the financial statements as a whole. Our initial assessment of performance materiality is based on a relatively low level of inherent risk, meaning that we have applied 75% of overall materiality as performance materiality. We have therefore set our performance materiality at 75% of our overall materiality being £529k.

As with overall materiality, we will remain aware of the need to change this performance materiality level through the audit to ensure it remains to be set at an appropriate level.

### Specific items of lower materiality

We have also calculated materiality for specific classes of transactions, balances or disclosures where we determine that misstatements of a lesser amount than materiality for the financial statements as a whole, could reasonably be expected to influence the decisions of users taken on the basis of the financial statements. We have set specific materiality for the following items of account:

| Item of account                  | Specific materiality |
|----------------------------------|----------------------|
| Officers' remuneration           | £5,000 *             |
| Termination payments             | £2,000               |
| Members' allowances and expenses | £34,000              |
| External audit costs             | £4,000               |

\* Reflecting movement from one salary band to another

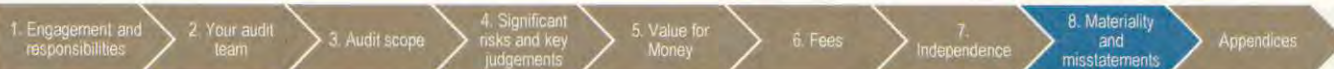
### Misstatements

We aggregate misstatements identified during the audit that are other than clearly trivial. We set a level of triviality for individual errors identified (a reporting threshold) for reporting to the Governance and Resources Committee that is consistent with the level of triviality that we consider would not need to be accumulated because we expect that the accumulation of such amounts would not have a material effect on the financial statements. Based on our preliminary assessment of overall materiality, our proposed triviality threshold is £21k based on 3% of overall materiality. If you have any queries about this please do not hesitate to raise these with Gavin Barker.

### Reporting to the Governance and Resources Committee

To comply with International Standards on Auditing (UK), the following three types of audit differences will be presented to the Governance and Resources Committee:

- summary of adjusted audit differences;
- summary of unadjusted audit differences; and
- summary of disclosure differences (adjusted and unadjusted).



## APPENDIX A – KEY COMMUNICATION POINTS

ISA (UK) 260 'Communication with Those Charged with Governance', ISA (UK) 265 'Communicating Deficiencies In Internal Control To Those Charged With Governance And Management' and other ISAs (UK) specifically require us to communicate the following:

| Required communication   | Audit Strategy Memorandum | Audit Completion Report |
|--|---------------------------|-------------------------|
| Our responsibilities in relation to the audit of the financial statements and our wider responsibilities | ✓                         |                         |
| Planned scope and timing of the audit  | ✓                         |                         |
| Significant audit risks and areas of management judgement  | ✓                         |                         |
| Our commitment to independence   | ✓                         | ✓                       |
| Responsibilities for preventing and detecting errors   | ✓                         |                         |
| Materiality and misstatements  | ✓                         | ✓                       |
| Fees for audit and other services  | ✓                         |                         |
| Significant deficiencies in internal control   |                           | ✓                       |
| Significant findings from the audit  |                           | ✓                       |
| Significant matters discussed with management  |                           | ✓                       |
| Our conclusions on the significant audit risks and areas of management judgement                         |                           | ✓                       |
| Summary of misstatements   |                           | ✓                       |
| Management representation letter   |                           | ✓                       |
| Our proposed draft audit report  |                           | ✓                       |



# APPENDIX B – FORTHCOMING ACCOUNTING AND OTHER ISSUES

## Financial reporting changes relevant to 2019/20

There are no significant changes in the Code of Practice on Local Authority Accounting for the 2019/20 financial year.

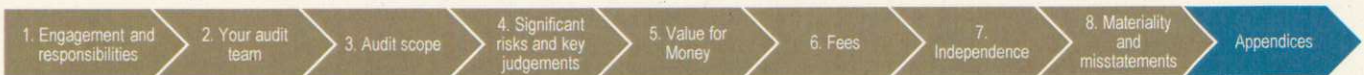
## Financial reporting changes in future years

| Accounting standard | Year of application | Commentary  |
|---------------------|---------------------|---|
| IFRS 16 – Leases    | 2020/21             | <p>The CIPFA/LASAAC Code Board has determined that the Code of Practice on Local Authority Accounting will adopt the principles of IFRS 16 Leases, for the first time from 2020/21.</p> <p>IFRS 16 will replace the existing leasing standard, IAS 17, and will introduce significant changes to the way bodies account for leases, which will have substantial implications for the majority of public sector bodies.</p> <p>The most significant changes will be in respect of lessee accounting (i.e. where a body leases property or equipment from another entity). The existing distinction between operating and finance leases will be removed and instead, the new standard will require a right of use asset and an associated lease liability to be recognised on the lessee’s Balance Sheet.</p> <p>In order to meet the requirements of IFRS 16, all local authorities will need to undertake a significant project that is likely to be time-consuming and potentially complex. There will also be consequential impacts upon capital financing arrangements at many authorities which will need to be identified and addressed at an early stage of the project.</p> |



# APPENDIX C – MAZARS' CLIENT SERVICE COMMITMENT

We are here because of our clients; serving them in the best way we can is part of our DNA. We operate a Code of Conduct which drives our client service commitment in all areas, as set out below.



**GOVERNANCE AND RESOURCES COMMITTEE**

09 January 2020

Report of the Head of Resources

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**INTERNAL AUDIT REPORTS CONCLUDED  
UNDER THE 2019/2020 OPERATIONAL AUDIT PLAN**

**PURPOSE OF REPORT**

This report asks the Committee to consider the internal audit reports produced in respect of the 2019/2020 Internal Audit Plan and also to consider the progress made by management in implementing the agreed audit recommendations.

**RECOMMENDATION**

That the report be approved.

**WARDS AFFECTED**

None

**STRATEGIC LINK**

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

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**1 SUMMARY**

- 1.1 The 2019/20 Operational Audit Plan was approved by the Governance and Resources Committee on 28<sup>th</sup> February 2019. 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 2019/2020 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 Seven reports have been issued, 2 with a conclusion of “Substantial Assurance” and 5 with a conclusion of “Reasonable Assurance”. 20 recommendations have been made and these are in the process of being implemented by management.
- 2.6 Attached at Appendix 2 is the current position at the 17<sup>th</sup> December 2019, of internal audit recommendations made as a consequence of audit reviews. 30 recommendations have been satisfactorily implemented since the last report, 11 recommendations are in the process of being implemented and 22 recommendations have not passed their implementation date. Appendix 2 gives a commentary next to each recommendation describing the progress made.

### **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.

## 4 OTHER CONSIDERATIONS

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

## 5 CONTACT INFORMATION

Karen Henriksen, Head of Resources

Telephone: 01629 761284; Email: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

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)

## 6 BACKGROUND PAPERS

None

## 7 ATTACHMENTS

Appendix 1 - Summary of Internal Audit Reports Issued end July 2019 – 17<sup>th</sup> December 2019

Appendix 2 – Review of outstanding audit recommendations as at 17<sup>th</sup> December 2019

## DERBYSHIRE DALES DISTRICT COUNCIL

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

#### Summary of Internal Audit Reports Issued end July 2019 – 17<sup>th</sup> December 2019

| Report Ref | Report Title       | Scope and Objectives  | Overall Opinion | Date          |              | Number of Recommendations |          |
|------------|--------------------|---|-----------------|---------------|--------------|---------------------------|----------|
|            |                    |   |                 | Report Issued | Response Due | Made                      | Accepted |
| D007       | Budgetary Control  | To ensure that there are sound procedures in place that are operating                     | Substantial     | 14/8/19       | 4/9/19       | 3 (1M<br>2L)              | 3        |
| D008       | Main Accounting    | To ensure that there are sound procedures in place that are operating                     | Reasonable      | 3/9/19        | 24/9/19      | 3 (2M<br>1L)              | 3        |
| D009       | Corporate Targets  | To ensure that a sample of Corporate Targets are interpreted and calculated correctly     | Substantial     | 10/9/19       | 1/10/19      | 0                         | 0        |
| D010       | Members Allowances | To ensure that allowances are paid at the correct rate and that all claims are legitimate | Reasonable      | 30/9/19       | 21/10/19     | 3 (1M<br>2L)              | 3        |



| Report Ref | Report Title                | Scope and Objectives  | Overall Opinion | Date          |              | Number of Recommendations |          |
|------------|-----------------------------|---|-----------------|---------------|--------------|---------------------------|----------|
|            |                             |   |                 | Report Issued | Response Due | Made                      | Accepted |
| D011       | Non Domestic Rates          | To ensure that bills are raised promptly and accurately and that debt collection procedures are in operation  | Reasonable      | 2/10/19       | 23/10/19     | 0                         | 0        |
| D012       | Leisure Contract Management | To ensure that performance against the contract is monitored and that payments to the contractor are correct.   | Reasonable      | 19/11/19      | 10/12/19     | 3M                        | 3        |
| D013       | Health and Safety           | To ensure that legislative requirements are adhered to, training is provided, policies are up to date, adequate records are maintained and service audits take place. | Reasonable      | 21/11/19      | 12/12/19     | 8 (2H 1M 5L)              | 8        |

## REVIEW OF OUTSTANDING AUDIT RECOMMENDATIONS AT 17TH DECEMBER 2019

|        |   |
|--------|---|
| Green  | Recommendation satisfactorily implemented                     |
| Yellow | Target date not reached                                       |
| Amber  | Work In Progress but recommendation not yet fully implemented |
| Red    | Recommendation remains outstanding                            |

| SERVICE                                 | RECOMMENDATIONS  | COMMENT  | STATUS      |
|---|--|--|-------------|
| <b>Safeguarding<br/>March 2017</b>      | The Council's commitment to safeguarding should be promoted on the website with a dedicated page containing relevant information including a copy of the Safeguarding Policy and the procedures for members of the public to follow in the event of any concerns they may wish to raise <b>(High)</b>  | In progress. Safeguarding policy approved by G & R Committee on 11/7/19 but required further discussion relating to suggested amendments. Agreed amendments to be made and reported back in November. The Policy is going back to G & R committee for approval on the 14 <sup>th</sup> November 2019 (cancelled due to flooding – now 9 <sup>th</sup> January 2020).<br>Webpage work complete. | In progress |
|   | Consider producing posters based on the policy's flowchart to display throughout the Council's facilities to promote safeguarding and provide contact details <b>(Medium)</b>  | Posters and information to be distributed in conjunction with training. The new policy will be made available to all staff via SIDD immediately after 9th January committee.   | In progress |
|   | Safeguarding training for Members (particularly those on the Licensing Committee) be provided once the Safeguarding Policy has been approved <b>(High)</b>   | Currently being organised and will have taken place before end of March 2020.  | In progress |
| <b>Clean &amp; Green<br/>March 2017</b> | Under the responsibility for safe custody of inventory items the Head of Community & Environmental Services delegate appropriate officers (this would need to be someone with sufficient knowledge of the tools and equipment to ensure that they are identified and recorded accurately) with the following tasks – completion, maintenance and safe custody of | We have implemented a form that is authorised by the Environmental Services Manager for any equipment/tools disposal. The Garage Foreman has an up to date asset register.   | Implemented |

|                                   |  |  |             |
|-----------------------------------|--|--|-------------|
|                                   | inventories; authority for certifying disposals; and annual confirmation of assets held <b>(Medium)</b>  |  |             |
|                                   | Once complete, the 'Quick Guide to Procurement' currently being revised by the Procurement Hub should be promoted to ensure that budget holders in particular, are aware of the requirement to comply with procurement procedures and to be mindful of triggers to undertake a tender exercise <b>(Medium)</b> | <p>Training was given to all staff by the procurement team.</p> <p>The re tendering of various areas of the depot is underway and ongoing. Currently the following have been re tendered and are in compliance with the procurement regulations:-</p> <ul style="list-style-type: none"> <li>Flail mowing</li> <li>Weed spraying</li> <li>Agency</li> <li>Uniforms</li> <li>Purchasing of equipment e.g. new vehicle ramp</li> <li>Training</li> </ul> <p>The following are being worked on :-</p> <ul style="list-style-type: none"> <li>Tyres</li> <li>Small Tools</li> <li>Other supplies (sand, soil etc.)</li> <li>Skips</li> </ul> | Implemented |
| <b>Main Accounting March 2018</b> | Review the method of closing accounts within Agresso to ensure that the account history reflects the status of all users accurately and consistently <b>(Low)</b>  | Recommendation confirmed as implemented by discussions with the Financial Services Manager   | Implemented |
|                                   | Introduce a procedure to ensure that all journal transfers are reviewed and authorised prior to processing by use of the electronic approval function within Agresso <b>(Medium)</b>   | Discussions with the Financial Services Manager highlighted that although the approval of journals would give greater control to the system this has not been implemented and is unlikely to be implemented. Due to the Accountancy  | Implemented |

|                                       |  |  |             |
|---------------------------------------|--|--|-------------|
|                                       |  | section being small it may not always be practical to authorise all journals prior to processing. Robust budget monitoring procedures should highlight any errors if a journal has been processed incorrectly. A review of high value journals (over £30,000) is undertaken by the Financial Services Manager and the Senior Accountant. The annual review by external audit did not raise any concerns regarding this issue.  |             |
|                                       | Consideration should be given to accounting for specific departmental bad debt provisions and write offs. This would ensure that any invoices written off are debited to the originating department/cost centre <b>(Low)</b>   | With the adoption of IFRS19 the accounting requirements do not require specific bad debt provisions.   | Implemented |
| <b>Housing Benefits November 2018</b> | A method of recording and documenting the revised integrity checks introduced by the Benefits Manager should be established to ensure that outcomes can be assessed in terms of claim volumes and under or overpayments of benefit. <b>(Medium)</b>  | A specific folder has been created in the Arvato filing system listing all of the additional system reports run on the database to identify 'riskier claim assessments'. A limited number of reassessments has followed and so it has not been necessary to maintain a statistical record of outcomes. Notes will be made on individual case records where a claim has been corrected. These additional checks are above and beyond the scope of checking demanded by the contract with the Council but act to ensure the integrity of the database is maintained. | Implemented |
|                                       | To strengthen controls periodic reconciliations should be introduced. The reconciliations should include: - <ul style="list-style-type: none"> <li>• Benefit postings from the Benefits system agree to amounts received by the Council Tax system</li> <li>• Payment totals reports agree to the total of private tenant rent allowance payments as per the Agresso financial management system.<b>(Low)</b></li> </ul> | The Academy application is an integrated system and so internal balancing and reconciliation shouldn't be necessary as the system posts Council Tax Benefit internally without the need for a relevant interface. The work has started for 2019/20 and will be   | Implemented |

|   |   |  |             |
|---|---|--|-------------|
|   |   | available for inspection when the Benefits audit commences later in the year.  |             |
| <b>National Non Domestic Rates January 19</b> | Management should review the void inspection process and procedures to ensure that properties requiring inspection are being visited/reviewed on a periodic cycle. It should be verified that there is adequate documentation/system notes to support inspections made. <b>(Medium)</b> | A review of the void inspection process was completed by Arvato Management following the previous NNDR audit. It has subsequently come to light by Management that inspections taking place are not being adequately documented and there is not sufficient documentation to prove the validity of the inspection process. It was evidenced during this audit that action has been taken by Management to introduce monitoring spreadsheets for inspections and that additional staff have been assigned to bringing the inspection process up to date. Delayed due to absence of visiting officer; additional resource now allocated and work is in progress with expected completion 30 <sup>th</sup> November 2019. | In progress |
|   | To strengthen controls a periodic check of adjustments and changes input from Valuation Office schedules should be undertaken to confirm the accuracy of amendments made to the Academy system <b>(Low)</b>   | Although the recommendation was agreed in principle, due to the additional work involved in re-checking the input of the Valuation Schedules data and the minimal times that this issue has occurred, this recommendation has not been progressed. It was agreed with Head of Revenues that this would be re-assessed during the next full NNDR audit.   | Not overdue |
| <b>Leisure Contract Management January 19</b> | Continued efforts should be made to resolve the outstanding matters relating to the pension bond as specified in clause 22 of the contract to ensure the financial risk to the authority is minimised. <b>(Medium)</b>  | Pensions bond has been signed and passed to DCC.   | Implemented |
|   | In conjunction with the Contractor an outcomes scorecard should be developed and agreed. The  | Outcomes scorecard agreed, just awaiting some baseline figures to set a target.  | In progress |

|                                 |   |  |             |
|---------------------------------|---|--|-------------|
|                                 | scorecard should be used as a basis for monitoring performance against key performance indicators<br><b>(Medium)</b>  |  |             |
|                                 | To ensure there is adequate monitoring of the Leisure Contract in respect of high level and operational indicators addressed in the contract, performance monitoring procedures should be developed and reported through quarterly contract management meetings. If all performance measures are not to be reviewed and reported management should formally risk assess which measures are to be included <b>(High)</b> | Quarterly meetings take place, however due to change in management the last quarterly report will be a 6 month report.       | Implemented |
|                                 | The operation of the Leisure Contract should be placed on the risk register for Community Development<br><b>(Medium)</b>  | Added to the risk register.  | Implemented |
|                                 | As detailed in Schedule 6 of the agreement methods should be established in conjunction with the Contractor to identify a system for reporting performance failures. The calculation of performance adjustment points and consequently financial adjustment to the monthly contractual payment should be undertaken if required<br><b>(Medium)</b>  | Monthly meetings take place with centre managers who report on the 25 elements. A more structured report needs implementing. | In progress |
|                                 | It must be ensure that as per Schedule 14 of the contract that the Contractor has adequate public liability insurance cover <b>(High)</b>   | Public liability insurance certificate received.   | Implemented |
| <b>Procurement<br/>March 19</b> | A Service Level Agreement with Derbyshire County Council must be formalised as soon as possible to ensure that access to specialist procurement advice is available and continuous <b>(High)</b>  | SLA finalised - Awaiting Signature, currently with DCC   | In progress |
|                                 | To strengthen Procurement Procedures CLT members and budget holders should be reminded of the need to submit a business case to CLT for approval prior to entering in to a framework. Following approval from CLT it should be ensured that a contract is put in place with   | Completed - Chief Executive advised CLT of this in April   | Implemented |

|  |  |   |             |
|--|--|---|-------------|
|  | the relevant supplier in advance of the contract commencing <b>(High)</b>  |   |             |
|  | Procurement flowcharts should be updated to outline the process for using a framework agreement <b>(Medium)</b>  | Completed – Flow chart now on SIDD  | Implemented |
|  | In conjunction with the Financial Services Manager a procedure to analyse spend by supplier for PayPal purchase should be implemented <b>(Low)</b>   | Details from payments made to suppliers via PayPal can be identified from reports of payments over £250 which are published on the Council's website and are coded to individual supplier ID numbers.             | Implemented |
| <b>Cash and Bank March 19</b>                    | It is essential that bank reconciliations are completed in a timely manner and within 14 days after the period end date. <b>(High)</b>   | Confirmed that April, May, June and July reconciliations completed. August reconciliation not finalised due to reports not being available from the Income Management System, currently being investigated by IT. | Implemented |
|  | Procedural notes and guidance should be documented for the completion of the daily cash book and bank reconciliation process. <b>(Medium)</b>  | Evidenced that procedure notes have been completed.   | Implemented |
| <b>Garage Inventory and Procurement April 19</b> | It must be ensured that Financial Regulations and Standing Orders in relation to procurements are complied with. Evidence of this must be retained e.g. 3 quotes, tender documentation <b>(High)</b>   | Agresso system implemented 3 quotes for items over £1,000.  | Implemented |
|  | To ensure that there is sufficient budgetary control and monitoring of purchases/supplier spend the current method of raising purchase orders retrospectively should be ceased. To ensure segregation of duties orders should not be placed with suppliers until an official purchase order has been raised and authorised <b>(High)</b> | Done. Purchase order raised on Agresso and order placed by e mail.  | Implemented |
|  | A revised inventory schedule should be implemented to accurately record purchases, disposals and issuing of equipment and tools to comply with Financial Regulations. The inventory schedule must be a continuous record with items only being removed two years after disposal <b>(High)</b>  | Implemented   | Implemented |

|  |  |   |             |
|--|--|---|-------------|
|  | Separate equipment/tools inventories should be maintained for all departments within Environmental Services e.g. garage, parks <b>(Medium)</b>   | Inventory has been introduced. Re-labelling of equipment as requested to property of DDDC is in progress after which equipment will be allocated to section supervisors.  | Implemented |
|  | A disposal form should be introduced for all equipment and tools with an original purchase price over £100. The disposals must be authorised by the Environmental Services Manager and evidence retained on file <b>(Medium)</b>   | Implemented.  | Implemented |
|  | When tools/equipment are purchased and issued to members of staff/teams that do not work within the garage an appropriate method of signing over custody and safe ownership of the items must be devised <b>(Medium)</b>   | Replacement equipment for other sections will no longer be purchased by the Foreman unless requested to do so and in that case a transfer note will be raised.<br>Memo circulated to supervisors to advise of procedure change. | Implemented |
|  | It must be ensured that all equipment and tools belonging to the Authority are marked as the property of DDDC <b>(High)</b>  | Target Date 31/12/19 – in progress  | In progress |
|  | Tools and equipment should be added to the inventory in a prompt and timely manner <b>(Medium)</b>   | Implemented.  | Implemented |
|  | The inventory should be checked and verified on an annual basis by an independent person with any discrepancies being investigated <b>(Medium)</b>   | Target Date 31/3/20   | Not overdue |
|  | Mechanics employed by the Authority should be reminded that personal tools and equipment are left at the Council premises at their own risk and will only be covered by the Councils insurance policy up to a limit of £250. (Low)   | Employees informed.   | Implemented |
|  | Procedures should be implemented to ensure that fuel invoices are reviewed and monitored to ensure: -<br><br><ul style="list-style-type: none"> <li>• That valid Council fleet vehicles are being fuelled</li> <li>• That milometer readings follow on</li> <li>• That mileage per litre of fuel appears reasonable</li> </ul> | It has been found that fuel station assistants occasionally get the registration numbers wrong or miss a number. This in itself is not a great problem as long as the next number is correct.                                   | Implemented |



|   |   |  |             |
|---|---|--|-------------|
|   | <ul style="list-style-type: none"> <li>• That any anomalies / queries are investigated <b>(Medium)</b></li> </ul>   | Vehicle details are checked by procurement who have a current fleet list – fuel is then allocated to the correct fleet number and added to Agresso.  |             |
|   | To ensure that the fuelling of vehicles can be accurately monitored Dove Service Station should be requested to log the odometer readings on their monthly invoices <b>(Low)</b>  | <p>Odometer readings are recorded on separate slips which the crew hand in to supervisors.</p> <p>A sheet to show that Dove usage is being monitored has been developed and is being used.</p>                             | Implemented |
| <b>ICT Disaster Recovery April 19</b>                                       | Action the review to update the ICT Storage, Backup and Replication Policy after the back-up solutions have gone out to tender, summer 2019. <b>(Low)</b>   | Target Date 31/01/20   | Not overdue |
| <b>Gifts and Hospitality and Declarations of Personal Interest April 19</b> | To strengthen controls consideration be given to amending the format of the register to enable details of gift and hospitality rejected as well as accepted and to include space for the Monitoring Officer to sign off entries as evidence of review <b>(Medium)</b>   | Response from Head of Corporate Services – This will require an amendment to the Code of Conduct   | In progress |
|   | The requirement for employees to declare gifts and hospitality accepted and rejected should periodically be published on SIDD <b>(Low)</b>  | Response from Head of Corporate Services - Will follow on from the above if agreed.  | In progress |
|   | In line with recommended best practice consideration be given to reinstating the requirement for members to declare gifts and hospitality accepted and rejected <b>(Low)</b>  | Response from Head of Corporate Services - This will require an amendment to the Code of Conduct. In terms of proportionality and enforcement, I will not be recommending this to Council but Council may well approve it. | In progress |
| <b>Debtors June 19</b>  | An annual report should be prepared by the Miscellaneous Income Officer and reported to the Head of Resources showing customer balances greater than £500 that are over 12 months overdue. The report should detail recovery action taken to date and the originating department that raised the invoice <b>(Low)</b> | Target Date 30/4/20  | Not overdue |
| <b>Car Parks July 19</b>  | A monthly reconciliation of expected card income against that credited to the Council's bank account and posted to  | Implemented  | Implemented |

|                              |  |                              |             |
|------------------------------|--|------------------------------|-------------|
|                              | the ledger to confirm that income due is received should be introduced. The AIB statements should be used as part of the reconciliation process <b>(Low)</b>   |                              |             |
|                              | Ticket invoices must be reviewed prior to payment to ensure that advertising income has been deducted if appropriate <b>(Medium)</b>   | Implemented                  | Implemented |
|                              | BSU must be informed of any price increases to season tickets and permits as soon as practical to ensure maximum income is achieved by the Authority <b>(Medium)</b>   | Implemented                  | Implemented |
|                              | Consideration be given to introducing periodic checks of tickets/permits and rover passes sold to ensure each ticket can be accounted for and income has been posted to the Agresso system <b>(Medium)</b>   | Implemented                  | Implemented |
| VAT July 19                  | Consideration be given to producing a VAT manual which provides guidance for departments when raising invoices/credit notes to ensure VAT is treated consistently and correctly. When complete the manual should be placed on SIDD <b>(Medium)</b> | Target Date 31 March 2020    | Not overdue |
| Budgetary Control August 19  | The budget timetable should be reinstated to ensure the preparation of budgets can be completed in and advance and progress monitored <b>(Medium)</b>  | Target Date 31 January 2020  | Not overdue |
|                              | To strengthen the budget monitoring process the possibility of producing seasonal profiled budgets for service areas where there are seasonal trends/fluctuations should be considered (e.g. Car Parking Income) <b>(Low)</b>                      | Target Date 30 November 2019 | Not overdue |
|                              | To assist budget holders with budget monitoring consideration be given to producing a summary report to highlight significant variances against budget. For example a variance greater than £2,000 or 10% of budget <b>(Low)</b>                   | Target Date 31 January 2020  | Not overdue |
| Main Accounting September 19 | The current user list of Agresso should be reviewed and any leavers removed from the system. System access   | Target Date 30 November 2019 | Not overdue |

|  |  |   |             |
|--|--|---|-------------|
|  | should be removed upon receipt of leavers notifications from Payroll <b>(Low)</b>  |   |             |
|  | User access levels should be reviewed to ensure only Accountancy employees can initiate journals entries within the general ledger <b>(Medium)</b>   | Target Date 30 November 2019  | Not overdue |
|  | To strengthen controls the ability to create and delete general ledger codes should be restricted to Accountancy staff <b>(Medium)</b>   | Target Date 30 November 2019  | Not overdue |
| Members Allowances<br>September 19         | When a review is next completed by the Independent Remuneration Panel and to ensure that the requirements of The Local Authorities (Members' Allowances) Regulations 2003 are met the details of the Independent Remunerations Panels report and recommendations should be published in a local newspaper (For example Dales Matters) <b>(Low)</b> | Target Date March 2020<br>In the absence of a single newspaper circulating in the area, a link to the Scheme will be published in the March edition of Dales Matters. | Not overdue |
|  | As part of the annual Council meeting when the attendance to outside bodies is reviewed clarity should be sought regarding the eligibility to reclaim travel and subsistence for attending meetings <b>(Medium)</b>  | Target Date May 2020  | Not overdue |
|  | Members should be required to produce a current copy of their vehicle insurance certificate to confirm business use cover on an annual basis <b>(Low)</b>  | Target date end December 2019   | Not overdue |
| Leisure Contract Management<br>November 19 | Advice should be sought from the Legal Services Manager regarding the performance bond acquired by Freedom Leisure to determine if it is the Councils interests to request a new performance bond. It must be ensured that the bond remains effective until 31 <sup>st</sup> July 2033. <b>(Medium)</b>  | Target date 31 <sup>st</sup> March 2020   | Not overdue |
|  | The agreed production of monthly reports as detailed in the Leisure Contract service specification should be highlighted to Freedom Leisure as soon as possible to ensure adequate information is received detailing the high risk performance requirements. <b>(Medium)</b>   | Target Date 31 <sup>st</sup> January 2020   | Not overdue |

|                                  |   |   |             |
|----------------------------------|---|---|-------------|
|                                  | Management should determine if the annual surplus/deficit figures provided by Freedom are to be accepted as correct in light of the figures not being independently verified. If not then Freedom should be requested in accordance with Schedule 19 of the contract to produce a calculation of the operating surplus/deficit completed in the format specified by the contract and signed by their auditors. <b>(Medium)</b>  | Target Date 31 <sup>st</sup> July 2020  | Not overdue |
| Health and Safety<br>November 19 | The Health and Safety policy should be placed on SIDD to ensure it is readily available and accessible for employees. <b>(Low)</b>  | Target date 31 <sup>st</sup> March 2020   | Not overdue |
|                                  | Additional more in depth training e.g. IOSH to Service Managers and Supervisors in high risk areas should be given to ensure there is sufficient knowledge and understanding in managing health and safety within the workplace and the consequences of not doing so. <b>(High)</b>   | Target date TBC – Agreed in principle. Ash Watts to collate existing training and formulate future training plan. | Not overdue |
|                                  | To improve performance measurement of Health and Safety it is recommended that a comparison of accidents and incidents for current and previous periods should be reported to Safety Committee. This should include an analysis of accident type for example, musculoskeletal, slips/trips, other, near misses and the number of RIDDOR reportable accidents in the period. It would also be beneficial to report the number of days lost due to each accident/incident. <b>(Low)</b> | Target Date 30 <sup>th</sup> June 2020  | Not overdue |
|                                  | Consideration be given to the production of an annual report to members detailing the Health and Safety performance of the Authority. <b>(Low)</b>  | Target Date 30 <sup>th</sup> June 2020  | Not overdue |
|                                  | To ensure compliance with reportable accidents the number of days away from work following an accident should be recorded to ensure they can be monitored and reported. <b>(High)</b>   | Target date 31 <sup>st</sup> March 2020   | Not overdue |
|                                  | New, amended or revised risk assessments should be reviewed by the safety committee to ensure all risks   | Target Date 30 <sup>th</sup> March 2020   | Not overdue |

|  |  |   |             |
|--|--|---|-------------|
|  | have been identified and adequate controls have been implemented to reduce the risk to employees/public. <b>(Low)</b>  |   |             |
|  | Risk Assessments should be retained in the central X:Drive Partnerships and Projects folder to ensure they are available to all employees. <b>(Low)</b>  | Target Date 30 <sup>th</sup> March 2020 | Not overdue |
|  | To ensure there is a robust system of control regarding Health and Safety consideration be given to procuring an external periodic review of the arrangements to verify employees are being adequately protected in the workplace and that the Authority is compliant with all relative legislation and regulations. <b>(Medium)</b> | Target Date 30 <sup>th</sup> March 2020 | Not overdue |

## GOVERNANCE AND RESOURCES COMMITTEE

09 January 2020

Report of the Head of Resources

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## CIPFA FRAUD AND CORRUPTION TRACKER SURVEY 2019

### PURPOSE OF REPORT

- To present, for members' information the results of CIPFA's Fraud and Corruption Tracker (CFaCT) survey undertaken in 2019 that provides a picture of fraudulent activity in local government.
- To detail the controls and procedures that DDDC has in place to mitigate the risk of fraud.

### RECOMMENDATIONS

1. That the results of CIPFA's Fraud and Corruption Tracker Survey be noted.
2. That the fraud prevention measures that DDDC has in place be 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.

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## 1 SUMMARY

- 1.1 The CIPFA Counter Fraud Centre was launched in July 2014 following the closure of the National Fraud Authority and the Audit Commission. The latest CFaCT survey was carried out in 2019 with the aim of providing a national picture of fraud, bribery and corruption in local government. The results of the survey are attached at Appendix 1.

## 2 REPORT

- 2.1 The key findings of the 2019 CIPFA Fraud and Corruption Tracker were:-

- An estimated £253 million of fraud has been detected or prevented across local authorities in 2018/19. This has dropped from £302 million in 2017/18.

- Council Tax fraud represents 12.1% of the estimated value of fraud detected / prevented (78% in terms of volume) with an estimated value of £30.6m.
- The area that has grown the most in the last year is council tax single person discount with an estimated increase of £3.6m since 2017/18.
- The average value per fraud is around £3,600 per fraud case.
- Procurement, adult social care and council tax single person discount are perceived as the three greatest fraud risk areas.
- The four main areas of fraud (by volume) are – council tax, disabled parking, housing and business rates.
- The estimated volume and value of insurance fraud cases in the UK more than doubled in 2018/19 compared to the previous year.

2.2 This evidence shows that fraud is still a major financial threat to local authorities.

### **DDDC Fraud Prevention Measures**

2.3 DDDC takes the risk of fraud very seriously and has a range of measures in place to reduce the risk of fraud occurring.

- There is an established approach of a zero tolerance policy towards fraud which is set out in the Council's Anti – Fraud and Bribery and Corruption Policy (including Money Laundering Policy) that was last approved by this Committee in September 2018.
- There is an allowance for special investigations in the internal audit plan.
- The Internal audit plan covers the whole of the organisation.
- The Council participates in the National Fraud Initiative
- Potential Council Tax Support frauds are investigated by council tax staff (housing benefit fraud is now dealt with by the DWP)
- There is a rolling program of discount exemption checks for council tax
- Program of checks for benefits focusing on cases that are likely to have had changes to their income.
- Data matching processes with the DWP and HMRC
- The Council has a Confidential Reporting Code (Whistleblowing Policy)
- The Council has a fraud risk register
- Recruitment procedures ensure that checks are undertaken to prevent the council employing people working under false identities etc.
- The IT systems are Public Sector Network (PSN) compliant
- Separation of duties in place
- In September 2016 a self- assessment was undertaken against the “Local Government Counter Fraud and Corruption Strategy 2016 – 19” checklist. The results were reported to this committee.

## **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

Raising the awareness of fraud issues amongst Members and staff helps to mitigate the risk and potential cost of fraud.

## 4 OTHER CONSIDERATIONS

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

## 5 CONTACT INFORMATION

Karen Henriksen, Head of Resources

Telephone: 01629 761284; Email: [karen.henriksen@derbyshiredales.gov.uk](mailto:karen.henriksen@derbyshiredales.gov.uk)

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)

## 6 BACKGROUND PAPERS

None

## 7 ATTACHMENTS

Appendix 1 – CIPFA Fraud and Corruption Tracker Survey 2019



# fraud and corruption tracker

Summary Report 2019



**CIPFA COUNTER  
FRAUD CENTRE**

# Contents

- 3** Foreword
- 4** Introduction
- 5** Executive summary
- 6** Main types of fraud
  - Council tax
  - Disabled parking (Blue Badge)
  - Housing
  - Business rates
- 12** Other types of fraud
  - Adult social care
  - Insurance
  - Procurement
  - No recourse to public funds/welfare assistance
  - Payroll, recruitment, expenses and pension
  - Economic and voluntary sector support and debt
  - Mandate fraud and manipulation of data
- 16** Serious and organised crime
- 17** Sanctions
- 17** Cyber fraud
- 18** Whistleblowing
- 18** Counter fraud structure
- 19** Joint working/data sharing
- 20** Fighting Fraud and Corruption Locally
- 21** Recommendations
- 22** Appendices

# Foreword



**Rob Whiteman**  
Chief Executive, CIPFA

As stewards of public money, it's the responsibility of each and every public sector organisation to take an active role in the fight against corruption, bribery and fraud. The impact of financial crime on the public sector is enormous. The diversion of funding from vital public services undermines public trust, financial sustainability, organisational efficiency and makes the vulnerable people in our communities that much worse off.

The CIPFA Fraud and Corruption Tracker (CFaCT) aims to provide a current national picture of public sector fraud and corruption for local authorities and to help identify counter fraud actions that must be taken. The report's findings provide valuable insights designed to help counter fraud practitioners in local government better understand national trends and emerging risks.

This publication is part of CIPFA's commitment to support the public sector and promote the principles of strong public financial management and good governance. Not only do our findings shed valuable light on the fraudulent activities happening in public organisations across our country, but they also showcase the important role that counter fraud measures play in the larger fight against fraud and corruption.

The findings from the 2019 CFaCT survey should not be understated. Understanding the emerging risks that similar sectors face can help organisations in the broader public sector increase their individual awareness, collaborate more effectively and take tailored action to prevent illegal activity from growing in the public sphere.

By working together, all agencies involved in protecting public resources can improve clarity and efficiency in tackling fraud. Ultimately the improved outcomes that result will benefit all communities.

The survey was supported by:



# The CIPFA Counter Fraud Centre

The CIPFA Counter Fraud Centre (CCFC) was launched in 2014. Building on CIPFA's 130-year history of championing excellence in public finance management, we offer a range of products and services to help organisations detect, prevent and recover fraud losses. We support the national counter fraud and anti-corruption strategy for local government, Fighting Fraud and Corruption Locally and were named in the UK Government's 2014 Anti-Corruption Plan and in the 2017–22 Anti-Corruption Strategy as having a key role to play in combating corruption, both within the UK and abroad. Through the annual CFaCT survey, we lead on measuring and monitoring fraud, bribery and corruption activity across local government.



**CIPFA COUNTER  
FRAUD CENTRE**

## Acknowledgements

CIPFA would like to thank all the organisations that completed the survey along with those that helped by supporting, contributing insights and best practices, including:

- Local Government Association
- Home Office
- The Fighting Fraud and Corruption Locally board

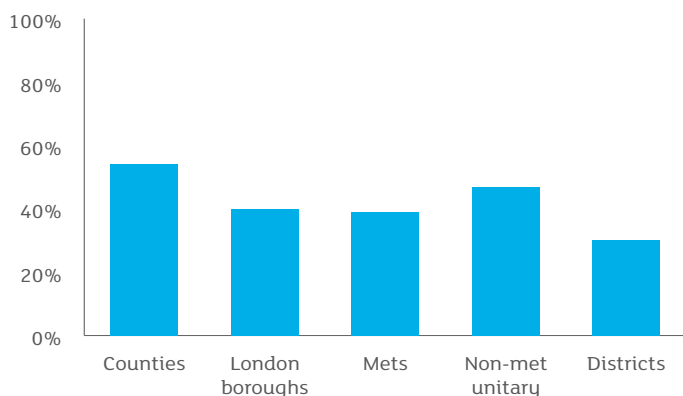
# Introduction

CIPFA recognises that each pound lost to fraud represents a loss to the public purse and reduces the ability of the public sector to provide services to people who need them. According to the Annual Fraud Indicator 2017, which provides the latest set of government sanctioned estimates, fraud costs the public sector at least £40.3bn annually, £7.8bn of which is specifically in local government.

Fraud is a widespread cause of concern in the public sector and remains a constant financial threat to local authorities. This is an ongoing issue in the sector and partners such as the Local Government Association (LGA), the National Audit Office and the Home Office actively work towards new ways of finding solutions to the challenges unique to government.

CIPFA conducted its fifth annual CFaCT survey in May 2019, with the aim of creating a national picture of the types of fraud and amount prevented or detected in local authorities. The results were received from local authorities in all UK regions, allowing CIPFA to estimate the total figures for fraud across England, Scotland, Wales and Northern Ireland.

## Response rate



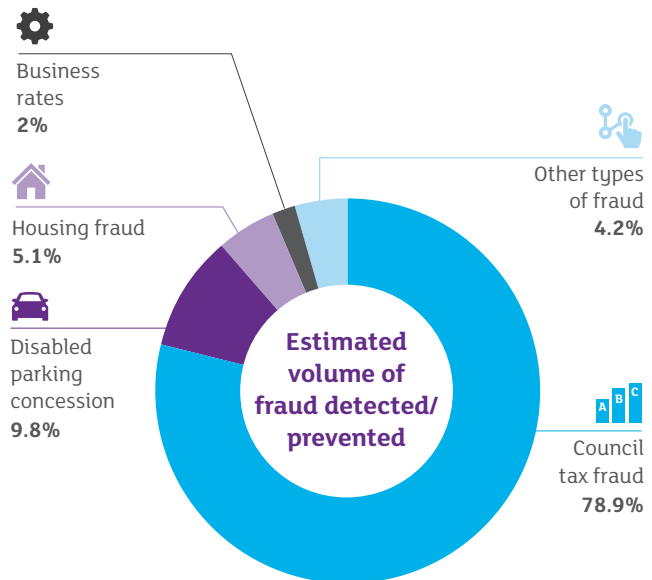
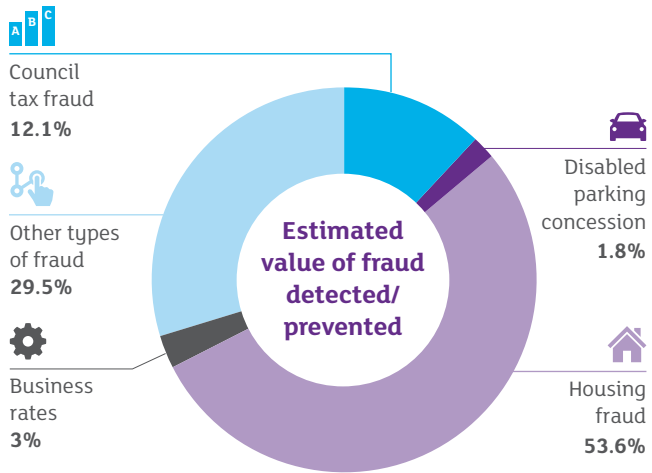
## This report highlights the following:

- the types of fraud identified in the 2018/19 CFaCT survey
- the monetary cost of fraud in 2018/19
- the impact of counter fraud and prevention activities to improve the public sector budget
- the emerging risks and threats impacting the fraud and corruption landscape.



# Executive summary

For local authorities in the UK, CIPFA has estimated that the total value of fraud detected or prevented in 2018/19 is approximately £253m, averaging roughly £3,600 per fraud case. In 2017/18 there was an estimated value of £302m with a similar average of £3,600 per case detected or prevented.



The decrease in the total value can be largely attributed to the successful work by public authorities in housing, which has seen a year-on-year reduction in the total number of unlawfully sublet properties and false right to buy applications.

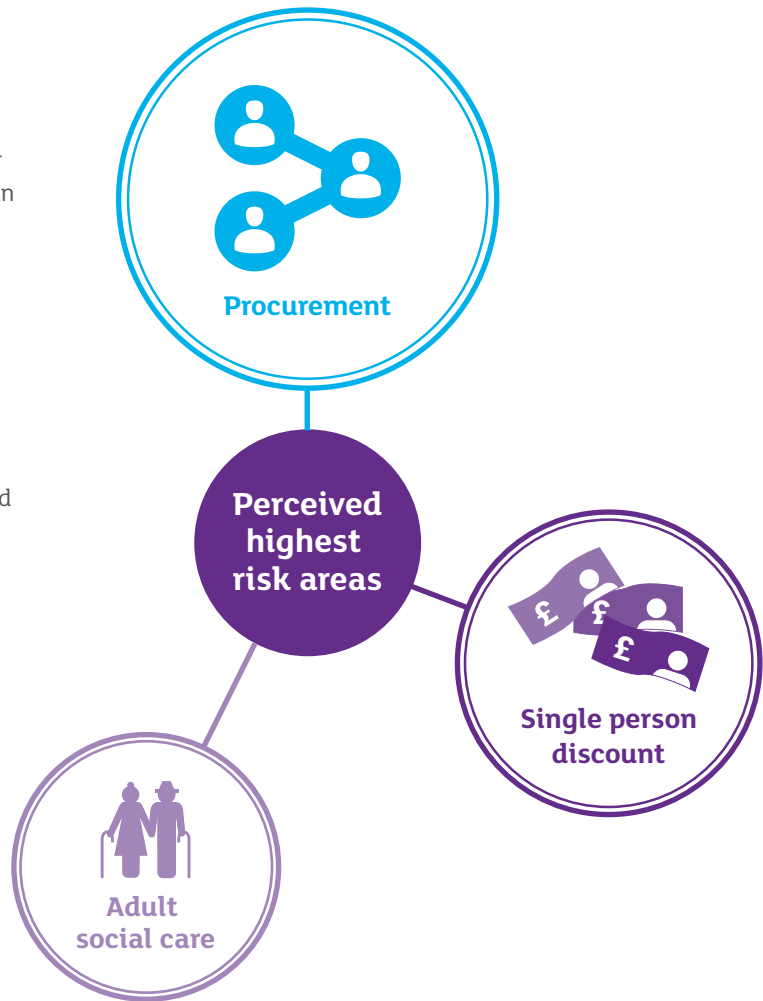
Improvements in the review of allocations and applications by many local authorities have limited the risk of new fraud cases and strengthened overall degrees of prevention. Together with low rates of tenancy turnover associated with the current social housing stock, this prevention strategy has been highly effective.

Councils reported that approximately 71,000 instances of fraud had been detected or prevented in 2018/19, which is lower than the approximate 80,000 reported by CIPFA in 2017/18. Council tax fraud represents 78% of these identified instances of fraud with an estimated value of £30.6m followed by disabled parking concession (Blue Badge scheme) and housing frauds representing 10% and 5% of the total cases of UK public sector fraud, respectively.

The area that has grown the most in the last year is council tax single person discount (SPD) with an estimated increase of £3.6m since 2017/18.

The three highest perceived fraud risk areas for 2018/19 remain unchanged from the previous iteration of this survey: procurement, council tax SPD and adult social care respectively.

Survey results show that nationally, the primary perceived issue that respondents think needs to be addressed to effectively tackle the risk of fraud and corruption is capacity – ie sufficient counter fraud resource. Better data sharing and effective fraud risk management follow as secondary and tertiary areas for improvement. Results from respondents have shown that they expect to increase the number of counter fraud specialist staff by 9% over the next year, a continuation of an upward trend for employing counter fraud specialists in councils.



In the last year, the value of fraud detected and prevented by local authorities in the UK was

**£253m**



# Major fraud areas

For 2018/19, the CFaCT survey has shown that the four main areas of fraud (by volume) that local authorities are tackling are:

- council tax
- disabled parking (Blue Badge)
- housing
- business rates.

## A B C Council tax

Council tax has continued to be the largest area of identified fraud over the last three years and is the top fraud risk for districts and unitaries, 43% and 26%, respectively. Although the volume is significantly higher when compared to other fraud risk areas, council tax does not represent the highest cumulative value amongst all surveyed types of fraud, estimated to total £30.6m. This high volume/low value continues to be a leading trend each year.

**Table 1: Estimated council tax fraud**

|              | 2016/17       |               | 2017/18       |               | 2018/19       |               |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
|              | Volume        | Value         | Volume        | Value         | Volume        | Value         |
| SPD          | 50,136        | £19.5m        | 46,278        | £15.8m        | 44,051        | £19.4m        |
| CTR          | 6,326         | £4.8m         | 8,759         | £6.1m         | 8,973         | £7.2m         |
| Other        | 674           | £1.1m         | 2,857         | £4.5m         | 2,831         | £4.0m         |
| <b>Total</b> | <b>57,136</b> | <b>£25.5m</b> | <b>57,894</b> | <b>£26.3m</b> | <b>55,855</b> | <b>£30.6m</b> |

The total number of detected and prevented fraud cases for council tax fell in 2018/19 after rising in previous years. However, the average values of frauds, especially for SPD, has risen resulting in an increase in the total value.







## Disabled parking (Blue Badge)

The survey has identified misuse of the Blue Badge scheme as one of the fraud risk areas that is increasing steadily. Although the number of cases has nearly halved since last year, the national estimated average value per case has increased from £499 to £657 in 2018/19. Although this value does not include cases with a normal cancellation upon death of the individual, the increase is likely to continue with new criteria in guidance released by the Department for Transport and Ministry of Housing, Communities & Local Government (MHCLG).

This guidance states that the Blue Badge scheme now extends to individuals with less ‘visible’ disabilities, such as dementia or anxiety disorder – one of the biggest changes to the scheme in nearly 50 years. These extended criteria came into effect in August 2019 and coincide with the launch of a new task force to aid local authorities in the prevention and detection of Blue Badge fraud.<sup>1</sup>

This indicates that although procurement, council tax SPD and adult social care are identified nationally as the three main fraud risk areas,

Blue Badge fraud is an area of increasing risk and prominence.

Due to the varying nature of cases and local authorities’ individual calculation methods, at present there is no standard means of calculating the value of Blue Badge fraud. It is challenging to directly compare the value of fraud cases detected/prevented across all UK authorities.

For example, Greater London authorities place a higher value against the fraud loss in comparison to other local authorities, with an average value of £3,340 per case compared to counties who had an average of £260 per fraud case; this is partially due parking fees being much higher in Greater London.



**Fraud from the misuse of the Blue Badge scheme is a fraud area that is steadily increasing.**



The average case of Blue Badge fraud has increased from **£499** to **£657**



<sup>1</sup> [www.gov.uk/government/news/review-of-blue-badge-fraud-as-scheme-is-extended-to-those-with-hidden-disabilities](http://www.gov.uk/government/news/review-of-blue-badge-fraud-as-scheme-is-extended-to-those-with-hidden-disabilities)



## Housing and tenancy fraud

In relation to housing fraud, councils record the income lost using different valuations that can range from a notional cost of replacing a property to the average cost for keeping a family in bed and breakfast accommodation for a year. These different approaches make it challenging to formulate clear comparisons. On a national scale, the value of fraud detected or prevented is considered in the two following ways:

- if the cases were pertaining to new-build accommodation
- if the cases were pertaining to temporary accommodation.

**Table 2: Estimated housing fraud**

| Type of fraud  | 2016/17      | 2017/18      | 2018/19      |
|----------------|--------------|--------------|--------------|
|                | Volume       | Volume       | Volume       |
| Right to buy   | 1,284        | 1,518        | 652          |
| Illegal sublet | 1,829        | 1,051        | 826          |
| Other*         | 2,825        | 2,164        | 2,154        |
| <b>Total</b>   | <b>5,938</b> | <b>4,733</b> | <b>3,632</b> |

\*Other includes tenancy frauds that are neither right to buy nor illegal sublet, and may include succession and false applications.

# 3,632

instances of housing fraud occurred in the UK last year



In cases regarding new-build accommodations an average of £150k per fraud case is applied, compared to £18k for cases regarding temporary accommodations. This can be further explored by examining the comparison by tier (see Table 2).

There has been a steady downward trend in the number of housing and tenancy related frauds detected/prevented, decreasing by roughly 20% year-on-year. This trend likely indicates successful efforts by local authorities to tackle housing fraud and remove illegally sublet properties from the system.



## Business rates

Business rate fraud represents 2% of the total estimated number of fraud cases detected or prevented in 2018/19. This represents a marginal increase from the previous year's figure of 1.7% and is reflected in the fact that councils reported it as the fifth highest fraud risk area on a national scale and third highest specific to districts.

Examples of business rates fraud include fraudulent applications for exemptions, tax

relief and the failure to list properties as being a business address. It often takes a visit from someone in the fraud team to discover the truth.

Even with the increased percentage overall, the estimated loss decreased to £8m from £10m the previous year.

Business rate fraud represents



2%

of all detected and prevented cases of fraud in the UK

## Other types of fraud

This section of the report examines survey responses related to other notable types of fraud that did not emerge as major types of fraud within the national picture. This section includes the following fraud types, among others<sup>2</sup>:

- adult social care
- insurance
- procurement
- no recourse to public funds/welfare assistance
- economic and voluntary sector support and debt
- payroll, recruitment, expenses and pension
- mandate fraud and manipulation of data.



### Adult social care

**Table 3: Estimated adult social care fraud**

| Type of fraud                  | 2016/17    |              | 2017/18    |              | 2018/19    |                |
|--------------------------------|------------|--------------|------------|--------------|------------|----------------|
|                                | Volume     | Value        | Volume     | Value        | Volume     | Value          |
| Personal budget                | 264        | £2.7m        | 334        | £3.2m        | 234        | £9.6m*         |
| Other                          | 182        | £2.8m        | 403        | £3.5m        | 246        | £4.1m          |
| <b>Total</b>                   | <b>446</b> | <b>£5.5m</b> | <b>737</b> | <b>£6.7m</b> | <b>480</b> | <b>£13.7m*</b> |
| <b>Average value per fraud</b> |            | <b>£12k</b>  |            | <b>£9k</b>   |            | <b>£29k*</b>   |

\*Please note that this figure is inflated by a small number of authorities and though it is not comparable, it shows the scope of fraud possible in this area.

In 2018/19, there was a reversal of the trend of a steady decline in the average value per fraud of adult social care. In 2018/19 the average value of personal budget fraud increased, primarily as a result of a small number of very high value frauds identified in two councils. Excluding these cases, the decline in the value and volume of personal budget frauds continued. Other fraud also showed a decline in numbers of cases identified but the average value increased.

<sup>2</sup> An explanation of each fraud can be found in the Glossary on page 23.



## Insurance fraud

This year's survey reports an estimated number of 318 insurance fraud cases, valued cumulatively at £12.6m. In comparison to the previous year, both the estimated volume and value of insurance fraud cases in the UK more than doubled.

Respondents who identified insurance fraud also reported two confirmed insider fraud cases with a combined value of £43k.

Local authority insurance fraud cases included in this survey are a mixture of both one-off,

high-value employer liability claims (such as injury at work) and frequent, low-value public liability claims (such as 'slips and trips' or property damage).

Through pro-active risk management, many risks faced by councils are being effectively identified, treated and managed. In turn, these actions have led to more effective controls and better review and management of red flags against high risk claims, contributing to higher levels of fraud prevention or detection.



## Procurement fraud

For the third year in a row, procurement fraud is seen as the highest fraud risk area. Services are constantly being procured by councils and fraud can take place at any point in the supply chain, making it difficult to both detect and measure especially once a contract has been awarded. Councils also undertake large value infrastructure and regeneration projects, usually subjected to outsourcing. As councils are responsible for the funding of these large projects, when procurement fraud does occur the sums can be significant.

This year, there was an estimated number of 125 prevented or detected procurement frauds with 12% of cases reported being insider fraud and 5% classified as serious and organised crime. This is a continued decline from 142 estimated fraudulent cases with a value of £5.2m in 2017/18 and 197 cases with a value of £6.2m in 2016/17.

**Table 4: Estimated procurement fraud**

| 2016/17 |       | 2017/18 |       | 2018/19 |         |
|---------|-------|---------|-------|---------|---------|
| Volume  | Value | Volume  | Value | Volume  | Value   |
| 197     | £6.2m | 142     | £5.2m | 125     | £20.3m* |

\*Please note this figure is attributable to mainly one organisation and though it is not comparable to other respondents, it shows the scope for fraud in this area.

This year, there was an estimated number of

# 125

prevented or detected procurement frauds.

Over the past 12 months MHCLG has been leading a review into the risks of fraud and corruption in local government procurement as committed to in the UK Government's Anti-Corruption Strategy 2017-2022.



## Welfare assistance and no recourse to public funds

In 2018/19, the estimated number of fraud cases related to welfare assistance dropped significantly to 24. In 2017/18 and 2016/17 there were an estimated 109 and 74 cases, respectively. The scope for the volume of cases authorities can receive in this area was demonstrated last year where the average number of cases per authority was over three times the level identified in 2018/19.

2018/19 saw the number of no recourse to public funding cases fall to an estimated 148, down from an estimated 334 cases in the previous year. This decline can possibly be attributed to fewer respondents detecting/preventing fraudulent activity in this area.



## Economic and voluntary sector (grant fraud) and debt

The number of grant fraud cases reported by local authorities responding to the survey has reduced to six cases with an average value per fraud loss of approximately £4,000. In the 2016/17 survey, there were 17 actual cases of grant fraud reported, which increased in 2017/18 to 24 cases with an average estimated loss of £14,000 per case.

The number of debt cases reported has increased to 53, and is valued at over £495,000 this year, compared to 38 reported cases in 2017/18 valued at over £150,000. This year, both the number and value of debt fraud cases increased, despite a decline in the survey's response rate. This might indicate that debt fraud likely has a higher scope for fraudulent activity than previously expected.



**The number of grant fund fraud cases reported by local authorities has gone down to six.**





## Payroll, expenses, recruitment and pension

The total value of the fraud loss for these four areas in 2018/19 was an estimated £9.42m. This figure was inflated by one incident of payroll fraud that was prevented by an authority and though it is not comparable on a national basis, it reflects the scope of fraud for this area.

Measuring the cost of these frauds can be quite difficult as they carry implications that include reputational damage, the costs of further recruitment and investigations into the motives behind the fraud. This could indicate that some organisations are less likely to investigate or report investigations in these areas.

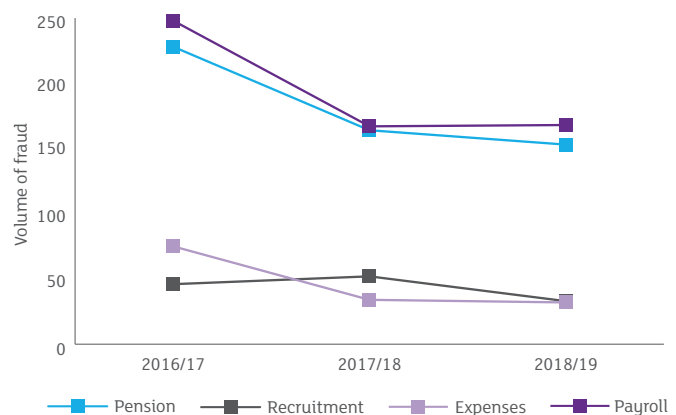
Payroll has had the highest volume and value of fraud out of these four areas (payroll, expenses, recruitment and pension) for every year since 2016/17. Recruitment fraud has the second highest with an estimated average per case of £11,381.

**Table 5: Estimated payroll, expenses, recruitment and pension fraud**

| Type         | 2016/17    |              | 2017/18    |              | 2018/19    |                |
|--------------|------------|--------------|------------|--------------|------------|----------------|
|              | Volume     | Value        | Volume     | Value        | Volume     | Value          |
| Payroll      | 248        | £1.0m        | 167        | £1.01m       | 168        | £8.77m*        |
| Expenses     | 75         | £0.1m        | 34         | £0.03m       | 32         | £0.04m         |
| Recruitment  | 46         | £0.2m        | 52         | £0.49m       | 33         | £0.38m         |
| Pension      | 228        | £0.8m        | 164        | £0.57m       | 153        | £0.23m         |
| <b>Total</b> | <b>597</b> | <b>£2.1m</b> | <b>417</b> | <b>£2.1m</b> | <b>386</b> | <b>£9.42m*</b> |

\*Please note this figure is attributable to mainly one organisation and though it is not comparable to other respondents, it shows the scope for fraud in this area.

### Changes in fraud volume



## Manipulation of data (financial or non-financial) and mandate fraud

CIPFA estimates that across the UK in 2018/19 there were 34 cases of manipulation of data fraud, which is an increase from the estimated cases in 2017/18 following a dip compared to the year before that.

There were 322 estimated cases of mandate fraud in 2018/19 compared to 257 estimated cases detected or prevented in 2017/18.

## Serious and organised crime

Organised crime often involves complicated and large-scale fraudulent activities which cross more than one boundary, such as payroll, mandate fraud, insurance claims, business rates and procurement. These activities demand considerable resources to investigate and require organisations to co-operate in order to successfully bring criminals to justice.

The 2018/19 survey identified 24 cases of serious and organised crime, a decrease from the 56 in 2017/18 which had doubled from the year before that. All of this year's cases come from metropolitan, districts, London boroughs and counties. This may indicate that larger and more complex authorities bear a greater risk of being targeted by serious and organised crime. The responses show that councils share a significant amount of data both internally and externally,

with 72% sharing data with the Cabinet Office/ National Fraud Initiative, 52% sharing data with the police and 49% sharing data with their peers (other councils).

Of the organisations that responded, 35% identified serious and organised crime within their organisation's risk register.

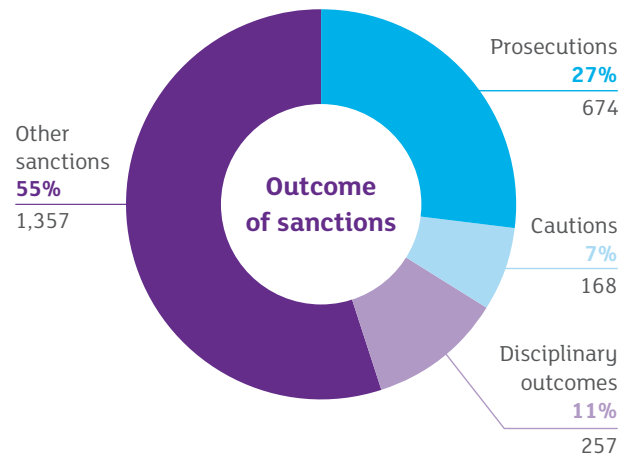




# Sanctions

The following shows some of the key findings from sanctions that are being used in CFaCT 2018/19:

- 674 prosecutions were completed in 2018/19. Of these 17 involved insider fraud and 14 of those insider fraud cases were found guilty.
- The number of cautions increased from 9% in 2016/17 to 13% in 2017/18 but reduced to 7% in 2018/19.
- The percentage of other sanctions dropped from 53% in 2016/17 to 46% in 2017/18 but increased to 55% in 2018/19.



# Cyber fraud

Results from the CFaCT survey show that 74% of respondents last underwent a cyber/e-fraud risk assessment during or after 2018/19 and 78% state that the IT team/senior information risk owner is responsible for the management of cyber risk in their organisation.

Twenty seven percent of respondents stated that their organisation had been a victim of hacking/distributed denial of service attacks in the last month.

In response to the threat of cybercrime against local government, the LGA has set up a Cyber Security Programme and a stakeholder group, working to address the issues.

The LGA's Cyber Security Programme received three years of funding from the National Cyber Security Programme (NCSP) in 2018 to help councils remain safe from cyber attacks and put appropriate arrangements in place to deal effectively with a cyber incident should it occur, ie both prevention and response.

# Whistleblowing

This year, 67% of respondents said they annually reviewed their whistleblowing arrangements in line with BS PAS 1998:2008 Whistleblowing Arrangements Code of Practice. Councils also named other codes of practices with which they are aligning.

Of those questioned, 86% confirmed that staff and the public had access to a helpdesk and 70% said that the helpline conformed to the BS PAS1998:2008.

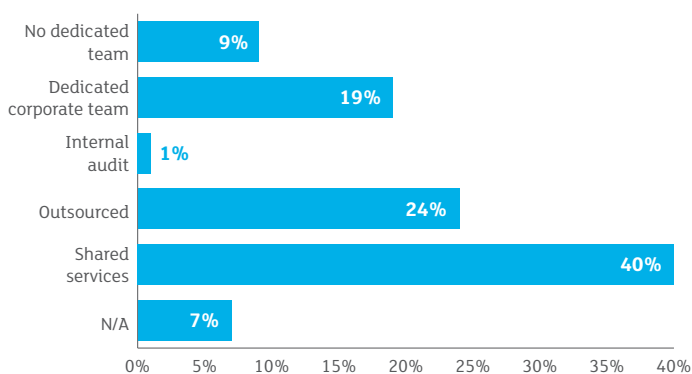
Respondents reported a total of 755 whistleblowing cases logged, made in line with

BS PAS 1998:2008, representing disclosures in all areas – not just with regard to suspected fraudulent behaviour. This is an average of six cases logged per authority, double last year's average of three per authority. Responses showed that the majority of cases were logged by London councils and metropolitan districts.

## Counter fraud structure

Fraud teams across local government continue to detect and prevent a significant amount of fraud, although counter fraud resource is the main perceived issue that need to be addressed to tackle fraud. Councils are responding to this perceived need and expect the number of counter fraud specialist staff to grow by around 9% in the next year, followed by a small increase in 2021.

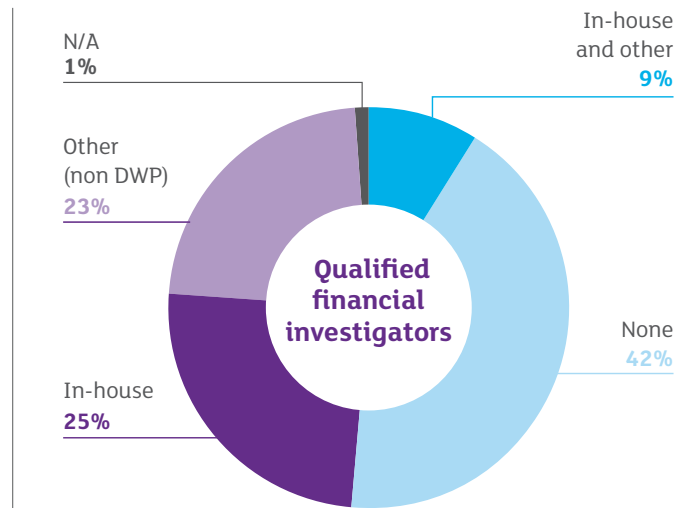
### Counter fraud structure breakdown



Adopting a shared services structure is increasingly popular and this year it was reported that 19% of respondents have such a structure compared to 14% last year. Some smaller authorities have likely adopted this approach for its associated resiliency and cost efficiency.

There has been a decrease in authorities that have a dedicated counter fraud team – from 51% in 2017/18 to 40% in 2018/19. However, it is worth noting there may be a potential bias in this figure as those who have a dedicated counter fraud team are more likely and able to return data for the CFaCT survey.

The number of available in-house qualified financial investigators has increased from 31% in 2017/18 to 44% in 2018/19. In addition, the percentage of authorities that have a non-Department of Work and Pensions (DWP) qualified financial investigator increased from 23% in 2017/18 to 25% in 2018/19. However, the number of authorities that don't have a qualified financial investigator available to their organisation has increased from 41% last year to 43%.



## Joint working/data sharing

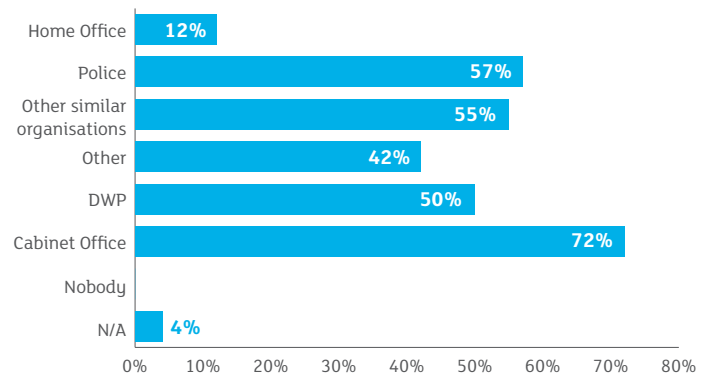
Eighty-nine percent of survey respondents have stated that they share data internally, mainly with housing, council tax and revenue/benefits departments.

Ninety-six percent of local authorities share data externally which is an increase of 2% from 2017/18. This data is mainly shared with Cabinet Office/National Fraud Initiative (72%), police (57%), other authorities/similar organisations (55%) and the DWP (50%).

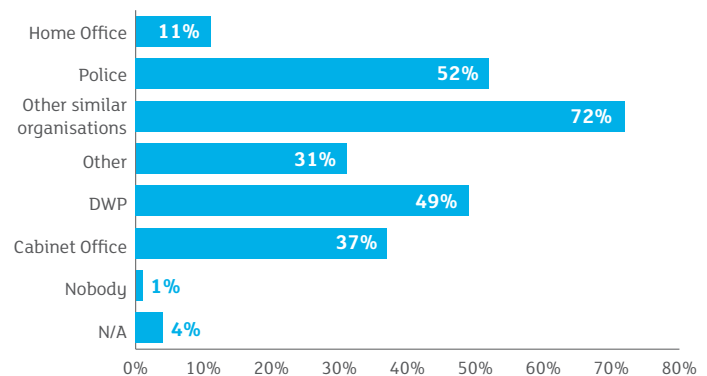
The sort of data that is shared relates to persons of interest, areas of interest and emerging frauds. Some authorities also highlighted that the kind of data they share is for data-matching purposes.

Of the CFaCT respondents, 72% say they work jointly with other similar organisations/peers, 52% work with the police and 49% with the DWP. Further breakdown is shown in the following chart.

### Share/exchange data with:

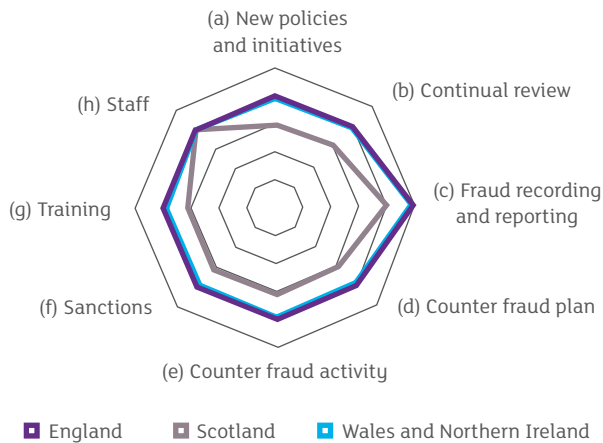


### Work jointly with:



# Fighting Fraud and Corruption Locally

The Fighting Fraud and Corruption Locally (FFCL) Strategy 2016-2019 was developed by local authorities and counter fraud experts and is currently being reviewed. It is the definitive guide for local authority leaders, chief executives, finance directors and all those with governance responsibilities.



This strategy is available for councils to use freely, so that everyone can benefit from shared good practice, and is aimed at local authority leaders. It provides advice on how to lead and communicate counter fraud and corruption activity for the greatest impact, as well as covering resource management and investment in counter fraud operations.

To measure the effectiveness of its 2016-2019 strategy, the FFCL board includes questions in the CFaCT survey. The questions ask respondents whether they agree or disagree that their organisation is carrying out certain actions, based on FFCL recommendations. The diagram to the left illustrates the results; lines closest to the outside edge indicate strong agreement while those towards the centre indicate disagreement.



The FFCL strategy is the definitive guide for local authority leaders. Everyone can benefit from good practice.



# Recommendations

## CIPFA recommends

- **The cumulative value of fraud prevented/ detected by local authorities has declined year-on-year.** Public sector organisations must remain vigilant and determined in identifying and preventing fraud throughout their procurement processes.
- **This year’s findings show that shared services counter fraud structures are becoming more popular amongst authorities.** Effective practices for detecting and preventing fraud should be shared and adopted across the sector. Fraud prevention should be embedded in ‘business as usual’ across an entire organisation to improve the effectiveness of preventative measures.
- **Although the number of qualified investigators has increased over the past year, the survey shows a decline in the number of authorities with a dedicated counter fraud team.** All staff, across all public sector work functions, should receive fraud awareness training in order to better identify fraud risks, fraud attempts and implement effective controls.
- **According to respondents, a lack of adequate counter fraud resources is the main perceived issue that needs to be addressed to effectively tackle fraud.** All organisations should ensure that they have strong counter fraud leadership at the heart of senior decision-making teams. Fraud teams and practitioners should be supported in presenting business cases to resource their work effectively.
- **The survey shows that the overwhelming majority of authorities share data externally, however vast discrepancies exist among the organisations that receive that shared data.** Public sector organisations should continue to maximise opportunities to share data and to explore innovative use of data, including sharing with law enforcement bodies and third party experts.
- **In the past year, 89% of local authorities shared fraud-related data internally.** Where counter fraud functions are decentralised within an authority, counter fraud leads should ensure effective inter-departmental collaboration (ie between housing, IT (cyber security), revenues, etc). For some authorities, necessary collaboration could be achieved through the formation of a counter-fraud working group.
- **In-line with the FFCL Strategy 2016-2019,** the importance of the fraud team’s work should be built into both internal and external communication plans. Publicly highlighting a zero tolerance approach can work to improve the reputation and budget position of authorities.



The importance of the fraud team’s work should be built into both internal and external communications plans. ”



# Appendix 1: Fraud types and estimated value/volume

The table below shows the types of frauds reported in the survey and the estimated volume and value during 2018/19.

| Types of fraud                        | Fraud cases | % of the total | Value   | % of the total value | Average   |
|---------------------------------------|-------------|----------------|---------|----------------------|-----------|
| Council tax                           | 55,855      | 78.9%          | £30.6m  | 12.1%                | £548      |
| Disabled parking concession           | 6,951       | 9.8%           | £4.6m   | 1.1%                 | £657      |
| Housing                               | 3,632       | 5.1%           | £135.6m | 53.6%                | £37,332   |
| Business rates                        | 1,404       | 2.0%           | £7.7m   | 3.0%                 | £5,455    |
| Other fraud                           | 616         | 0.9%           | £6.0m   | 2.4%                 | £9,779    |
| Adult social care                     | 480         | 0.7%           | £13.7m* | 5.4%*                | £28,534*  |
| Schools frauds (excl. transport)      | 391         | 0.6%           | £0.7m   | 0.3%                 | £1,893    |
| Mandate fraud                         | 322         | 0.5%           | £4.7m   | 1.8%                 | £14,506   |
| Insurance claims                      | 318         | 0.5%           | £12.6m  | 5.0%                 | £39,636   |
| Payroll                               | 168         | 0.2%           | £8.8m*  | 3.5%*                | £52,270*  |
| Pensions                              | 153         | 0.2%           | £0.2m   | 0.1%                 | £1,498    |
| No recourse to public funds           | 148         | 0.2%           | £1.4m   | 0.6%                 | £9,483    |
| Procurement                           | 125         | 0.2%           | £20.3m* | 8.0%*                | £161,565* |
| Debt                                  | 77          | 0.1%           | £0.6m   | 0.2%                 | £7,278    |
| Manipulation of data                  | 34          | 0.1%           | na      | na                   | na        |
| Recruitment                           | 33          | 0.1%           | £0.4m   | 0.2%                 | £11,381   |
| Expenses                              | 32          | 0.1%           | £0.0m   | 0.0%                 | £1,124    |
| School transport                      | 31          | 0.0%           | £4.8m   | 1.9%                 | £154,601  |
| Welfare Assistance                    | 24          | 0.0%           | £0.0m   | 0.0%                 | £1,824    |
| Children social care                  | 19          | 0.0%           | £0.4m   | 0.2%                 | £22,076   |
| Economic and voluntary sector support | 14          | 0.0%           | £0.1m   | 0.0%                 | £4,005    |
| Investments                           | 2           | 0.0%           | na*     | na*                  | na*       |

\*The figures for investments are not available as only one response was received and thus the amount is not representative of the national average. The other figures in this table are affected by a small number of councils that had high value frauds not indicative of the national average.

## Appendix 2: Methodology

This year's results are based on responses from 142 local authorities. An estimated total volume and value of fraud has been calculated for all local authorities in England, Wales, Scotland and Northern Ireland. Missing values are calculated according to the size of the authority and for each type of fraud an appropriate universal measure of size has been selected, such as local authority housing stock for housing frauds.

From the responses, the number of cases per each unit of measurement is calculated and used to estimate the missing values. Then, for each missing authority, the estimated number of cases is multiplied by the average value per case provided by respondents to give an estimated total value. As an illustration, if the number of housing

frauds per house is 0.01 and a missing authority has 1,000 houses in its housing stock, we estimate the number of frauds as 10. If the average value per case is £100,000 then the total estimated value of fraud for that authority is £1m.

## Appendix 3: Glossary

Definitions below are taken from CIPFA's CFaCT survey, the Annual Fraud Indicator and other government sources.

### **Adult social care fraud:**

Adult social care fraud can happen in a number of ways but the increase in personal budgets gives a greater opportunity for misuse.

### **Investigations cover cases where:**

- direct payments were not being used to pay for the care of the vulnerable adult
- care workers were claiming money for time they had not worked or were spending the allocated budget inappropriately.

### **Blue Badge:**

The Blue Badge is a Europe-wide scheme allowing holders of the permit to parking concessions which are locally administered and are issued to

those with disabilities so they can park nearer to their destination.

At present, a badge issued to a deceased person is classified as fraudulent, even if it is not being used for fraudulent purposes.

### **Business rates fraud:**

Business rates fraud is not a transparent landscape for the fraud investigator, with legislation making it difficult to separate evasion and avoidance. Business rate fraud may include the fraudulent applications for exemptions and reliefs and unlisted properties, and fraud staff may be used to visit properties in question.

### **Cautions:**

Cautions relate to a verbal warning given in circumstances where there is enough evidence to prosecute, but it is felt that it is not in the public interest to do so in that instance.

### **Council tax fraud:**

Council tax is the tax levied on domestic properties and collected by district and unitary authorities in England and Wales and levying authorities in Scotland.

Council tax fraud is split into three sections:

- Council tax single person discount – where the council tax payer claims for occupiers who don't exist they are the only occupant eligible to pay.
- Council tax reduction support – where the council tax payer fails to declare their income correctly.
- Other types of council tax fraud – eg claims for exemptions or discounts to which the council tax payer has no entitlement.

### **Debt fraud:**

Debt fraud includes fraudulently avoiding a payment of debt to an organisation, excluding council tax discount.

### **Disciplinary outcomes:**

Disciplinary outcomes relate to the number of instances where as a result of an investigation by a fraud team, disciplinary action is undertaken, or where a subject resigns during the disciplinary process.

### **Economic and voluntary sector (grant fraud):**

This type of fraud relates to the false application or payment of grants or financial support to any person and any type of agency or organisation.

### **Housing fraud:**

Fraud within housing takes a number of forms, including sub-letting for profit, providing false information to gain a tenancy, wrongful tenancy assignment and succession, failing to use the property as the principle home abandonment, and right to buy.

### **Insurance fraud:**

Insurance fraud includes any insurance claim that is proved to be false, made against the organisation or the organisation's insurers.

### **Mandate fraud:**

Action Fraud defines mandate fraud as "when someone gets you to change a direct debit, standing order or bank transfer mandate, by purporting to be an organisation you make regular payments to, for example a subscription or membership organisation or your business supplier".

### **Manipulation of data fraud:**

The majority of manipulation of data frauds relate to employees changing data in order to indicate better performance than actually occurred and staff removing data from the organisation. It also includes individuals using their position to change and manipulate data fraudulently or in assisting or providing access to a family member or friend.

### **No recourse to public funds:**

No recourse to public funds prevents any person with that restriction from accessing certain public funds. A person who claims public funds despite such a condition is committing a criminal offence.

### **Organised crime:**

The widely used definition of organised crime is one planned, co-ordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain.

### **Payroll fraud:**

Payroll fraud covers a wide range of areas such as ghost employees on the payroll, diversion of payments into fraudulent accounts, employees set up to receive higher salaries than they are entitled to by either grade or hours worked and false overtime claims.



**Procurement fraud:**

The procurement of goods and services often accounts for a significant proportion of an organisation's expenditure and is open to a wide range of potential fraud risks. This is because there are usually multiple individuals involved in a process who often do not work closely together: ie the person who wants something purchased does not always work directly with the people who initiate orders and with those responsible for paying.

This includes any fraud associated with the false procurement of goods and services for an organisation by an internal or external person(s) or organisations in the 'purchase to pay' or post contract procedure, including contract monitoring.

**Recruitment fraud:**

Recruitment fraud includes applicants providing false CVs, job histories, qualifications, references, immigration status (ie the right to work in the UK) or the use of a false identity to hide criminal convictions or immigration status.

**Right to buy:**

Right to buy is the scheme that allows tenants that have lived in their properties for a qualifying period the right to purchase the property at a discount. Fraud is committed when an applicant has made false representations regarding the qualifying criteria, such as being resident in the property they are purchasing for a 12 month continuous period prior to application.

**Welfare assistance:**

Organisations have a limited amount of money available for welfare assistance claims so the criteria for applications are becoming increasingly stringent. Awards are discretionary and may come as either a crisis payment or some form of support payment.

**Whistleblowing:**

Effective whistleblowing allows staff or the public to raise concerns about a crime, criminal offence, miscarriage of justice or dangers to health and safety in a structured and defined way. It can enable teams to uncover significant frauds that may otherwise have gone undiscovered. Organisations should therefore ensure that whistleblowing processes are reviewed regularly.



Registered office:

77 Mansell Street, London E1 8AN

T: +44 (0)20 7543 5600 F: +44 (0)20 7543 5700

[www.cipfa.org](http://www.cipfa.org)

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## GOVERNANCE AND RESOURCES COMMITTEE

09 January 2020

Joint report of the Heads of Resources, Community and Environmental, Regulatory and Corporate Services

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## FEES AND CHARGES FOR 2020/21

### PURPOSE OF REPORT

This report details recommendations in respect of fees and charges in relation to Community and Environmental Services, Corporate Services and Regulatory Services.

### RECOMMENDATION

That the fees and charges recommended in Appendices 1 – 13 of the report are approved and implemented with effect from 1 April 2020.

### WARDS AFFECTED

All

### STRATEGIC LINK

The Council charges reasonable fees to cover the cost of services that are provided to make progress in delivering its Aims and Priorities.

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## 1 BACKGROUND

- 1.1 The Committee is asked to consider an annual review of the fees and charges for services provided across the Council.
- 1.2 It is proposed that the majority of fees and charges are increased with effect from 1<sup>st</sup> April 2020 by approximately 2%, with VAT applied, (current rate 20%) and rounded up or down as appropriate. Any proposals to freeze fees for 2020/21, or to increase them by significantly more than 2%, are explained in the report below or the relevant appendix.

Appendices 1 – 13 contain schedules of the existing and recommended charges.

## 2 REPORT

### 2.1 Community and Environmental Services

**Appendix 1** details the existing and proposed fees and charges for Pest Control and Stray Dog Service. The Stray Dog service is currently provided under contract by a privately run animal boarding kennel, Crowfoot Kennels. It is proposed that the fee for returning a stray dog to its owner should be frozen. Pest control fees have been increased by 2%.

**Appendix 2** details charges for waste and recycling collections. The recommended fees have increased by 2%. Charges for bulky waste collections will be reviewed to reflect contractor costs before the start of the new waste contract in August 2020.

**Appendix 3** details the existing and recommended fees and charges in respect of cemeteries and burials.

**Appendix 4** details the existing and recommended fees and charges in respect of farmer's markets and room hire at the Bakewell Agricultural Business Centre.

**Appendix 5** details the existing fees and charges and those recommended for approval with effect from 1st April 2020 in respect of Bakewell stall market and Matlock indoor market.

### **Bakewell Stall Market**

In 2019 a price comparison exercise was undertaken to compare the 2019/20 pricing structure with a mix of local and similar occupancy level markets. The results are shown in the table below:

| Market       | Stall size | Price          |
|--------------|------------|----------------|
| Bakewell     | 9ft/12ft   | £26.30/£34.20  |
| Chesterfield | 8ft/12ft   | £9.70 - £20.10 |
| Ormskirk     | 10' x 4'   | £25.30         |
| Beverley     | 12ft       | £24.75         |
| Beverley     | 12ft       | £48.80         |
| Louth        | 10ft       | £15.00         |
| Loughborough | 10ft       | £20.62         |
| Retford      | N/A        | £14.50         |
| Stamford     | 10ft       | £23.85         |
| Bulwell      | N/A        | £22.50         |

- To help to retain current traders and attract new traders, the Committee agreed to freeze stall hire charges to licensed traders for 2019/20. This was on the basis that Bakewell was the second most expensive of the 10 markets included in the benchmarking exercise where prices ranged from £14.50 to £48.80 per stall. For 2020/21 charges it is proposed that stall hire charges for licensed traders should be frozen as Bakewell remains the second most expensive market in the benchmarking exercise.
- In January 2019 the Committee agreed that the fee for casual rates should be increased from £2.80 to £5.00 over two years (2019/20 and 2020/21) in order to encourage casual traders to become licensed. From April 2019 the fee for casual traders increased to £3.50 and it was agreed that the fee would increase to £5.00 from April 2020. Phasing in the increase over 2 years gave the market team time to sign casual traders up to licences before a large increase. The full £5.00 is to be charged from April 2020.
- The car parking fee for traders was frozen in 2019/20 at £4.00. For 2020/21 it is proposed that this fee should be increased by 10p (2%) to £4.10.

**Appendix 6** details the existing fees and charges and those recommended for approval with effect from 1st April 2020 in respect of parks and recreation grounds.

## **Leisure Centres**

Under the terms of the contract with Freedom Leisure, responsibility for setting fees and charges for leisure centres transferred them from 1 August 2018. Prices were protected for the first contract year, meaning any changes could only happen after 1 August 2019.

The next price increase is due January 2021 once approved by the District Council's Contract Manager.

**Appendix 7** outlines fees relating to car parking permits, passes and season tickets. An increase of 2% is recommended, except for annual permits for residents' reserved bays where the recommended charge has increased significantly in line with the phased increase approved by the Community and Environment Committee on 5 December 2017.

The resident bay charges were historically introduced on car parks that became pay and display and where certain residents were able to demonstrate a high dependency on the use of spaces, having no access to alternative parking for home. Low charges were implemented and had been steadily increased to reach a charge of £92 by 1st April 2014. In contrast, the permit holder car parks were established and given a much higher charge as the dedicated use of the land was seen to be offering significant benefits to limited properties in the adjoining catchment areas, these being Rydes Yard, Wirksworth, Park Head and Snitterton Road, Matlock. As each scheme offers the same significant benefit in the form of dedicated parking for a small section of the community, Members resolved that these car parks and individually assigned spaces should be dealt with in the same manner, to provide an equality of service. As a consequence, it was agreed that:

- The fees for permit holder car parks (£331 p/a at time of meeting) and Resident Only bays (£92 p/a at time of meeting) would be aligned in a new Permit Holder scheme at the higher rate of £331 per annum from 1 April 2018.
- The existing Resident Only bay permit holders move to a new Permit Holder scheme and that the transfer of those entitled to do takes place in phases, over 3 years, as follows:
  - 1 April 2018 - £92
  - 1 April 2019 - £172 (+ any fees & charges increases in 2019)
  - 1 April 2020 - £252 (+ any fees & charges increases in 2020)
  - 1 April 2021 - £331 (+ any fees & charges increases in 2021)
- Prices would be considered annually as part of the Fees and Charges Report to become effective on 1st April.

**Appendix 8** outlines fees relating to events. The current fees and charges were approved by Members as part of the Events Strategy. An increase of 2% is recommended.

The fees for Matlock Bath Illuminations will be discussed and agreed by the Illuminations working group.

## 2.2 Corporate Services

**Appendix 9** details the current fees and those recommended for the various streams of Corporate Services.

In terms of Local Land Charges, the basic level of fee is recommended to remain unchanged in order to maintain the current level of market share with the private sector. The level of fees charged by the District Council must also accord with the Local Authorities (England) (Charges for Property Searches) Regulations 2008. The Regulations specify that the charge made in connection with a property search must not amount to more than the actual cost of providing the service. No increase is proposed for this next financial year to maintain market share and to comply with the charging regulations.

Charges for legal services have been reviewed and brought up to date. Some proposed fees being increased by more than 2%.

The proposed fees and charges for street naming and numbering have been increased by 3%.

## 2.3 Regulatory Services

**Appendix 10** details the existing fees and charges and, those recommended for approval with effect from 1st April 2020 in respect of food hygiene, private sector housing and private water supplies.

**Appendix 11** details the existing fees and charges and, those recommended for approval with effect from 1<sup>st</sup> April 2020 in respect of licensing.

The majority of fees in respect of Miscellaneous Licensing and Taxi Licensing have been increased by 5% per year for the previous 3 years, in accordance with a recommendation from the Licensing Service Review undertaken in 2016. The purpose of these increases was to reduce the subsidy in this area. It is now proposed that fee increases in these areas be set in line with the general inflation level, with the impact of the previous above-inflation increases to be reviewed in 2020.

If the proposed increases to the Taxi Licensing fees are approved, the information must be published in at least one local newspaper for a period of 28 days. All Taxi and Private Hire Vehicle Owner/Operators licensed by the District Council must also be informed of any proposed increases to the fees. Any relevant objections received must be reported back to a meeting of this Committee within 2 months, for consideration.

It is proposed that Animal Activity Licences should be increased by 2%.

**Appendix 12** sets out a proposed schedule of charges for the services provided by our Estates and Facilities Team. It is proposed that these charges be increased by 2%. The Council offers a reduction in these fees where the work relates to temporary installations on District Council land by town and parish councils and no charge is levied in relation to work on community asset transfers or emergency works licences.

**Appendix 13** sets out fees for Planning Pre-application Advice. It is recommended that these fees be increased by 10% to take account of the fact that no increase has been applied in this area since the pre-application scheme was introduced in April 2017.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to provide and charge for recreational facilities in its area.

Section 93 of the Local Government Act 2003 enables the Council to charge for a discretionary service where the recipient agrees to its provision.

The risk in relation to the report's recommendations is therefore low.

#### **3.2 Financial**

The income resulting from the recommended revised fees and charges will be included in the draft revenue spending proposals for the financial year 2020/21 to be considered at the 5 March 2020 meeting of the full Council. The proposed increases of mainly 2% are higher than the current level of inflation (1.5%), but there is an expectation that inflation will increase following the UK's exit from the EU. Furthermore, the additional income that the recommended increases will generate plays an important part in balancing the Council's budget.

As some fees have been frozen (e.g. Bakewell stall market rents and land charges search fees), and most of the others increased by 2%, it is hoped that customer resistance to the proposed fees will not be significant.

The financial risk is therefore assessed as low.

### **4 OTHER CONSIDERATIONS**

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

### **5 CONTACT INFORMATION**

Ashley Watts, Head of Community and Environmental Services Tel: (01629) 761367  
Email: [ashley.watts@derbyshiredales.gov.uk](mailto:ashley.watts@derbyshiredales.gov.uk)

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

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

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

## 6 BACKGROUND PAPERS

None

## 7 ATTACHMENTS

Schedules of Fees

|                      |                                 |
|----------------------|---------------------------------|
| Appendix 1           | Pest and Dog Control            |
| Appendix 2           | Waste and Recycling             |
| Appendix 3           | Cemeteries                      |
| Appendix 4           | Agricultural Business Centre    |
| Appendix 5           | Stall Markets                   |
| Appendix 6           | Parks & Recreation Grounds      |
| Appendix 7           | Car Parks                       |
| Appendix 8           | Events                          |
| Appendix 9           | Corporate Services              |
| Appendix 10(a)(b)(c) | Environmental Health            |
| Appendix 11          | Licensing                       |
| Appendix 12          | Estates and Facilities          |
| Appendix 13          | Planning Pre-application Advice |



## PEST AND DOG CONTROL

| <b>PEST CONTROL</b>  |  |   |   |
|--|--|---|---|
| <b>DOMESTIC PREMISES</b>   | <b>Existing Charge 2019-2020 inclusive VAT</b> | <b>Proposed Charge 2020-2021 exclusive of 20% VAT</b> | <b>Proposed Charge 2020-2021 inclusive of 20% VAT and rounded</b> |
| 50% concession charges to those in receipt of housing benefit or Council tax benefit who are also aged 65 and over. The concession applies to one treatment from each category per financial year. |  |   |   |
|  | (concessions in brackets)<br>£                 | (concessions in brackets)<br>£                        | (concessions in brackets)<br>£                                    |
| <b>Rats</b><br>Charge: up to 3 visits  | 27.60<br>(13.80)                               | 23.50<br>(11.75)                                      | <b>28.20</b><br><b>(14.10)</b>                                    |
| <b>Mice</b><br>Charge: up to 3 visits  | 55.20<br>(27.60)                               | 46.92<br>(23.50)                                      | <b>56.30</b><br><b>(28.20)</b>                                    |
| <b>Wasps</b><br>Charge: per visit  | 68.90<br>(34.50)                               | 58.58<br>(29.33)                                      | <b>70.30</b><br><b>(35.20)</b>                                    |
| <b>Cockroaches</b><br>Charge: up to 4 visits   | 82.70<br>(41.30)                               | 70.33<br>(35.08)                                      | 84.40<br>(42.10)  |
| <b>Ants</b><br>Charge: per visit   | 68.90<br>(34.40)                               | 58.58<br>(29.25)                                      | <b>70.30</b><br><b>(35.10)</b>                                    |
| <b>Bedbugs</b><br>Charge: up to 2 visits   | 82.70<br>(41.30)                               | 70.33<br>(35.08)                                      | <b>84.40</b><br><b>(42.10)</b>                                    |
| <b>Fleas</b><br>Charge: per visit  | 68.90<br>(34.40)                               | 58.58<br>(29.25)                                      | <b>70.30</b><br><b>(35.10)</b>                                    |
| <b>Non public health pests</b><br>Charge: up to 2 visits   | 89.40<br>(44.70)                               | 76.00<br>(38.00)                                      | <b>91.20</b><br><b>(45.60)</b>                                    |
| <b>Advice Only charge per visit</b>  | 16.50<br>(no concession)                       | 14.00<br>(no concession)                              | 16.80<br>(no concession)  |

| <b>PEST CONTROL</b>   |  |   |   |
|---|--|---|---|
| <b>COMMERCIAL PREMISES</b>                                    | <b>Existing Charge 2019-2020 inclusive VAT £</b> | <b>Proposed Charge 2020-2021 exclusive of 20% VAT £</b> | <b>Proposed Charge 2020-2021 inclusive of 20% VAT and rounded £</b> |
| <b>Rats and Mice</b><br>(includes one revisit to remove bait) | 147.20 per hour<br><b>(minimum charge)</b>       | 125.08<br><b>(minimum charge)</b>                       | <b>150.10</b><br><b>(minimum charge)</b>                            |
| <b>Insect Pests</b>   | 74.10 per hour<br><b>(minimum charge)</b>        | 63.00<br><b>(minimum charge)</b>                        | <b>75.60</b><br><b>(minimum charge)</b>                             |

**Note: Rats and Mice and Insect Pests**

Commercial premises are liable for a minimum charge equal to 1 hour.

Where treatment takes more than 1 hour additional whole hours are charged at the hourly rate and part hours are charged pro rata in 15 minute bands.

| <b>DOG CONTROL</b>  | <b>Existing Charge 2019-2020 £</b>      | <b>Proposed Charge 2020-2021 £</b><br>Outside the scope of VAT |
|---|---|--|
| These charges are plus Vet's Fees if necessary, and VAT on Vet's Fees.          |   |  |
| <b>STRAY DOGS</b><br>Penalty for stray dogs collected or returned by Dog Warden | 58.95                                   | <b>58.95</b>   |
| <b>Above penalty charge plus kennel fees as follows:</b>                        |   |  |
| Each day or part day  | 15.75<br>Daily kennel fee (or part day) | <b>16.10</b><br>Daily kennel fee (or part day)                 |

## WASTE AND RECYCLING

The following fees are outside the scope of VAT

| <b>HOUSEHOLD WASTE</b>   | <b>Existing Charge<br/>2019-20<br/>£<br/>(concessions in brackets)</b> | <b>Proposed Charge<br/>2020-21<br/>£<br/>(concessions in brackets)</b> |
|--|--|--|
| 50% concession charges to those in receipt of housing benefit or Council tax benefit who are also aged 65 and over. The concession applies to one bulky and one electrical collection per financial year. <b>Charges for bulky waste collections will be reviewed to reflect contractor costs before the start of the new waste contract in August 2020.</b> |  |  |
| Up to 3 items  | 21.50 (10.75)  | <b>21.90 (11.00)</b>   |
| Up to 6 items  | 35.00 (17.50)  | <b>35.70 (17.90)</b>   |
| Electrical item One item   | 18.50 (9.25)   | <b>18.90 (9.40)</b>  |
| Electrical items<br>2-3 items  | 24.50 (12.25)  | <b>25.00 (12.50)</b>   |
| <b>COMPOSTING</b>  | <b>Existing Charge<br/>2019-20<br/>£</b>                               | <b>Proposed Charge<br/>2020-21<br/>£</b>                               |
| Supply of 240 litre wheeled bin (Collection free thereafter)   | 26.50  | <b>27.00</b>   |
| <b>WHEELED BINS FOR NEW PROPERTIES</b>   |  |  |
| 140 litre grey wheeled bin (green bin given free if possible with grey bin)  | 21.25  | <b>21.70</b>   |
| 240 litre grey wheeled bin (green bin given free if possible with grey bin)  | 26.50  | <b>27.00</b>   |
| <b>WHEELED BINS –REPLACEMENTS</b>  |  |  |
| 140 litre grey wheeled bin replacement.  | 21.25  | <b>21.70</b>   |
| 240l grey wheeled bin replacement (if qualify)   | 26.50  | <b>27.00</b>   |
| 240l green wheeled bin replacement   | 15.90  | <b>16.20</b>   |

| <b>ABANDONED SHOPPING TROLLEYS</b> |       |              |
|------------------------------------|-------|--------------|
| Return of shopping trolley         | 39.20 | <b>40.00</b> |

| <b>TRADE WASTE</b>   |                     | <b>Existing Charge<br/>2019-2020</b> | <b>Proposed Charge<br/>2020-2021</b> |
|--|---------------------|--------------------------------------|--------------------------------------|
| <b>GREEN SACKS</b>   |                     |                                      |                                      |
| Per pack of 25   |                     | 69.50                                | <b>71.00</b>                         |
| <b>WHEELED BINS</b>  |                     |                                      |                                      |
| <b>Commercial<br/>Per lift:</b>  | 1100 litre capacity | 18.60                                | <b>19.00</b>                         |
|  | 660 litre capacity  | 12.80                                | <b>13.10</b>                         |
|  | 360 litre capacity  | 8.50                                 | <b>8.70</b>                          |
|  | 240 litre capacity  | 6.80                                 | <b>6.90</b>                          |
| <b>Commercial<br/>Recycling:</b>   | 240 litre capacity  | 3.60                                 | <b>3.70</b>                          |
| <b>Schools &amp; Not-<br/>for-profit<br/>Organisations</b><br><b>NB</b> Collection<br>charge only per<br>lift: |                     |                                      |                                      |
|  | 1100 litre capacity | 9.50                                 | <b>9.70</b>                          |
|  | 660 litre capacity  | 8.10                                 | <b>8.30</b>                          |
|  | 360 litre capacity  | 5.80                                 | <b>5.90</b>                          |
|  | 240 litre capacity  | 5.50                                 | <b>5.60</b>                          |

The following charges are subject to VAT:

| <b>COMMERCIAL WASTE</b>                                 |  |   |   |
|---|--|---|---|
| <b>CLINICAL<br/>WASTE</b>                               | <b>Existing Charge<br/>2019-2020<br/>inclusive VAT<br/>£</b> | <b>Proposed Charge<br/>2020-2021<br/>exclusive of 20%<br/>VAT<br/>£</b> | <b>Proposed Charge<br/>2020-2021<br/>inclusive of 20%<br/>VAT and rounded<br/>£</b> |
| <b>Collection of<br/>each yellow sack<br/>per annum</b> | 462.00   | 393.00  | <b>471.60</b>   |

## CEMETERIES

These charges apply to purchasing the Exclusive Right of Burial (including ashes) before or after death of a resident in the Derbyshire Dales District Council area and in the case of a stillborn child where one of the parents was resident at the time of interment.

### Double Fees

Where the Exclusive Right of Burial is purchased for a non-resident of the Derbyshire Dales, fees for all services will be doubled ie for all interments; for the Right to Erect a Memorial; for the right to fix plaques or reserve spaces in a Garden of Remembrance; for the erection of memorials and for additional inscriptions. The fees will not be doubled where the Exclusive Right of Burial was purchased at the single fee at an earlier date. The appropriate Officer of the Council has the discretion to waive these double fees when there are grounds to do so, i.e. past residency in the District or other connections.

**(NB: All fees for cemeteries fall outside the scope of VAT, with the exception of the supply of slabs and plaques)**

| EXCLUSIVE RIGHT OF BURIAL   | Existing Charge<br>2019/2020<br>£ | Proposed Charge<br>2020/2021<br>£ |
|---|-----------------------------------|-----------------------------------|
| <b>Earthen Graves</b>   |                                   |                                   |
| <b>For the exclusive right of burial for a period not exceeding 100 years:</b>  |                                   |                                   |
|   |                                   |                                   |
| a) grave size 2.4m x 1.2m   | 643.00                            | <b>655.90</b>                     |
| b) grave size 2.4m x 2.4m   | 1210.00                           | <b>1234.20</b>                    |
| <b>Garden of Remembrance</b>  |                                   |                                   |
| For the exclusive right of burial of cremated remains for a period not exceeding 100 years, in an earthen grave not exceeding 450mm x 600mm | 207.00                            | <b>211.10</b>                     |

## INTERMENTS

The fees indicated:

- a) include the digging of the grave;
- b) apply only where the interment is made between the hours of:
  - 9:30am – 3.30pm, Mondays – Thursdays;
  - 9.30am – 3pm, Fridays (excluding Bank and public holidays)';
  - or on the certificate of a Coroner or Registered Medical Practitioner that immediate interment is necessary.
- c) Apply provided that the interment is made within fifteen minutes of the time arranged with Derbyshire Dales District Council. If not, an additional charge of **£15.30** (£14.85 in 2018/19) is payable per fifteen minutes

| <b>INTERMENT IN ANY GRAVE</b>   | <b>Existing Charge<br/>2019/2020<br/>£</b> | <b>Proposed Charge<br/>2020/2021<br/>£</b> |
|---|--|--|
| <b>All of the following fees for cemeteries fall outside the scope of VAT)</b>  |  |  |
| a) of the body of a stillborn child or of a child whose age at the time of death did not exceed <b>one month</b> .                                      | No charge                                  | <b>No Charge</b>                           |
| b) of the body of a child whose age at the time of death exceeded one month but did not exceed <b>16 years</b> .  | 114.00                                     | <b>116.30</b>                              |
| c) of the body of a person whose age at the time of death exceeded <b>16 years</b> .  | 722.00                                     | <b>736.40</b>                              |
| Interment in existing vault or bricked grave  | Daywork rates apply                        | <b>Daywork rates apply</b>                 |
| Interment of cremated remains   | 152.00                                     | <b>155.00</b>                              |
| Turfing of grave after interment on request   | 48.00                                      | <b>49.00</b>                               |
| <b>SCATTERING OF ASHES</b>  |  |  |
| In the case of purchased graves, or in the Garden of Remembrance:<br>Fee for right to scatter ashes   | 53.50                                      | <b>54.60</b>                               |
| <b>LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE</b>  |  |  |
| Please Note: Within the designated lawn sections, only one stone vase or block is permitted per plot, not exceeding 200mm in height and 200mm in width. |  |  |
| Right to Erect a Memorial on a grave for cremated remains with respect to which an exclusive right of burial has been granted                           | 69.50                                      | <b>70.90</b>                               |

| <b>LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE</b>   | <b>Existing Charge<br/>2019/2020<br/>£</b> | <b>Proposed Charge<br/>2020/2021<br/>£</b>      |
|--|--|---|
| Supply of a memorial plaque (150mm x 75mm) at ground level including fixing  | 69.50<br>plus cost of plaque<br>plus VAT   | <b>70.90</b><br>plus cost of plaque<br>plus VAT |
| Supply of a stone slab level with the surrounding ground for the fixing of a memorial plaque including installation                                    | 89.00<br>(plus VAT)                        | <b>90.80</b><br>(plus VAT)                      |
| Supply of a plaque 150mm x 75mm for the memorial wall, including fee for space and fixing  | 69.50<br>plus cost of plaque<br>plus VAT   | <b>70.90</b><br>plus cost of plaque<br>plus VAT |
| Reservation of up to 3 plaque spaces under the first plaque on the memorial wall (fee per space)   | 18.00                                      | <b>18.40</b>                                    |
| Permission for erection of a vase not exceeding 300mm in height, including first inscription   | 69.50                                      | <b>70.90</b>                                    |
| Permission for kerb or border stones enclosing a space not exceeding 450mm x 600mm including first inscription   | 69.50                                      | <b>70.90</b>                                    |
| Permission for each inscription after the first on vases, kerbs, border stones, etc.   | 53.00                                      | <b>54.10</b>                                    |
| <b>LONG-TERM MEMORIALS ON EARTHEN GRAVES</b>   |  |   |
| Please Note: Within the designated lawned sections, the only long-term memorial permitted on a grave is a single headstone.                            |  |   |
| Right to Erect a Memorial on a grave in respect of which an exclusive right of burial has been granted   | 162.00                                     | <b>165.20</b>                                   |
| Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, and including the cost of the foundation already provided      | 248.00                                     | <b>253.00</b>                                   |
| Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, in those areas where <b>no</b> concrete foundation is provided | 80.00                                      | <b>81.60</b>                                    |

| <b>LONG-TERM MEMORIALS ON EARTHEN GRAVES</b>  | <b>Existing Charge<br/>2019/2020<br/>£</b> | <b>Proposed Charge<br/>2020/2021<br/>£</b> |
|---|--|--|
|   |  |  |
| Permission for a flat stone or tablet, level with surrounding ground not exceeding 2.4m x 1.2m, including first inscription | 85.00                                      | <b>86.70</b>                               |
| Permission for kerb or border stones enclosing a space not exceeding 2.4m x 1.2m, including first inscription               | 146.00                                     | <b>148.90</b>                              |
| Permission for a vase not exceeding 300 mm in height, including first inscription   | 69.50                                      | <b>70.90</b>                               |
| Permission for each inscription after the first   | 53.00                                      | <b>54.10</b>                               |
| <b>ASSISTED BURIALS</b>   |  |  |
| Standard Charge (Minimum)   | 475.00                                     | <b>484.50</b>                              |
| <b>RECORD SEARCHES</b>  |  |  |
| Record Searches   | 15.91                                      | <b>16.20</b>                               |



## AGRICULTURAL BUSINESS CENTRE

| Livestock Markets and Farmers' Markets                      | Existing Charge 2019-2020 inclusive VAT<br>£ | Proposed Charges 2020-2021 exclusive 20% VAT<br>£ | Proposed Charges 2020-2021 inc. of 20% VAT & rounded<br>£ |
|---|--|---|---|
| <b>Farmers' Markets</b>                                     |  |   |   |
| <b>Farmers' Market Stalls</b>                               |  |   |   |
| 4.5 foot stall  | 17.00  | 14.46   | 17.35   |
| 6 foot stall  | 21.50  | 18.25   | 21.90   |
| 9 foot stall (Standard)                                     | 33.60  | 28.58   | 34.30   |
| 12 foot stall   | 43.00  | 36.58   | 43.90   |
| 2 foot extension table                                      | 4.60   | 3.92  | 4.70  |
| <b>Farmers' Market Parking</b>                              |  |   |   |
| Parking for Farmers' Market Traders (per vehicle)           | 4.00   | 3.42  | 4.10  |
| <b>Room Hire</b>  |  |   |   |
| <b>Conference Room</b>                                      |  |   |   |
| Hire per Day  | 239.00                                       | 203.17  | 243.80  |
| Hire per Half Day   | 131.50                                       | 111.75  | 134.10  |
| Hire per Hour   | 42.60  | 36.25   | 43.50   |
| Hire per Evening/Weekend                                    | 20% applied to charges for half day/full day |   |   |
| Maximum discount for non-commercial local organisations 40% |  |   |   |
| <b>Meeting Room 1</b>                                       |  |   |   |
| Hire per Day  | 131.50                                       | 111.75  | 134.10  |
| Hire per Half Day   | 67.80  | 57.67   | 69.20   |
| Hire per Hour   | 21.40  | 18.17   | 21.80   |
| Hire per Evening/Weekend                                    | 20% applied to charges for half day/full day |   |   |
| Maximum discount for non-commercial local organisations 40% |  |   |   |
| <b>Meeting Room 2 &amp; 3</b>                               |  |   |   |
| Hire per Day  | 66.20  | 56.25   | 67.50   |
| Hire per Half Day   | 34.30  | 29.17   | 35.00   |
| Hire per Hour   | 12.90  | 11.00   | 13.20   |
| Hire per Evening/Weekend                                    | 20% applied to charges for half day/full day |   |   |
| Maximum discount for non-commercial local organisations 40% |  |   |   |
| <b>Concourse</b>  |  |   |   |
| Hire per Day  | 253.70                                       | 215.67  | 258.80  |
| Hire per Half Day   | 131.50                                       | 111.75  | 134.10  |
| Hire per Hour   | 42.60  | 36.25   | 43.50   |
| Hire per Evening/Weekend                                    | 20% applied to charges for half day/full day |   |   |
| Maximum discount for non-commercial local organisations 40% |  |   |   |

## STALL MARKETS

(All Stall Market charges are exempt from VAT)

|                             | Existing Charge<br>2019/20<br>£ | Proposed Charge<br>2020/21<br>£ |
|-----------------------------|---------------------------------|---------------------------------|
| <b>Bakewell Market</b>      |                                 |                                 |
| 9ft Stall                   | <b>26.30</b>                    | <b>26.30</b>                    |
| 12ft Stall                  | <b>34.20</b>                    | <b>34.20</b>                    |
| Butcher's Lorry             | <b>77.20</b>                    | <b>77.20</b>                    |
| Fast Food Catering Trailer  | <b>38.50</b>                    | <b>38.50</b>                    |
| Hot Drinks Trailer          | <b>34.20</b>                    | <b>34.20</b>                    |
| Charges per additional foot | <b>3.90</b>                     | <b>3.90</b>                     |

|                              |               |               |
|------------------------------|---------------|---------------|
| <b>Matlock Market</b>        |               |               |
| Large Internal cabin         | <b>186.60</b> | <b>186.60</b> |
| Greengrocer (external cabin) | <b>247.40</b> | <b>247.40</b> |
| Small Internal Cabin         | <b>105.40</b> | <b>105.40</b> |
| Butcher (Cabin)              | <b>105.40</b> | <b>105.40</b> |

|  |             |             |
|--|-------------|-------------|
| <b>CASUAL TRADERS</b>                                      |             |             |
| (stall fee as above to be added to this fee)               | <b>3.50</b> | <b>5.00</b> |
| <b>CHARITY MARKET STALL – NOT FOR PROFIT ORGANISATIONS</b> |             |             |
| Hire of stall  | <b>8.90</b> | <b>8.90</b> |
| <b>TRADER PARKING</b>                                      |             |             |
| Parking for Stall Market Traders (per vehicle)             | <b>4.00</b> | <b>4.10</b> |

## PARKS AND RECREATION GROUNDS

| ACTIVITY   | Existing Charge<br>2019-20 inclusive<br>VAT<br>£ | Proposed Charge<br>2020-2021<br>exclusive of 20%<br>VAT<br>£ | Proposed Charge<br>2020-2021 inclusive<br>of 20% VAT and<br>rounded<br>£ |
|--|--|--|--|
| <b>Tennis Court / Multi Use Games Areas</b> - [VAT applicable]   |  |  |  |
| Hire of single tennis court/MUGA per hour  |  |  |  |
| Full   | 7.70   | 6.58   | <b>7.90</b>  |
| Concession   | 3.90   | 3.33   | <b>4.00</b>  |
| Hire of double tennis court/double MUGA per hour   |  |  |  |
| Full   | 15.30  | 13.00  | <b>15.60</b>   |
| Concession   | 7.70   | 6.58   | <b>7.90</b>  |
| <b>Bowling Greens</b> [VAT applicable]   |  |  |  |
| Reservation per club per match   |  |  |  |
| Full   | 6.80   | 5.75   | <b>6.90</b>  |
| Full Concession  | 3.40   | 2.92   | <b>3.50</b>  |
| Season Ticket  |  |  |  |
| Full   | 47.80  | 40.67  | <b>48.80</b>   |
| Full Concession  | 23.80  | 20.25  | <b>24.30</b>   |
| Lease per season of Bakewell Bowling Green   |  |  |  |
| Special  | 92.90  | Exempt from VAT  | <b>94.75</b>   |
| <b>Sports Pitches and Pavilions</b> [VAT applicable]   |  |  |  |
| Football and Rugby - Hire of pitch per match (inc marking out, preparation & use of pavilion) (inc marking out, preparation & use of pavilion) |  |  |  |
| Full   | 46.00  | 39.08  | <b>46.90</b>   |
| Concession   | 25.00  | 21.25  | <b>25.50</b>   |
| Cricket - Hire of pitch per match (inc marking out, preparation and use of pavilion)   |  |  |  |
| Full   | 49.00  | 41.67  | <b>50.00</b>   |
| Concession   | 25.00  | 21.25  | <b>25.50</b>   |
| Football and Rugby - Hire of Pitch, per hour for Training (inc pavilion)   |  |  |  |
| Full   | 36.00  | 30.58  | <b>36.70</b>   |
| Concession   | 19.00  | 16.17  | <b>19.40</b>   |
| Pavilion - Hire of pavilion (inc changing rooms)   |  |  |  |
| Full   | 15.20  | 12.92  | <b>15.50</b>   |
| Concession   | 7.70   | 6.58   | <b>7.90</b>  |
| Croquet Lawn - Hire of Croquet Lawn (inc marking out, preparation and use of pavilion)   |  |  |  |
| Full   | 23.50  | 20.00  | <b>24.00</b>   |
| Concession   | 11.80  | 10.00  | <b>12.00</b>   |
| Artificial Cricket wicket - Hire of Artificial Cricket Wicket per match (inc use of pavilion)  |  |  |  |
| Full   | 34.50  | 29.33  | <b>35.20</b>   |
| Concession   | 17.10  | 14.50  | <b>17.40</b>   |

## CAR PARKS

|  | Existing Charge<br>2019-2020<br>inclusive VAT<br>£ | Proposed Charge<br>2020-2021<br>exclusive of 20%<br>VAT<br>£ | Proposed Charge<br>2020-2021<br>inclusive of 20% VAT<br>£ |
|--|--|--|---|
| Discount Season Ticket<br>by Zone – 6 months   | 235.00   | 200.00   | <b>240.00</b>   |
| Discount Season Ticket<br>by Zone – 12 months  | 470.00   | 400.00   | <b>480.00</b>   |
| Discount Season Ticket<br>District Wide – 6 months   | 295.00   | 250.00   | <b>300.00</b>   |
| Discount Season Ticket<br>District Wide –12 months   | 589.00   | 500.00   | <b>600.00</b>   |
|  |  |  |   |
| Rover Pass - 3 Day   | 10.20  | 8.67   | <b>10.40</b>  |
| Rover Pass - 7 Day   | 23.80  | 20.25  | <b>24.30</b>  |
|  |  |  |   |
| Annual Permit for<br>Residents Only Car Park<br>- Full   | 341.00   | 290.00   | <b>348.00</b>   |
| Annual Permit for<br>Residents Only Car Park<br>– Daytime (08.30–17.30)<br>weekdays  | 192.00   | 162.50   | <b>196.00</b>   |
| Annual Permit for<br>Residents Only Car Park<br>– Evening/weekend – all<br>hours outside those<br>covered by the ‘Daytime<br>Permit’ | 149.00   | 126.67   | <b>152.00</b>   |
|  |  |  |   |

|  |        |        |               |
|--|--------|--------|---------------|
| Annual Permit for Residents Reserved Bay<br><i>(to be phased out by April 2021 – C&amp;E Minute 242/1)</i>         | 177.00 | 220.83 | <b>265.00</b> |
|  |        |        |               |
| Replacement or second Residents Free Parking Concession Badge – if purchased <u>before</u> 1 <sup>st</sup> October | 60.00  | 50.00  | <b>60.00</b>  |
| Replacement or second Residents Free Parking Concession Badge – if purchased <u>from</u> 1 <sup>st</sup> October   | 40.00  | 33.33  | <b>40.00</b>  |

\*The base rates 2018 were set by the Community & Environment Committee on 5 December 2017 and are (with the exception of Residents Free Parking Concession Badges) to be subject to annual fees and charges review.

## EVENTS

|  | Existing Charge<br>2019-2020<br><br>inclusive of 20%<br>VAT<br>£ | Proposed Charge<br>2020-2021<br><br>exclusive of 20%<br>VAT<br>£ | Proposed Charge<br>2020-2021<br><br>inclusive of 20%<br>VAT and rounded<br>£ |
|--|--|--|--|
| <b>OPENING, CLOSING AND CLEANSING OF PUBLIC TOILETS</b><br>Free during normal working hours                  |  |  |  |
| Charge for each additional hour outside normal working hours:<br>After 3:30pm Monday to Friday, or Saturdays | 26.88  | 22.83  | <b>27.40</b>   |
| Charge for each additional hour outside normal working hours:<br>Sundays or Bank Holidays                    | 33.75  | 28.12  | <b>34.40</b>   |
| <b>EMPTYING LITTER BINS AND LITTER PICKING</b>   |  |  |  |
| During working hours :<br>Charge per person per hour.  | 21.26  | 18.08  | <b>21.70</b>   |
| Charge for each person per hour outside normal working hours:<br>After 3:30pm Monday to Friday, or Saturdays | 28.80  | 24.50  | <b>29.40</b>   |
| Charge for each person per hour outside normal working hours:<br>Sundays or Bank Holidays                    | 36.34  | 30.92  | <b>37.10</b>   |
| <b>HIRE OF WHEELED BINS</b>  |  |  |  |
| Hire of wheeled bin per week plus cost of delivery, collection and washing                                   | 12.36<br>Minimum charge<br>£186.00                               | 10.50<br>Minimum charge<br>£158.33                               | <b>12.60<br/>Minimum charge<br/>£190.00</b>                                  |

## CORPORATE SERVICES

### LOCAL LAND CHARGES

| Charge                                       | Existing 2019/20 | Proposed 2020/21 |
|--|------------------|------------------|
| Official Search Fee (LLC1 + Con29R)          | £128.80          | £128.80          |
| LLC1 only                                    | £31.00           | £31.00           |
| Con29R                                       | £94.80           | £94.80           |
| Con 29O (per question)                       | £12.00           | £12.00           |
| Additional Parcel of Land                    | £13.20           | £13.20           |
| Written enquiries (solicitors own questions) | £14.40           | £14.40           |
| Personal Search of the Register              | £0               | £0               |

### LEGAL

| Charge  | Existing 2019/20  | Proposed 2020/21   |
|---|---|--|
| Authorising proof of life for overseas pensioners | £27   | £27.50   |
| Planning Obligations - S.106 Fees                 | <p>The agreements are drafted and finalised externally. The estimated fee per agreement is £2000.</p> <p>All fees are based on the following hourly rates:</p> <p>Partner - £160<br/>Senior Solicitor - £145<br/>Associate - £135<br/>Solicitor - £125<br/>Trainee - £90</p> <p>Disbursements are charged separately.</p> | <p>The agreements are drafted and finalised externally. The estimated fee per agreement is £2000.</p> <p>All fees are based on the following hourly rates:</p> <p>Partner - £160<br/>Senior Solicitor - £145<br/>Associate - £135<br/>Solicitor - £125<br/>Trainee - £90</p> <p>The agreements are drafted and finalised internally. The estimated fee per agreement is £1000 minimum. Charging rate £150 p/h</p> <p>Disbursements are charged separately.</p> |
| Planning Obligations S.106 Discharge              | £370  | £377   |
| Planning Obligations S.106 Deed of Variation      | £370  | £377   |

| Charge   | Existing 2019/20  | Proposed 2020/21   |
|--|---|--|
| Easements, Covenants and one off Deeds   | £360  | £367   |
| Commercial Licences to occupy Council Land   | £258  | £263   |
| Licences to occupy Council Land for community benefit  | £77   | £78.50   |
| Legal fee earning rate per hour  | N/A   | £150   |
| Leases and renewals  | £360 plus £65 p/h after 5 hours   | £367 plus £150 p/h after 5 years   |
| Licences to assign, sublet, carry out works under a Lease                                      | £310  | £316   |
| Emergency work licences relating to Public Safety  | Nil   | Nil  |
| Sales of Council Land, Sales by Land by Tender and Sales of Land by Auction                    | Maximum of 1.5% of the sale price (subject to minimum of £450)  | Maximum of 1.5% of the sale price (subject to minimum of £460)   |
| Transfer of land for affordable housing at nil consideration in exchange for nomination rights | £500 and £65 p/h after 5 hours  | £510 and £150 p/h after 5 hours  |
| Temporary (<1 year) installations on Council Land by Town or Parish Councils                   | Reduction of 33% of standard fee  | Reduction of 33% of standard fee   |
| Community Asset Transfers  | Nil charge  | Nil charge   |
| Footpath Diversion Orders  | <p><u>Unopposed Order</u><br/>Preparation of Order £1,450<br/>Plan £160<br/>Actual advertising costs £700 (estimate incl VAT)<br/>Total £2,310</p> <p><u>Opposed Orders</u><br/>£2310 (As above) plus Consultant's fee at £65 per hour for time spent:</p> <ul style="list-style-type: none"> <li>• dealing with objections, representations and associated correspondence</li> <li>• negotiating to resolve objections</li> <li>• submitting the order to the Planning Inspectorate where objections are maintained and preparing the statement of case</li> <li>• liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations.</li> </ul> | <p><u>Unopposed Order</u><br/>Preparation of Order £1,480<br/>Plan £163<br/>Actual advertising costs £712 (estimate incl VAT)<br/>Total £2,355</p> <p><u>Opposed Orders</u><br/>£2355 (As above) plus Consultant's fee at £150 per hour for time spent:</p> <ul style="list-style-type: none"> <li>• dealing with objections, representations and associated correspondence</li> <li>• negotiating to resolve objections</li> <li>• submitting the order to the Planning Inspectorate where objections are maintained and preparing the statement of case</li> <li>• liaison with the Planning Inspectorate and representing the Council in the determination of the case by means of a hearing, public inquiry or written representations.</li> </ul> |



## ROAD CLOSURES

| Charge   | Existing 2019/20 | Proposed 2020/21 |
|--|------------------|------------------|
| Events where there is a charge for participation or for spectators                 | £61              | £62.25           |
| Events that primarily benefit businesses or other commercial organisations         | £61              | £62.25           |
| Carnivals/fetes or any other events that raise funds through collections/donations | £22              | £22.50           |
| Remembrance/well dressing or other commemorative parades                           | £0               | £0               |

## STREET NAMING AND NUMBERING

The proposed fees for 2020/21 have been increased by 3%

| Charge  | Existing 2019/20 | Proposed 2020/21 |
|---|------------------|------------------|
| Allocate a house name, rename or remove a house name to an existing property  | £55              | £56.50           |
| Change a company name on a property   |                  |                  |
| Allocate a house number, renumber or remove a house number of an existing property  |                  |                  |
| Naming or renaming of new streets and numbering or renumbering new / existing properties on that street                         | £164             | £169             |
| Naming of new streets at residents request  | £328             | £338             |
| Naming and numbering of new properties or properties on an existing street:   |                  |                  |
| 1 property  | £82              | £84.50           |
| 2 – 5 properties  | £110             | £113             |
| 6 – 10 properties   | £164             | £169             |
| 11 – 25 properties  | £219             | £226             |
| 26 – 50 properties  | £273             | £281             |
| 51 – 100 properties   | £437             | £450             |
| 101+ properties   | £818             | £843             |
| Division of Properties – same as numbering of new properties (and based on number of properties created including the original) | See above        | See above        |
| Confirmation of address to solicitors / conveyancers / occupiers or owners ( <i>Royal Mail – external confirmation</i> )        | £28              | £29              |

| Charge   | Existing 2019/20   | Proposed 2020/21   |
|--|--------------------|--------------------|
| Renumbering of scheme following development re-plan (after notification of numbering scheme issued)  | £110 + £12         | £113 + £12.25      |
| Address issued / confirmation when replacement property built (as the original address will have been removed following the demolition as address may be different to original property) reactivation of address | £55                | £56.50             |
| 1 <sup>st</sup> Set of Nameplates erected for each new Street  | £239               | £246               |
| For each additional nameplate that is required to be erected at other junctions and entrances onto the new street  | £110               | £113               |
| Challenges / requests / revisions to existing street naming and numbering schemes<br>Confirm minimum charge  | £28 minimum charge | £29 minimum charge |
| Rectification of existing address / postcode issues where no change involved<br>Confirm minimum charge   | £28 minimum charge | £29 minimum charge |

## ENVIRONMENTAL HEALTH

| <b>FOOD HYGIENE</b>   | <b>Existing Charge<br/>2019-2020<br/>inclusive of 20%<br/>VAT<br/>£</b> | <b>Proposed Charge<br/>2020-2021<br/>exclusive of 20%<br/>VAT<br/>£</b> | <b>Proposed Charge<br/>2020-2021<br/>inclusive of 20%<br/>VAT (where<br/>applicable) and<br/>rounded<br/>£</b> |
|---|---|---|--|
| <b>FOOD HYGIENE COURSES</b><br><br>Basic Food Hygiene Course - Charge per Candidate               | 94.25   | 80.08   | <b>96.10</b>   |
| <b>FOOD PREMISES REGISTER</b><br><br>Photocopying of Register<br><br>Per entry<br>Whole Register  | 4.15<br>1020.00   | 3.54<br>867.00  | <b>4.25<br/>1040.40</b>  |
| <b>HEALTH CERTIFICATES</b><br><br>Standard Charge<br>(VAT not applicable)                         | 45.00   | N/A   | <b>46.00</b>   |
| <b>HOUSING</b><br>(Outside the scope of VAT)  |   |   |  |
| <b>HOUSES IN MULTIPLE OCCUPATION</b><br><br>HMO Licensing   | 484.00  | N/A   | <b>494.00</b>  |
| <b>HOUSING ENFORCEMENT NOTICES</b><br><br>Housing Act 2004 sections 11 & 12<br>Improvement Notice | 268.00  | N/A   | <b>273.00</b>  |

## HOUSING ENFORCEMENT NOTICES

(Outside the scope of VAT)

|   |        |     |               |
|---|--------|-----|---------------|
| Housing Act 2004 sections 20 & 21 Prohibition Order       | 268.00 | N/A | <b>273.00</b> |
| Housing Act 2004 sections 28 & 29 Hazard Awareness Notice | 268.00 | N/A | <b>273.00</b> |
| Housing Act 2004 section 40 Emergency Remedial Action     | 268.00 | N/A | <b>273.00</b> |
| Housing Act 2004 section 43 Emergency Prohibition Order   | 268.00 | N/A | <b>273.00</b> |
| Housing Act 1985 section 265 Demolition Order             | 268.00 | N/A | <b>273.00</b> |

## PRIVATE WATER SUPPLIES

(Outside the scope of VAT)

|  |            |            |                   |
|--|------------|------------|-------------------|
| Risk Assessment                        | 408.00     | N/A        | <b>416.00</b>     |
| Desktop Risk Assessment                | 170.00     | N/A        | <b>173.00</b>     |
| Sampling Visit                         | 55.50      | N/A        | <b>57.00</b>      |
| Investigation                          | 89.00      | N/A        | <b>91.00</b>      |
| Granting an authorisation              | 42.00      | N/A        | <b>43.00</b>      |
| Analysing a sample under Regulation 10 | Lab Charge | Lab Charge | <b>Lab Charge</b> |
| Analysing a check monitoring sample    | Lab Charge | Lab Charge | <b>Lab Charge</b> |
| Analysing an audit monitoring sample   | Lab Charge | Lab Charge | <b>Lab Charge</b> |

## ANIMAL WELFARE & MISCELLANEOUS LICENSING

(The following fees fall outside the scope of VAT with the exception of Vets' Fees)

An average increase of 2% is proposed for the following fees:

| ANIMAL WELFARE   | Existing Charge<br>2019-2020<br>£   | Proposed Charge<br>2020-2021<br>rounded + inclusive of VAT<br>where applicable<br>£   |
|--|---|---|
| <p><b>Dangerous Wild Animals Act 1976</b></p> <p>New application for licence to keep a dangerous wild animal as defined in Schedule</p> <p>Renewal of licence to keep a dangerous wild animal as defined in Schedule</p> | <p style="text-align: center;"><b>176.00</b></p> <p style="text-align: center;">Plus Vet Fees and VAT on Vets Fees and arrangement fee of<br/><b>17.50 + VAT = 21.00</b></p> <p style="text-align: center;"><b>147.00</b></p> <p style="text-align: center;">Plus Vet Fees and VAT on Vets Fees and arrangement fee of<br/><b>17.50 + VAT = 21.00</b></p> | <p style="text-align: center;"><b>179.50</b></p> <p style="text-align: center;">Plus Vet Fees and VAT on Vets Fees and arrangement fee of<br/><b>£17.92 + VAT = £21.50</b></p> <p style="text-align: center;"><b>150.00</b></p> <p style="text-align: center;">Plus Vet Fees and VAT on Vets Fees and arrangement fee of<br/><b>£17.92 + VAT = £21.50</b></p> |
| <p><b>Zoo Licensing Act 1981</b></p> <p>Licence to operate a Zoo</p>   | <p style="text-align: center;"><b>325.00</b></p> <p style="text-align: center;">Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of<br/><b>17.92 + VAT = 21.50</b></p>   | <p style="text-align: center;"><b>331.50</b></p> <p style="text-align: center;">Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of<br/><b>£18.25 + VAT = £21.90</b></p>   |

| <b>ANIMAL ACTIVITY</b>                               | <b>Existing Charge<br/>2019-2020<br/>£</b> | <b>Proposed Charge<br/>2020-2021<br/>rounded + inclusive of VAT<br/>where applicable<br/>£</b> |
|--|--|--|
| <b>Animal Activity Licence</b>                       | <b>310.00</b>                              | <b>316.00</b>  |
| Application for new licence                          |  |  |
| Fee for grant of licence                             | <b>75.00</b>                               | <b>76.50</b>   |
| Application fee to renew licence                     | <b>310.00</b>                              | <b>316.00</b>  |
| Fee for grant of renewal of licence                  | <b>75.00</b>                               | <b>76.50</b>   |
| Variation of licence (administration only)           | <b>25.00</b>                               | <b>25.50</b>   |
| Variation of licence (administration and inspection) | <b>125.00</b>                              | <b>127.50</b>  |
| Re-rating inspection                                 | <b>100.00</b>                              | <b>102.00</b>  |
| Appeal inspection                                    | <b>100.00</b>                              | <b>102.00</b>  |

| <b>MISCELLANEOUS</b>   | <b>Existing Charge<br/>2019-2020</b>  | <b>Proposed Charge<br/>2020-2021<br/><br/>(VAT not applicable)</b>            |
|--|---|---|
| <b>Local Government (Miscellaneous Provisions) Act 1982 as amended by Local Government Act 2003</b>                                      |   |   |
| Registration of Persons and Premises to allow Practice of Acupuncture, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis | <b>86.00</b><br><br>(separate registrations required for person and premises) | <b>88.00</b><br><br>(separate registrations required for person and premises) |
| <b>Local Government (Miscellaneous Provisions) Act 1982</b>  |   |   |
| Licence to Operate a Sex Establishment   | <b>2120.00</b>  | <b>2163.00</b>  |
| Licence to Operate a Sex Entertainment Venue   | <b>2120.00</b>  | <b>2163.00</b>  |

|   |               |               |
|---|---------------|---------------|
| <b>Local Government<br/>(Miscellaneous Provisions)<br/>Act 1982</b> |               |               |
| Street Trading Consent  | <b>58.00</b>  | <b>59.00</b>  |
| <b>Public Health Acts<br/>Amendment Act 1907</b>                    |               |               |
| Licence to Operate Pleasure Boats                                   | <b>40.00</b>  | <b>41.00</b>  |
| Pleasure Boat and Vessel Licence                                    | <b>40.00</b>  | <b>41.00</b>  |
| <b>Scrap Metal Dealers Act 2013</b>                                 |               |               |
| Site Licence (3 years) –<br>New/Renewal                             | <b>328.00</b> | <b>335.00</b> |
| Site Licence (3 years) –<br>Variation                               | <b>155.00</b> | <b>158.00</b> |
| Collectors Licence (3 years)  | <b>185.00</b> | <b>189.00</b> |

Appendix 11(b)

## Hackney Carriage and Private Hire – Taxi Licensing

(All of these fees fall outside the scope of VAT, except sundry items).

An average increase of 2% is proposed for the following fees:

|  | <b>Existing Charge<br/>2019/2020</b>                                    | <b>Proposed Charge<br/>2020/2021</b>                                       |
|--|---|--|
| <b>Private Hire Operator's Licence - (Renewable every 5 years)</b>   |   |  |
| Application Fee  | <b>£462.00</b>  | <b>£471.00</b>   |
| Criminal Record Disclosure (Basic)   | Fee set by Disclosure and Barring Service (DBS) or Disclosure Scotland. | (DDDC will charge an admin fee if assisting – see Driver's Licence below). |
| ** Operator will only need a basic criminal record check, if not a licensed driver with the District Council and have a current Enhanced Disclosure Certificate. |   |  |
| <b>Vehicle Licence (Renewable every year)</b>  |   |  |
| Hackney Carriage Licence Application Fee   | <b>£344.00</b>  | <b>£351.00</b>   |
| Private Hire Vehicle Licence   | <b>£344.00</b>  | <b>£351.00</b>   |
| Vehicle FULL Re-test (3 or more items requiring attention)   | <b>£69.00</b>   | <b>£70.00</b>  |
| Vehicle MINOR re-test (2 items or less requiring attention)  | <b>£33.00</b>   | <b>£33.50</b>  |

|  |  |   |
|--|--|---|
| Refund of vehicle test if vehicle sold or licence is surrendered within 6 months of being licensed | <b>£69.00</b>  | <b>£70.00</b>   |
| Vehicle Transfer   | <b>£35.00</b>  | <b>£36.00</b>   |
| Meter Test (if seal is broken – requiring checking at Testing Depot)                               | <b>£35.00</b>  | <b>£36.00</b>   |
| <b>Vehicle Licence (miscellaneous charges)</b>   |  |   |
| Breaking an Appointment (without 24 hours notification)  | <b>£35.00</b>  | <b>£36.00</b>   |
| Trailer and Top Box Test   | <b>£35.00</b>  | <b>£36.00</b>   |
| <b>Driver's Licence (Renewable every 3 years)</b>  |  |   |
| Application for new/renewal of Driver's Licence  | <b>£185.00</b>   | <b>£189.00</b>  |
| DVLA Check (required each year during 3 year period of licence)                                    | <b>£25.00</b>  | <b>£25.50</b>   |
| DBS Enhanced Criminal Records Check (due every 3 years)  | DBS Fee of £44.00 + £10.00 Admin Fee (Derbyshire County Council) + £2.30 DDDC Admin Fee. | <b>DBS Fee of £45.00 + £10.00 Admin Fee (Derbyshire County Council) + £2.40 DDDC Admin Fee.</b> |

## Hackney Carriage and Private Hire – Taxi Licensing

|  | <b>Existing Charge<br/>2019/2020</b> | <b>Proposed Charge<br/>2020/2021</b> |
|--|--------------------------------------|--------------------------------------|
| Driver's Knowledge Test/Resit                | <b>£35.00</b>                        | <b>£35.70</b>                        |
| Driver's Knowledge Test Cancellation Fee     | <b>£11.00</b>                        | <b>£11.20</b>                        |
| <b>Sundries/Replacement</b>                  |                                      |                                      |
|  | <b>Prices include VAT</b>            |                                      |
| Driver's Badge                               | <b>£3.50</b>                         | <b>£3.60</b>                         |
| Driver's Badge Holder                        | <b>£3.50</b>                         | <b>£3.60</b>                         |
| Council Door Stickers (for front doors)      | <b>£11.00</b>                        | <b>£11.20</b>                        |
| Licence plate for rear of vehicle            | <b>£10.00</b>                        | <b>£10.20</b>                        |
| Licence plate fixings for rear licence plate | <b>£2.50</b>                         | <b>£2.55</b>                         |



|                                     |               |               |
|-------------------------------------|---------------|---------------|
| Licence plate for inside windscreen | <b>£7.00</b>  | <b>£7.15</b>  |
| Plastic wallet for windscreen plate | <b>£1.75</b>  | <b>£1.80</b>  |
| Duplicate licence (paper copy)      | <b>£11.00</b> | <b>£11.20</b> |

Appendix 11(c)

## GAMBLING LICENSING

(The following fees fall outside the scope of VAT).  
An average increase of 2% is proposed for the following fees:

| <b>GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS</b> | <b>Maximum Fees prescribed by regulations (Gambling Act 2005)</b> | <b>Existing Charge 2019/20</b> | <b>Proposed Charge 2020/2021 plus %age and Rounded</b> |
|---|---|--------------------------------|--|
| <b>Small Casino</b>                                     | <b>£</b>  | <b>£</b>                       | <b>£</b>   |
| New application   | <b>8,000.00</b>   | £6,980.00                      | <b>£7,120.00</b>                                       |
| 1 <sup>st</sup> Annual Fee ***                          | <b>50% of annual fee</b>  | £2,300.00                      | <b>£2,350.00</b>                                       |
| Annual Fee  | <b>5,000.00</b>   | £4,600.00                      | <b>£4,700.00</b>                                       |
| Variation   | <b>4,000.00</b>   | £4000.00                       | <b>£4,000.00 (max)</b>                                 |
| Transfer  | <b>1,800.00</b>   | £1,450.00                      | <b>£1,480.00</b>                                       |
| Reinstatement   | <b>1,000.00</b>   | £1,000.00 (max)                | <b>£1,000.00 (max)</b>                                 |
| Provisional Statement                                   | <b>8,000.00</b>   | £7,230.00                      | <b>£7,375.00</b>                                       |
| Licence for Provisional Statement Holders               | <b>3,000.00</b>   | £2,628.00                      | <b>£2,680.00</b>                                       |
| <b>Large Casino</b>                                     |   |                                |  |
| New application   | <b>10,000.00</b>  | £8,545.00                      | <b>£8,715.00</b>                                       |
| 1 <sup>st</sup> Annual Fee ***                          | <b>50% of annual fee</b>  | £4273.00                       | <b>£4,357.50</b>                                       |
| Annual Fee  | <b>10,000.00</b>  | £8,546.00                      | <b>£8,715.00</b>                                       |
| Variation   | <b>5,000.00</b>   | £4,223.00                      | <b>£4,357.50</b>                                       |
| Transfer  | <b>2,150.00</b>   | £1,710.00                      | <b>£1,744.00</b>                                       |
| Reinstatement   | <b>2,150.00</b>   | £1,710.00                      | <b>£1,744.00</b>                                       |
| Provisional Statement                                   | <b>10,000.00</b>  | £8,415.00                      | <b>£8,583.00</b>                                       |
| Licence for Provisional Statement Holders               | <b>5,000.00</b>   | £4,223.00                      | <b>£4,307.00</b>                                       |

|                                |                          |           |                  |
|--------------------------------|--------------------------|-----------|------------------|
| <b>Bingo Club</b>              |                          |           |                  |
| <b>New application</b>         | <b>3,500</b>             | £3,023.00 | <b>£3,083.00</b> |
| 1 <sup>st</sup> Annual Fee *** | <b>50% of annual fee</b> | £440.00   | <b>£449.00</b>   |
| Annual Fee                     | <b>1,000</b>             | £880.00   | <b>£898.00</b>   |
| Variation                      | <b>1,750</b>             | £1,510.00 | <b>£1,540.00</b> |
| Transfer                       | <b>1,200</b>             | £1,005.00 | <b>£1,025.00</b> |
| Reinstatement                  | <b>1,200</b>             | £1,005.00 | <b>£1,025.00</b> |

\*\*\* 1<sup>st</sup> Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant

| <b>GAMBLING ACT 2005<br/>PREMISES LICENCES<br/>APPLICATIONS</b> | <b>Maximum Fees<br/>prescribed by<br/>regulations<br/>(Gambling Act 2005)</b> | <b>Existing Charge<br/>2019/20</b> | <b>Proposed Charge<br/>2020/2021<br/>plus %age and<br/>Rounded</b> |
|---|---|------------------------------------|--|
| <b>Bingo Club (cont'd)</b>                                      |   |                                    |  |
| Provisional Statement   | <b>3,500</b>  | £2,890.00                          | <b>£2,948.00</b>   |
| Licence for Provisional<br>Statement Holders                    | <b>1,200</b>  | £1,005.00                          | <b>£1,025.00</b>   |
| <b>Betting Premises<br/>(excluding tracks)</b>                  |   |                                    |  |
| New application   | <b>3,000.00</b>   | £2,370.00                          | <b>£2,417.00</b>   |
| 1 <sup>st</sup> Annual Fee ***                                  | <b>50% of annual fee</b>  | £263.00                            | <b>£268.00</b>   |
| Annual Fee  | <b>600.00</b>   | £526.00                            | <b>£536.00</b>   |
| Variation   | <b>1,500.00</b>   | £1,180.00                          | <b>£1,204.00</b>   |
| Transfer  | <b>1,200.00</b>   | £920.00                            | <b>£938.00</b>   |
| Reinstatement   | <b>1,200.00</b>   | £920.00                            | <b>£938.00</b>   |
| Provisional Statement   | <b>3,000.00</b>   | £2,370.00                          | <b>£2417.00</b>  |
| Licence for Provisional<br>Statement Holders                    | <b>1,200.00</b>   | £920.00                            | <b>£938.00</b>   |
| <b>Betting Tracks</b>   |   |                                    |  |
| New application   | <b>2,500.00</b>   | £1,970.00                          | <b>£2,010.00</b>   |
| 1 <sup>st</sup> Annual Fee ***                                  | <b>50% of annual fee</b>  | £395.00                            | <b>£403.00</b>   |
| Annual Fee  | <b>1,000.00</b>   | £790.00                            | <b>£806.00</b>   |
| Variation   | <b>1,250.00</b>   | £1,050.00                          | <b>£1,071.00</b>   |
| Transfer  | <b>950.00</b>   | £790.00                            | <b>£806.00</b>   |
| Reinstatement   | <b>950.00</b>   | £790.00                            | <b>£806.00</b>   |
| Provisional Statement   | <b>2,500.00</b>   | £1,970.00                          | <b>£2,010.00</b>   |
| Licence for Provisional<br>Statement Holders                    | <b>950.00</b>   | £825.00                            | <b>£841.00</b>   |

| <b>Family Entertainment Centre (FEC)</b> |                          |           |                 |
|--|--------------------------|-----------|-----------------|
| New application                          | <b>2,000.00</b>          | £1,575.00 | <b>£1606.00</b> |
| 1 <sup>st</sup> Annual Fee ***           | <b>50% of annual fee</b> | £329.00   | <b>£336.00</b>  |
| Annual Fee                               | <b>750.00</b>            | £658.00   | <b>£671.00</b>  |

\*\*\* 1<sup>st</sup> Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant thereafter.

| <b>GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS</b> | <b>Maximum Fees prescribed by regulations (Gambling Act 2005)</b> | <b>Existing Charge 2019/20</b> | <b>Proposed Charge 2020/2021 plus %age and Rounded</b> |
|---|---|--------------------------------|--|
| <b>Family Entertainment Centre (FEC)</b>                |   |                                |  |
| Variation   | <b>1,000.00</b>   | £790.00                        | <b>£806.00</b>   |
| Transfer  | <b>50.00</b>  | £50.00 (max)                   | <b>£50.00 (max)</b>                                    |
| Reinstatement   | <b>950.00</b>   | £790.00                        | <b>£806.00</b>   |
| Provisional Statement                                   | <b>2,000.00</b>   | £1,577.00                      | <b>£1,610.00</b>                                       |
| Licence for Provisional Statement Holders               | <b>950.00</b>   | £790.00                        | <b>£806.00</b>   |
| <b>Adult Gaming Centre (AGC)</b>                        |   |                                |  |
| New application   | <b>2,000.00</b>   | £1,577.00                      | <b>£1,610.00</b>                                       |
| 1 <sup>st</sup> Annual Fee ***                          | <b>50% of annual fee</b>  | £394.00                        | <b>£402.00</b>   |
| Annual Fee  | <b>1,000.00</b>   | £788.00                        | <b>£804.00</b>   |
| Variation   | <b>1,000.00</b>   | £788.00                        | <b>£804.00</b>   |
| Transfer  | <b>1,200.00</b>   | £1,050.00                      | <b>£1,071.00</b>                                       |
| Reinstatement   | <b>1,200.00</b>   | £1,050.00                      | <b>£1,071.00</b>                                       |
| Provisional Statement                                   | <b>2,000.00</b>   | £1,577.00                      | <b>£1,610.00</b>                                       |
| Licence for Provisional Statement Holders               | <b>1,200.00</b>   | £1,044.00                      | <b>£1,065.00</b>                                       |

\*\*\* 1<sup>st</sup> Annual Fee is due 30 days after premises licence is granted, and annual fee is due on anniversary date of grant thereafter.

| <b>GAMBLING ACT 2005<br/>PREMISES LICENCES<br/>APPLICATIONS</b> | <b>Maximum Fees<br/>prescribed by<br/>regulations<br/>(Gambling Act 2005)</b> | <b>Existing Charge<br/>2019/20</b> | <b>Proposed Charge<br/>2020/2021<br/>plus %age and<br/>Rounded</b> |
|---|---|------------------------------------|--|
| <b>Occasional Use<br/>Notices (OUNs)</b>                        | <b>No Fee Permitted</b>   | No Fee Permitted                   | <b>No Fee Permitted</b>  |
| <b>Temporary Use<br/>Notices (TUNs)</b>                         | <b>500.00</b>   | £306.00                            | <b>£312.00</b>   |
| <b>Notification of Change<br/>of Details</b>                    | <b>50.00</b>  | £50.00                             | <b>£50.00 (max)</b>  |
| <b>Copy of<br/>Licence/Notice</b>                               | <b>25.00</b>  | £19.50                             | <b>£20.00</b>  |

## REGULATORY SERVICES

### ESTATES AND FACILITIES

| Charge   | Current 2019/20  | Proposed 2020/21   |
|--|--|--|
| Easements, Covenants and one off Deeds   | £250 plus £45 per hour after 5 hours                           | £255 plus £46 per hour after 5 hours                           |
| Commercial Licences to occupy Council Land   | £250   | £255   |
| Licences to occupy Council Land for community benefit  | £75  | £76.50   |
| Leases and renewals  | £250 plus £45 per hour after 5 hours                           | £255 plus £46 per hour after 5 hours                           |
| Licences to assign, sublet, carry out works under a Lease                                      | £255   | £255   |
| Sales of Council Land, Sales by Land by Tender and Sales of Land by Auction                    | Maximum of 1.5% of the sale price (subject to minimum of £250) | Maximum of 1.5% of the sale price (subject to minimum of £255) |
| Transfer of land for affordable housing at nil consideration in exchange for nomination rights | £250 and £45 p/h after 5 hours                                 | £255 and £46 p/h after 5 hours                                 |
| Temporary (less than 1 year) installations on Council Land by Town and Parish Councils         | Reduction of 33% on standard fee.                              | Reduction of 33% on standard fee.                              |
| Community Asset Transfers  | Nil charge   | Nil charge   |
| Emergency Works Licences affecting public safety.  | Nil charge   | Nil charge   |

## PRE-APPLICATION ADVICE

(The following fees are inclusive of VAT)

An average increase of 10% is proposed for the following fees:

| <b>PRE-APPLICATION<br/>ADVICE</b>             | <b>Existing Charge<br/>2019-2020<br/>£</b> | <b>Proposed Charge<br/>2020-2021<br/>rounded + inclusive of<br/>VAT<br/>£</b> |
|---|--|---|
| <b>Planning Permission</b>                    |  |   |
| Letter Fee                                    | <b>£25</b>                                 | <b>£27.50</b>   |
| Letter and Meeting Fee                        | <b>N/A</b>                                 | <b>N/A</b>  |
| <b>Householder Proposals</b>                  |  |   |
| Letter Fees                                   | <b>£50</b>                                 | <b>£55</b>  |
| Letter and Meeting Fees                       | <b>£100</b>                                | <b>£110</b>   |
| <b>Works to Listed Buildings</b>              |  |   |
| <b>Letter Fee-</b><br>Householder             | <b>£50</b>                                 | <b>£55</b>  |
| Commercial                                    | <b>£100</b>                                | <b>£110</b>   |
| <b>Letter and Meeting Fee-</b><br>Householder | <b>£150</b>                                | <b>£165</b>   |
| Commercial                                    | <b>£200</b>                                | <b>£220</b>   |
| <b>Advertisement Proposals<br/>(Per Site)</b> |  |   |
| Letter Fee                                    | <b>£50</b>                                 | <b>£55</b>  |
| Letter and Meeting Fee                        | <b>N/A</b>                                 | <b>N/A</b>  |

|   |             |             |
|---|-------------|-------------|
| <b>Change of Use (not Inc. dwellings, major development or engineering works)</b> |             |             |
| Letter Fees   | <b>£100</b> | <b>£110</b> |
| Letter and Meeting Fee  | <b>N/A</b>  | <b>N/A</b>  |
| <b>All other uses/ buildings</b>  |             |             |
| <b>0 – 499 Sqm</b>  |             |             |
| Letter Fee  | <b>£100</b> | <b>£110</b> |
| Letter and Meeting Fee  | <b>£150</b> | <b>£165</b> |
| <b>500 – 999 sqm / Less than 1Ha Or 0 – 3 dwellings (Outline less than 0.5Ha)</b> |             |             |
| Letter Fee  | <b>£150</b> | <b>£165</b> |
| Letter and Meeting Fee  | <b>£350</b> | <b>£385</b> |
| <b>1,000 – 9,999 Sqm / 1 – 2 Ha Or 4 – 9 dwellings</b>                            |             |             |
| Letter Fee  | <b>£300</b> | <b>£330</b> |
| Letter and Meeting Fee  | <b>£500</b> | <b>£550</b> |

|  |  |  |
|--|--|--|
| <p><b>10 – 99 Dwellings<br/>(Outline of 0.5 – 1.99 Ha)</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p>  | <p><b>£500</b><br/><b>£750</b></p>   | <p><b>£550</b><br/><b>£825</b></p>   |
| <p><b>99 – 199 Dwellings (Outline of 2 – 4 Ha)</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p>  | <p><b>£650</b><br/><b>£875</b></p>   | <p><b>£715</b><br/><b>£965</b></p>   |
| <p><b>All other uses: 10,000+ Sqm &gt; 4 Ha or &gt; 200 dwellings</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p>   | <p><b>£750</b><br/><b>£1000</b></p>  | <p><b>£825</b><br/><b>£1,100</b></p>   |
| <p><b>Initial ‘in principle’ enquiry with email confirmation of meeting with limited up front information provided</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p>  | <p><b>£300</b><br/><b>Email to Confirm</b></p>   | <p><b>£330</b><br/><b>Email to Confirm</b></p>   |
| <p><b>Request for Information</b></p> <p>Confirmation of last known planning use of land and/or buildings</p> <p><b>Sites/ Buildings &lt; than 1000sq.m</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p> <p><b>Sites/ Buildings &gt; than 1000sq.m</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p> <p><b>Confirmation as to whether a building/ structure is deemed curtilage listed</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p> | <p><b>£25</b><br/><b>N/A</b></p> <p><b>£50</b><br/><b>N/A</b></p> <p><b>£25</b><br/><b>N/A</b></p> | <p><b>£27.50</b><br/><b>N/A</b></p> <p><b>£55</b><br/><b>N/A</b></p> <p><b>£27.50</b><br/><b>N/A</b></p> |
| <p><b>Enquiries relating to the discharge of pre-commencement conditions</b></p>   |  |  |



|  |   |  |
|--|---|--|
| <p><b>Householder Applications</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p> <p><b>Other Applications</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p>      | <p><b>£20</b><br/><b>N/A</b></p> <p><b>£50</b><br/><b>£75</b></p> | <p><b>£22</b><br/><b>N/A</b></p> <p><b>£55</b><br/><b>£82.50</b></p> |
| <p><b>Enquiries relating to minor amendments to approved developments and variation/amendments to S106 agreements</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p> | <p><b>£50</b><br/><b>N/A</b></p>                                  | <p><b>£55</b><br/><b>N/A</b></p>                                     |
| <p><b>Additional letter and/or meeting</b></p> <p>Letter Fee<br/>Letter and Meeting Fee</p>  | <p><b>Half original fee</b><br/><b>Half original fee</b></p>      | <p><b>Half original fee</b><br/><b>Half original fee</b></p>         |

## GOVERNANCE AND RESOURCES COMMITTEE

09 January 2020

Report of the Chief Executive

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## REWARD & RECOGNITION POLICY

### PURPOSE OF THE REPORT

This report proposes the adoption of a new employment policy on Reward and Recognition.

### RECOMMENDATION

That the new employment policy on Reward and Recognition is adopted.

### WARDS AFFECTED

All

### STRATEGIC LINK

The proposed new policy supports the Districts Council's corporate values of valuing our employees.

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## 1. BACKGROUND

- 1.1 The development of a Reward and Recognition policy was agreed as an action the staff survey action plan approved in March 2017. The action was to engage with Employee Group to draft the policy by summer 2019.
- 1.2 In line with other employment policies, once approved it is only changes to the policy statement that would require committee approval. Changes to the guidance notes from learning through changes in Local Government terms and conditions or by implementing the guidance notes can be approved by Corporate Leadership Team.

## 2. REPORT

- 2.1 The Human Resources Manager made an initial draft of a policy statement and detailed guidance notes on
  - Reward - including the local government pay spine, job evaluation, honoraria, acting up pay, market supplements, professional subscriptions, local government contractual benefits and local Derbyshire Dales benefits
  - Recognition - including different ways to recognise staff (and for staff to recognise each other) including a thank you, an email, a letter, a monthly achiever award, minimum of quarterly '121s' with managers, annual 100% attendance letters, an annual celebration event, long service awards and a 'bright ideas' scheme.

- 2.2 Some of the initial draft was a write up of existing procedures e.g. how we implement the local government pay spine, the annual pay award and how we administer job evaluation. Other sections were suggestions for new processes e.g. developing a 'Bright Ideas' scheme.
- 2.3 After the initial draft was supported by Corporate Leadership Team, it was discussed by Employee Group in April.
- 2.4 The Employee Group set up a sub group which met in May to consider ideas in the policy. They fed back at a meeting in early June. They largely supported the draft, and suggested improving long service awards. They also suggested that the drafted long list of benefits be made easier to read by grouping into:
- Wellbeing
  - General
  - Communication and information
  - Learning & Development
  - Good governance.

They recognised how useful it was for staff to see all the benefits in one place so that they could appreciate the whole 'package' for working in local government and Derbyshire Dales in particular, especially following years of no or very modest (1%) pay awards.

- 2.5 The draft policy was then sent out to all staff for consultation in August with a request for comments to be given to the Employee Group representatives to be discussed at the September Employee Group.
- 2.6 At September Employee Group the draft policy was supported.
- 2.7 The draft policy and guidance notes, attached at appendix 1, were considered at Joint Consultative Group on 15 October. No changes to the draft were proposed.
- 2.8 Joint Consultative Group recommended that Governance and Resources Committee adopt this new employment policy.

### **3. RISK ASSESSMENT**

#### **3.1 Legal**

This is a discretionary policy, which presents no legal considerations.

#### **3.2 Financial**

The costs of delivering the Reward & Recognition Policy could be accommodated within the salaries budget. The financial risk is therefore assessed as low.

### **4. OTHER CONSIDERATIONS**

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

**5. CONTACT INFORMATION**

Deborah Unwin, Human Resources  
Manager: [Deborah.unwin@derbyshiredales.gov.uk](mailto:Deborah.unwin@derbyshiredales.gov.uk),  
Telephone: 01629 761364

**6. ATTACHMENTS**

Appendix 1: draft Reward and Recognition Policy



## Reward and Recognition Policy

### Contents

1. Policy Statement
2. Scope
3. Reward
4. Recognition

Equality

Manager Responsibilities

Employee Responsibilities

Human Resource & Payroll responsibilities

Guidance Notes

### Document history:

|   |                                     |
|---|-------------------------------------|
| Draft for CLT   | 9 April 2019                        |
| For discussion at Employee Group                        | 10 April 2019                       |
| Employee Group ideas                                    | 6 June 2019                         |
| Proposed policy for staff consultation                  | 20 August 2019 updated 11 September |
| Consultation at Employee Group                          | 18 September 2019                   |
| For consultation at JCG                                 | 15 October 2019                     |
| To request adoption at Governance & Resources Committee | 14 November 2019                    |



## Reward & Recognition Policy 2019

### Policy Statement

- 1.1 Derbyshire Dales District Council recognises staff as its most valuable asset. Valuing our employees is a key value of the organisation. It is therefore appropriate to recognise and reward the contribution of staff, over and above normal salary payment.
- 1.2 Recognising excellent performance and rewarding staff well is a key contributor to having a happy, motivated, engaged staff with a good sense of well-being.

### Scope

- 2.1 This policy applies to all employees with contract hours.

### Reward

- 3.1 Staff are paid for their contribution on incremental pay scales, determined through the Local Government Job Evaluation Scheme.
- 3.2 In addition to pay, all Derbyshire Dales District Council employees have a range of contractual Local Government benefits in line with the Local Government Terms and Conditions of Employment (the "Green Book"). These benefits include the contributory pension scheme with life insurance and many benefits which exceed the statutory provisions including holiday entitlement, sick pay, maternity, paternity, adoption and shared parental leave entitlements. Some national conditions are varied by local agreement e.g. the Travel & Subsistence Policy.
- 3.3 Derbyshire Dales District Council also provides a range of local non contractual benefits including flexi time, various leave arrangements including urgent domestic leave, learning & development support, counselling, occupational health and salary sacrifice schemes including the 'cycle to work' scheme.

## **Recognition**

- 4.1 There are many ways that the District Council, its managers and staff can recognise the contribution of employees on a service, team and individual basis. These range from a simple 'thank you' through to letters of recognition, inclusion in intranet posts, StaffMATTERS or core brief, or payment of an honoraria.
- 4.2 Some staff contribute day in day out on a consistent and high level, whilst others contribution is seen as achieving high performance in specific projects (quite often with the support of others doing the 'day job'). Both solid consistent performance and one off high achievements should be recognised by managers and colleagues.
- 4.3 It is important to recognise where performance is below that required in order to coach and support an employee to develop and contribute to the best of their ability. Managers and staff should refer to the Employee Performance Improvement Policy.

## **Equality**

- 5.1 Reward and Recognition will be managed fairly, promote equality of opportunity and be free from discrimination, direct or indirect.
- 5.2 The District Council's policy on Equality and Diversity will underpin the management of reward and recognition and the decisions taken.
- 5.3 Job evaluation is about evaluating the post (not the person) against the Local Government Job Evaluation scheme. This enables the requirement for equal pay.

## **Manager Responsibilities**

- 6.1 Managers are responsible for establishing work programmes and ensuring their staff have the knowledge and skills to undertake their role. When excellent performance (consistent or through project work) is achieved, it is the manager's responsibility to recognise it. Where performance is satisfactory or poor it is the manager's responsibility to support and develop the employee to improve.
- 6.2 Managers are responsible for ensuring that any recognition or reward is given fairly and without discrimination.

## **Employee Responsibilities**

- 7.1 Employees can recognise good and excellent performance by their colleagues via a verbal or written 'thank you'.
- 7.2 Employees can help their manager to recognise and reward by flagging it up when a colleague has gone 'above and beyond' what might be expected.
- 7.3 Employees can help managers to improve performance in others by giving development support, sharing knowledge and coaching.

## **Human Resource & Payroll responsibilities**

- 8.1 Keep this policy and the guidance notes under review and make suggestions for improvement in line with changes in benefits, best practise and learning from implementing the policy
- 8.2 Advise managers and staff on the fair and consistent implementation of the policy and the guidance notes
- 8.3 Manage the Job Evaluation Scheme to ensure fairness and consistency of application
- 8.3 Ensure all employees have access to the Local Government terms and conditions of employment and local benefits, through contracts of employment and Human Resources policies and procedures.





## Reward & Recognition Policy 2019 Guidance Notes

These guidance notes are not part of the policy statement. Instead they help to support it and explain how the policy is to be implemented. Changes to the Policy Statement require Member approval. Changes to the guidance notes, due to changes in benefits and best practise or learning from implementing the policy, are approved by Corporate Leadership Team.

### 1. Introduction

The policy statement confirms that the District Council recognises staff as its most valuable asset. It also confirms managers, employees and Human Resources' role in ensuring fairness and consistency in any form of recognition or reward. Whilst some elements (e.g. terms and conditions in the statement of written particulars) are contractual, other elements are discretionary.

### 2. Reward

For the purpose of these guidance notes, reward includes

- 2.1 Pay
- 2.2 Job evaluation
- 2.3 Honoraria
- 2.4 Acting up pay
- 2.5 Market Supplement
- 2.6 Professional Subscriptions
- 2.7 Local Government non pay benefits and local Derbyshire Dales non pay benefits

#### 2.1 Pay

- 2.1.2 All posts are paid a monthly salary within a local grade as determined by job evaluation. It is the post, not the person that is evaluated, so giving fair and equal pay for work of equal value. Each grade is allocated a specific range of job evaluation points (see published pay scales appendix 1).

- 2.1.3. From April 2019 with the introduction of the new national pay spine, each local grade is made up of between 2 and 7 incremental points. Increments are paid on 1 April each year until the top of scale is reached in order to recognise growing knowledge and competence in the role. Where someone is appointed within 6 months of 1 April (i.e. from 1 October to 31 March) the first increment is paid on the 6<sup>th</sup> month anniversary of appointment, and then the following 1 April and annually thereafter.
- 2.1.4 Appointment is at the base of scale. Occasionally the Chief Executive can approve a recruiting manager's request to pay a starting salary higher than base of scale e.g. if the recruiting manager determines that the appointee is an exceptional candidate with such knowledge and experience that they can undertake all aspects of the role fully on appointment.
- 2.1.5 Pay grades (determined in our Single Status Agreement) are allocated against the local government national pay spine of scale points ('scps') 1- 43 plus the local scale points 44- 61. Posts with scp 1-45 are evaluated against the Local Government Job Evaluation Scheme. Posts in scp 46-61 are evaluated against the local Senior Manager Scheme.
- 2.16 Local grades 2-13 are determined through the Local Government Job Evaluation Scheme by a panel of trained evaluators, chaired by the Human Resources Manager. Grades 14-17 are determined by the local Senior Manager's job evaluation scheme with a panel comprising the Chief Executive and the Human Resources Manager. The Chief Executive grade is determined by District Council members.
- 2.1.6. Generally, grades 2-7 are team members, grade 8 and 9 are the supervisor/professional roles; grade 10+ are usually team managers and grade 13 is the lead professional roles with management responsibility. Local grade 14-17 are Heads of Service with a separate local scale for the Chief Executive.
- 2.17 The national pay spine which is reviewed annually by the National Joint Councils negotiating bodies made up of representatives of the national Employers and national trade union representatives. Derbyshire Dales District Council adopts the outcome of the national pay negotiations, with any increase to the scale points 1-61 usually effective from 1 April. The Chief Executive scale is subject to annual review by the Joint Negotiating Committee for Chief Officers of Local Authorities. In some years, national negotiations are not concluded by 1 April but when concluded an instruction is given as to the implementation date and if back pay is to be made.

## **2.2 Job evaluation**

- 2.2.1 Derbyshire Dales adopts the Local Government Job Evaluation scheme detailed in the Local Government Terms & Conditions of Employment (The Green Book) available on the intranet (SIDD).
- 2.2.2 It is the post, not the person that is evaluated. This is to provide fairness and consistency across the organisation and ensure equal pay for work of equal value.
- 2.2.3 See Appendix 2: How the Local Government job evaluation scheme is applied by Derbyshire Dales District Council

## **2.3 Honoraria**

- 2.3.1 Honoraria are paid as a 'thank you' to an individual or group of individuals for achieving a significant piece of work, probably in very difficult circumstances. Honoraria are rarely paid because the individual achieving a high level piece of work is often supported/ released by other colleagues to enable them to achieve. The level of honorarium can be relatively small (e.g. £250-500) in comparison to the achievement or time taken to achieve. This is because it is a one off payment made as a thank you not a payment related to hourly rate.
- 2.3.2 The Head of Service wishing to make an Honorarium will put the business case and seek approval to the Chief Executive.

## **2.4 Acting up pay**

- 2.4.1 Acting up pay is given, on approval of the Head of Service, to cover a post temporarily vacant due to sickness (over 4 weeks), maternity leave, or a post temporarily unfilled awaiting a review of the establishment (not exceeding 3 months). It is not given to cover short absences e.g. annual leave or for absence of less than one month. Acting up can be a valuable development opportunity for an employee to gain experience in a more senior post.
- 2.4.2 The Head of Service will seek advice from Human Resources as to a fair selection process (normally recruitment via an internal advert following Corporate Leadership Team approval to recruit) in order to select the best person to act up in line with the District Council's Recruitment procedures and Equality and Diversity Policy to either
  - i) temporarily undertake the full duties of a higher graded position or
  - ii) temporarily undertake part of the duties of a higher graded position as determined by the Head of Service e.g. undertake 50% or 75% of the duties of the higher role.

- 2.4.3 Where the acting up is to cover the full duties the person acting up will be paid at the entry scale point of the grade being covered. If the person acts up to cover 75% of the duties their acting up pay will be 75% of the difference of the employee's current pay and that of the entry scale point of the post being covered.

## **2.5 Market Supplements**

- 2.5.1 The Local Government Terms and Conditions of Employment (the Green Book) permits market supplements to be made, where necessary but that any market supplement must be regularly reviewed to ensure that it is still necessary and fair.
- 2.5.2 Market supplements are paid where there is a proven difficulty to recruit to a post e.g. where our pay is uncompetitive against market rates or there is a particular shortage of skills. The supplement is paid as a temporary payment whilst there is market evidence to demonstrate their need and therefore cannot be considered as a permanent payment.
- 2.5.3 A manager may seek Corporate Leadership Team (CLT) approval (on advice from the Human Resources Manager) to add a market supplement to a post. In order to request a market supplement there must be proven difficulty to recruit to a post (because the pay is uncompetitive in the current market or there is a proven shortage of skills in the market) through at least two unsuccessful external recruitment campaigns.
- 2.5.4 If approved, the post can then be advertised with a temporary market supplement, at a level agreed by CLT between 9 and 15% only. (A supplement below 9% is unlikely to change the salary to a rate competitive with the market) and a rate over 15% is very likely to cause relativity issues or equal pay issues with jobs on the same grade.
- 2.5.5 CLT may decide to recruit at 9% to see if that is successful before having to recruit again on a higher level. If the recruitment remains unsuccessful the role may be changed or the manager may decide to undertake the work by other means (strategic partnership or consultant appointment etc.) until there is a change in the market supply and demand.
- 2.5.6 CLT will determine if the supplement is payable to the particular post only, or if the subsequent recruitment is successful if it should be paid to posts in the same immediate job family e.g. the manager of the post where the posts are professionally linked and the relativities between the posts are significantly compromised by the allocation of a supplement. When reviewing the supplement, any change or cessation affects all posts in the job family which are awarded the supplement.

2.5.7 A market supplement must be reviewed regularly, at least once every 3 years, to ensure it is still required/ fair. A supplement is a temporary payment based on market need irrespective of how long it is paid. Managers must collect evidence of market pay from recent comparable recruitment adverts from other employers. They must also obtain evidence of market supply (numbers of applicants to other employers or ability to appoint). CLT approval can then be sought to retain the supplement, change it (up or down) or cease it. Contractual notice will be given to the post holder of any change.

## **2.6 Professional subscriptions**

2.6.1 A significant number of posts at the District Council require professional qualifications on appointment. These post holders must remain professionally up to date during their employment in order to be able to do their job and provide up to date advice. It is therefore not affordable to reimburse the professional subscriptions for every profession.

2.6.2 The only roles where professional subscriptions are reimbursed are for

- Solicitors as they are required by the Law Society to hold an annual practising certificate to be able to work
- One Property Valuer (not facilities managers) who has to be a member of RICS- Royal Society of Chartered Surveyors to be able to undertake the District Council's property valuations.
- The Head of Resources CIPFA subscription as Section 151 Officer.

2.6.3 Professional subscriptions paid by other employees are however tax allowable by completing an annual tax return to HMRC.

## **3 Benefits in addition to salary**

In addition to the salary payment, a range of contractual benefits are given for working in local government and further non contractual benefits for working at Derbyshire Dales District Council as follows. Those with \* are prorata to contract hours for part time staff (less than 37 hours per week). Some of the local benefits are not applicable to all roles e.g. flexi time is not possible in roles with a roster or in some customer facing roles where we have 'opening hours'.

3.1 Local government non pay contractual benefits confirmed in the contract of employment include:

25 days leave (plus 4 additional days after 5 years' service)\* 34 days for the Chief Executive

Pro rata bank holiday entitlement for part time employees and those on nonstandard (37 hour Monday to Friday) working patterns

Continuous local government service (affecting holiday and sick pay and notice periods)

Contributory pension scheme (refer to the Pension Scheme handbook on the intranet for details/ clarification) with

- Employers' Contributions
- Life assurance
- 50 50 scheme
- Retirement benefits
- Dependents pension
- Flexible Retirement
- Flexible Additional Voluntary Contributions
- Immediate benefits payment if redundant over 55

Equality of opportunity

Generous sick pay scheme (better than statutory)

Maternity, paternity, adoption and shared parental leave (better than statutory)

Right to request flexible working

Overtime rates for those up to scale point 22

Recognised trade unions.

3.2 Derbyshire Dales benefits, which other local government employers may or may not provide include

**a) Well being**

Buying up to 10 days additional annual leave\*

Carry forward of up to 5 days untaken leave\*

Access to free Counselling, CBT (Cognitive Behavioural Therapy) support

Coaching support

Discounts in leisure centres

EE 20% discount on new phone, tablet SIM or mobile broadband plans

Eye care vouchers

Health walks (Town Hall Mondays and Thursday)

Kitchens for making drinks/ heating food

Lone working procedures with 'First Call'

Mental Health First Aiders, Mental Health Champions and Mental Health buddies

Occupational health- advice, work place monitoring, surveillance in high risk jobs

Stop Smoking support

Support of manager/ colleagues/ HR

Urgent Domestic Leave

Wellbeing options on site from time to time e.g. hosting Pilates, reflexology

## **b) Communications and information**

Staff email/ notice boards

Core Briefings to learn more about the Council and its performance

Cascade of CLT meeting actions

dalesMATTERS

Minimum of quarterly 121s with line manager

Personal internet use outside working hours

Regular team meetings to share information and ideas

Staff survey every 2 years - seek feedback/improvement

staffMATTERs

SIDD (intranet)

### **c) Learning & development**

Annual Performance & Development reviews (gain feedback, resolve issues and plan personal development), with 6 month review

LOLA- e learning system

Learning & development opportunities (Corporate, vocational courses and short courses)

### **d) General**

Employee Group representation and support

Employee Self Service (HR21) book leave, claim expenses and update personal data

Flexible working options

Flexitime\*

Good office/work place environment

Free staff car park

Home working for suitable roles with laptop access

Honoraria

Job share opportunities

Long Service Awards

Part time work

Salary Sacrifice (i.e. before tax) Cycle to Work Scheme, and Additional Contributions (AVCS) to the pension scheme, buying additional leave

Time off in lieu (TOIL)\*

### **e) Good governance**

Corporate Plan with strategic direction and priorities

Corporate values including Valuing our Staff

Corporate culture of **ONE Team, ONE Council, ONE Purpose**

Employee Code of Conduct



HMRC Mileage rates plus tiered essential lump sum as per the travel & subsistence policy

Human Resources policies from family friendly policies through to discipline and grievance.

## **4 Recognition**

### **4.2 Background**

- 4.2.1 It is important for individual employees and the organisation to recognise excellent performance which supports the achievement of the organisations goals and values. It is equally important to recognise under performance so that support and coaching can be given to achieve the standards required (see Employee Performance Improvement Policy).
- 4.2.2 Appreciation is a fundamental human need so employee recognition the right thing to do. It is also a way we can achieve the District Council's corporate value of Valuing our Staff. Most recognition will come from line managers but peer to peer/ colleague recognition is also important. Recognition improves morale, team working (One Team), collaboration across teams (One Council), wellbeing and job satisfaction (One Purpose).
- 4.2.3 Many published studies that show the business benefits of employee recognition in improved organisational performance and customer satisfaction.
- 4.2.4 Studies say that recognition should be part of an organisation's culture and be given genuinely rather than 'ticking a box'. Important is consistency of recognition and at all times avoiding favoritism or overlooking someone to ensure fairness and equality in recognition. Recognition must be timely and personal demonstrating understanding of the actual achievement.
- 4.2.5 Some recognition is appropriate to an individual (whilst recognising that sometimes their achievement has only been possible with the support or cover for the 'day job' from colleagues), other recognition is more appropriate to a group of people (e.g. a task team or project team) or a team.
- 4.2.6 For recognition to be meaningful it is for peaks of excellent performance, consistent high performance i.e. 'going the extra mile'. Recognition might be appropriate at an individual, team, service or organisation level.

### **3.2 Different methods of recognition at Derbyshire Dales**

- 3.2.1 A simple 'thank you'. Managers and colleagues can simply say thank you for a job well done. A thank you can be a regular, almost daily form of genuine recognition.

- 3.2.2 An email. Whilst an email thank you is easy enough to do, it takes a bit more thought and effort to write a thank you and putting the recognition into writing gives it more weight.
- 3.2.3 A thank you letter. Less frequent than an email, a formal letter can be written with a copy placed on the employee's personal file can be done to recognise a more significant high level achievement e.g. after completing a project or of time or consistent high performance over significant period. A letter can be sent from the employee's manager, Head of Service or Chief Executive dependent on the appropriate level of recognition.
- 3.2.4 A monthly Achiever Award a Derbyshire Dales card from the Chief Executive saying 'thank you' on recommendation from staff.
- 3.2.5 In quarterly (or more frequent) 121s and annual (and half yearly) Performance & Development Reviews. 121s enable more timely and formal recognition for a piece of work or ongoing consistency of high performance. The PDR process enables a summary of recognition over the last year and it is best given with examples of achievement. The PDR is not only a written record of achievements as part of the employment record but it is copied to the next higher manager (who can also add their recognition as appropriate).
- 3.2.6 Annual 100% attendance letters to recognise commitment and ability to give 100% attendance
- 3.2.7. Corporate Leadership Team Annual Celebration Event
- 3.2.8 Recognition of excellence and future potential- nomination on East Midlands Challenge Team or District Councils Network Development Programme, or similar development opportunity.

### **3.3 Peer recognition in publically celebrating excellent performance (with photos where possible) in**

- Team meetings
- Service meetings
- Core briefings
- SIDD article
- All staff email
- Paul's Post
- Staff MATTERS
- Members at Committee
- Press articles
- Social media

### 3.4 Financial recognition

- 3.4.1 Financial recognition is rarely given. This is due to the cost but also the challenge sometimes to be sure of who should receive financial recognition.
- 3.4.2 Honoraria are the main type of financial recognition i.e. a payment to thank or recognise a specific achievement. The value of the honorarium is usually very modest e.g. £250-£500 and is therefore not based on a calculation of hours worked or input given. Honoraria are determined on a business case from a Head of Service to the Chief Executive. Achievement leading to an honorarium is acknowledged in writing and paid via payroll and subject to tax and national insurance.
- 3.4.3 Long Service Awards. For many years Derbyshire Dales District Council has recognised staff who have given 20 continuous years Derbyshire Dales Service. A gift of the employee's choice of up to £366 (including VAT) paid for by the Council and should be given by the Head of Service with a photo/article in SIDD. After 40 years continuous Derbyshire Dales service an employee will be offered a gift up to £500. Those completing 10 continuous years Derbyshire Dales service will receive a letter of recognition. Long Service Awards will be presented by the Chief Executive.
- 3.4.4 'Bright Ideas' recognition scheme for transformation or efficiency saving in a team other than the employee's own team (as improvements in your own area of work should be part of normal work activity). The idea would be submitted on a business case to CLT who would determine if the transformation or efficiency is put into place. CLT would determine if an award is made irrespective of whether the idea is put into practise or not with details of the idea in SIDD, StaffMATTERS etc. to recognise the employee and encourage other ideas.

Appendix 1: Derbyshire Dales pay from 1 April 2019 (subject to future pay awards)

| <b>DDDC - GRADING STRUCTURE - Apr 2019</b> |          |     |         |           |          |         |         |
|--|----------|-----|---------|-----------|----------|---------|---------|
| <b>GRADES</b>                              |          |     |         |           |          |         |         |
| Grade                                      | JE Score | SCP | Salary  | Grade     | JE Score | SCP     | Salary  |
|  |          |     |         | <b>2</b>  | 235      | 1       | £17,364 |
|  |          |     |         |           | 269      | 2       | £17,711 |
| <b>3</b>                                   | 270      | 3   | £18,065 |           |          |         |         |
|  | 304      | 4   | £18,426 | <b>4</b>  | 305      | 4       | £18,426 |
|  |          |     |         |           | 5        | £18,795 |         |
| <b>5</b>                                   | 340      | 6   | £19,171 |           | 339      | 6       | £19,171 |
|  |          | 7   | £19,554 |           |          |         |         |
|  |          | 8   | £19,945 |           |          |         |         |
|  | 374      | 9   | £20,344 |           |          |         |         |
|  |          |     |         | <b>6</b>  | 375      | 10      | £20,751 |
|  |          |     |         |           | 11       | £21,166 |         |
|  |          |     |         |           | 12       | £21,589 |         |
|  |          |     |         |           | 13       | £22,021 |         |
|  |          |     |         |           | 14       | £22,462 |         |
|  |          |     |         | 409       | 15       | £22,911 |         |
| <b>7</b>                                   | 410      | 16  | £23,369 |           |          |         |         |
|  |          | 17  | £23,836 |           |          |         |         |
|  |          | 18  | £24,313 |           |          |         |         |
|  |          | 19  | £24,799 |           |          |         |         |
|  |          | 20  | £25,295 |           |          |         |         |
|  | 444      | 21  | £25,801 |           |          |         |         |
|  |          |     |         |           | 22       | £26,317 |         |
|  |          |     |         | <b>8</b>  | 445      | 23      | £26,999 |
|  |          |     |         |           | 24       | £27,905 |         |
|  |          |     |         |           | 25       | £28,785 |         |
|  |          |     |         |           | 479      | 26      | £29,636 |
| <b>9</b>                                   | 480      | 27  | £30,507 |           |          |         |         |
|  |          | 28  | £31,371 |           |          |         |         |
|  |          | 29  | £32,029 |           |          |         |         |
|  | 514      | 30  | £32,878 |           |          |         |         |
|  |          |     |         | <b>10</b> | 515      | 31      | £33,799 |
|  |          |     |         |           | 549      | 32      | £34,788 |
|  |          |     |         |           |          | 33      | £35,934 |
| <b>11</b>                                  | 550      | 34  | £36,876 |           |          |         |         |
|  |          | 35  | £37,849 |           |          |         |         |
|  |          | 36  | £38,813 |           |          |         |         |
|  | 584      | 37  | £39,782 |           |          |         |         |
|  |          |     |         | <b>12</b> | 585      | 38      | £40,760 |
|  |          |     |         |           | 39       | £41,675 |         |
|  |          |     |         |           | 40       | £42,683 |         |
|  |          |     |         |           | 619      | 41      | £43,662 |
|  |          |     |         |           |          |         |         |
| <b>13</b>                                  | 620      | 42  | £44,632 |           |          |         |         |
|  | +        | 43  | £45,591 |           |          |         |         |
|  |          | 44  | £46,758 |           |          |         |         |
|  |          | 45  | £47,964 |           |          |         |         |
|  |          |     |         | <b>14</b> | 1550     | 46      | £49,193 |
|  |          |     |         |           | 47       | £50,463 |         |
|  |          |     |         |           | 48       | £51,754 |         |
|  |          |     |         |           | 1699     | 49      | £53,088 |
|  |          |     |         |           |          |         |         |
| <b>15</b>                                  | 1700     | 50  | £54,450 |           |          |         |         |
|  |          | 51  | £55,852 |           |          |         |         |
|  |          | 52  | £57,285 |           |          |         |         |
|  | 1849     | 53  | £58,758 |           |          |         |         |
|  |          |     |         | <b>16</b> | 1850     | 54      | £60,269 |
|  |          |     |         |           | 55       | £61,817 |         |
|  |          |     |         |           | 56       | £63,409 |         |
|  |          |     |         |           | 1999     | 57      | £65,034 |
|  |          |     |         |           |          |         |         |
| <b>17</b>                                  | 2000     | 58  | £66,707 |           |          |         |         |
|  | +        | 59  | £68,420 |           |          |         |         |
|  |          | 60  | £70,181 |           |          |         |         |
|  |          | 61  | £71,983 |           |          |         |         |
|  |          |     |         | 132       |          |         |         |

## Appendix 2: How the Local Government job evaluation scheme is applied by Derbyshire Dales District Council

1. Job Evaluation starts with the manager determining the job description and person specification for the post. From this the manager can complete the Job Evaluation Questionnaire (completed by the manager with the post holder's support if it is a current post or by just the manager if it is a new post). All questionnaires must be completed with the support of a Job Analyst; a trained employee who ensures that all the questions in the questionnaire are answered, that no acronyms are used, that the job is described concisely in plain English and to help the manager to select the best examples where examples are required.
2. If the post has an existing questionnaire which is being updated, any change **MUST** be in tracked changes so that the panel can focus in on the changes and not waste time re-evaluating unchanged Factors. If original questionnaire is in 'PDF' or a paper copy then the questionnaire **MUST** be copy typed into word and saved before then making any changes in tracked changes. All questionnaires are signed off by the manager of the post.
3. The Local Government Job Evaluation Scheme is made up of 13 'Factors', with between 5 and 8 Levels in each Factor. Factors and scores in the scheme have definitions and guidance note on how to interpret the definitions. In applying this national scheme, there are predetermined local conventions to help to apply the scheme locally.
4. The Scheme allocates score to each Level. Some of the factors are weighted as they are more important than other factors (see the Green Book for the Factors, Levels and score matrix).
5. When the Scheme was adopted by the District Council, a local agreement was established with the trade unions to determine the evaluation score boundaries for each of our local pay grades (see appendix 1).
6. Jobs are evaluated by a Job Evaluation Panel made up of the Human Resources Manager and 3 employees (out of the pool of evaluators) all trained in the Local Government Job Evaluation scheme. To remove any bias, evaluators do not evaluate posts within their own team (and preferably their service area) or if there is a personal interest.

7. There are up to 9 employees trained to be on the job evaluation panel. From time to time employees are invited to come forward for training to become job evaluators. Training is through a workshop and then shadowing the panel, comparing the trainee's scores with the panel scores, for a period of up to 6 months before the panel determines that the trainee understands the scheme to be able to take a seat on the panel.
8. Monthly panels are diarised by the HR & Payroll Assistant. Completed questionnaires must be with the HR& Payroll Assistant a week before the panel date. This is to enable the questionnaire to be sent to the panel members and for them to set aside time to evaluate the post individually before meeting as a panel.
9. At the panel meeting, the manager attends the first few minutes to introduce the role to the panel and answer any questions the panel may have or provide any information the panel feels is missing from their individual assessments.
10. Panel members then discuss and debate the evidence on the questionnaire against the definitions in the Scheme at each Level for each Factor and their individual scores to be able to agree panel scores for each of the 13 Factors. Whilst their decisions are detailed and grounded in the scheme definitions, some interpretation and judgement is required. To ensure consistency panellists have access to previous questionnaires and scores to be able to bench mark scores and 'sore thumb' their decisions. Where a query remains the manager is invited back to the panel to give explanation or more information.
11. Once the panel have agreed scores for each of the 13 Factors, the Human Resources Manager enters the panel's raw score into the Job Evaluation database. The database calculates the total score for the post (taking into account the weighted Factors). The Human Resources Manager returns to the panel with the total score and the local grade that score falls within. The panel can then 'sore thumb' the result, especially if the result is close to a grade boundary, before it is finalised. Sore thumbing is asking 'does this outcome stick out like a sore thumb' such that it is not compatible with similar jobs or job families, if so have the panel over scored or under scored a particular factor in their interpretation of the scheme definition? The outcome is then agreed by the panel.
12. On some occasions, if the outcome is not that hoped, the manager can take responsibility out of the questionnaire or add responsibility into it (any change MUST be in tracked changes so that the panel can focus in on the changes and not waste time re-evaluating unchanged Factors) and ask for the original panel to re-evaluate the post.

13. The Human Resources Manager can then notify the outcome to the manager, Human Resources & Payroll, Accountancy and Corporate Leadership Team. If the outcome is a change of grade for an existing post, the new grade takes effect on the Monday after the panel. Changes are not backdated. If the outcome is for a new post, it can then be recruited.
14. A manager or post holder can appeal against the outcome of a job evaluation if they are dissatisfied with the outcome (e.g. they believe that the panel have made an error, an incorrect job description has been evaluated or something has been missed out, or there are concerns of equal pay with another post). An informal appeal is to the Human Resources Manager, within 1 week of the job evaluation outcome being confirmed. An informal appeal can be verbal to seek clarification.
15. A formal appeal must be raised in writing to the Human Resources Manager stating the grounds for appeal within 2 weeks of the confirmation of the evaluation outcome. The Human Resources Manager will arrange for a Job Evaluation Appeals Panel to meet. Appeals Panel members will be appointed out of our pool of trained panellists who are experienced in Local Government job evaluation. No-one on an Appeals panel will have been involved in the previous evaluation and wherever possible not in the service area of the post being considered. The appeals panel will re-evaluate the same questionnaire as the original panel. The employee and/or their trade union representative can attend the first few minutes of the appeals panel to present the grounds for their appeal and answer any questions of clarification from the appeals panel. If the employee is not in a trade union, they can be accompanied by another colleague or an Employee Group representative when they present their case/ answer the appeal panel's questions.
16. The Appeals Panel decision is final. If the outcome changes and the post is currently occupied, then the new grade takes effect on the Monday after the original panel met.

## GOVERNANCE & RESOURCES COMMITTEE

09 January 2020

Report of the Chief Executive

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### FAMILY FRIENDLY POLICY

#### SUMMARY

This report seeks the adoption of a new employment policy on Family Friendly matters which includes guidance on maternity, paternity, adoption and shared parental leave.

#### RECOMMENDATION

Governance and Resources Committee is recommended to adopt the new Family Friendly Policy.

#### WARDS AFFECTED

All

#### STRATEGIC LINK

The proposed new policy supports the Districts Council's corporate value of 'valuing our employees'.

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### 1 BACKGROUND

- 1.1 The development of a Family Friendly Policy was agreed as an action in the Human Resources 2019/20 service plan.
- 1.2 In line with other employment policies, once approved it is only changes to the policy statement that would require committee approval. Changes to the guidance notes from changes in legislation or learning through implementing the guidance notes will be approved by Corporate Leadership Team.

### 2 REPORT

- 2.1 We have long had a 'Maternity Scheme' to give guidance to expectant mothers on their statutory rights and Derbyshire Dales benefits and processes for notifying maternity leave. The 'scheme' was due for an update.
- 2.2 Whilst having a 'Maternity Scheme' we have not had local guidance for paternity, adoption or shared parental leave. Instead we have relied on forms and guidance on Gov.Uk as the frequency of these requests has been much less than maternity.



- 2.3 The Human Resources Manager felt that in updating the maternity scheme, guidance on other family friendly matters should also be written up under the umbrella of a Family Friendly Policy.
- 2.4 The draft policy statement and guidance notes were sent out to all staff for consultation in August with a request for comments to be given to the Employee Group representatives to be discussed at the September Employee Group.
- 2.5 In September, Corporate Leadership Team and Employee Group both supported the new draft policy and the guidance notes.
- 2.6 At Employee Group it was confirmed that there are other policies which might be of interest to staff with family commitments. The first draft contained too much detail about these associated policies and so the detail was removed but the other policies are referenced at 2.9 of the policy statement. This was to avoid duplication with the other policies and having to make updates in multiple places. Importantly it was also to confirm to staff without family commitments that they were eligible to request home working or request flexible working for non-family reasons.
- 2.7 The draft policy and guidance notes, attached at appendix 1, were considered at Joint Consultative Group on 15 October. The draft policy has been updated to include the suggestions agreed at Joint Consultative Committee.
- 2.8 Joint Consultative Group recommended that Governance and Resources Committee adopt this new employment policy.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The policy balances the needs of the employee and the organisation within the legislative framework. The legal risk is therefore low.

#### **3.2 Financial**

The costs associated with delivering this policy can be accommodated from within the salaries budget. Therefore the financial risk is assessed as low.

### **4 OTHER CONSIDERATIONS**

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

### **5 CONTACT INFORMATION**

Deborah Unwin, Human Resources  
Manager: [Deborah.unwin@derbyshiredales.gov.uk](mailto:Deborah.unwin@derbyshiredales.gov.uk), telephone 01629 761364

### **6 BACKGROUND INFORMATION**

None

## **7 ATTACHMENTS**

Appendix 1: draft Family Friendly Policy and guidance notes

# FAMILY FRIENDLY POLICY

## CONTENTS

1. Introduction
2. Policy Statement
3. Scope
4. Documentation
5. Equality and Diversity
6. Responsibilities
7. Relevant legislation
8. Maternity Scheme guidance notes
9. Paternity Scheme guidance notes
10. Adoption Scheme guidance notes
11. Shared Parental Leave Scheme guidance notes

### Document history:

|   |                                     |
|---|-------------------------------------|
| Draft policy for all staff consultation                 | 20 August 2019 updated 11 September |
| Draft for CLT   | 10 September 2019                   |
| Consultation at Employee Group                          | 18 September 2019                   |
| For consultation at JCG                                 | 15 October 2019                     |
| To request approval at Governance & Resources Committee | 09 January 2020                     |

## **1. Introduction**

- 1.1 This Policy confirms the District Council's position with regard to a range of Family Friendly initiatives and benefits in line with employment law, the National Joint Council for Local Government Services' National Agreement on Pay and Conditions of Service as well as best practice.

## **2. Policy Statement**

- 2.1 The District Council offers a range of family friendly initiatives including
- Maternity, including leave and pay entitlements (also includes surrogacy arrangements and time off for fertility treatment)
  - Adoption, including leave and pay entitlements
  - Paternity, including leave and pay entitlements
  - Shared Parental Leave/ Pay and Unpaid Parental Leave
- 2.2 The District Council recognises that its Family Friendly Policy must be managed fairly and free from discrimination, whilst set in the wider context of statutory requirements and National Conditions of Service.
- 2.3 When a request is made by an employee for a family friendly way of working, with the correct notification and/or certification, this will be carefully considered by the Team Manager in the context of the individual, the team and the business needs of the Council.
- 2.4 Where operational reasons mean that requests cannot be approved, or cannot be met in full, the reasons will be given to the employee in writing. The employee will have the right to Appeal to the Head of Service in accordance with Council procedures.
- 2.5 Terms and conditions of employment and continuity of service, while notifying the Council of and subsequently taking, any statutory Family Friendly leave (Maternity/Adoption/ Paternity/Parental Leave etc.) including unpaid leave or commencing a different pattern of working hours, will be maintained.
- 2.6 Depending on the amount and type of leave applied for/taken, remuneration may be affected and employees should refer to the separate Guidance Notes relevant to the particular family friendly leave to be taken.
- 2.7 During a period of paid Family Friendly leave, pension contributions are deducted on the actual amounts paid to the employee in relation to the leave by way of contractual or statutory (family friendly) entitlement.
- 2.8 For any period of statutory unpaid Family Friendly leave, the employee will have the option of paying contributions based on the pay entitlement immediately before the unpaid leave began. This period will count for pension purposes, otherwise it will constitute a break in membership of the scheme. Different pension arrangements apply as part of the Council's Unpaid Leave Scheme. Human Resources & Payroll can confirm the pension arrangements.

- 2.9 Employees with family commitments may also wish to look at other policies including flexible working, job share, home working, flexible retirement, the leave policy (which includes unpaid leave, compassionate leave and urgent domestic leave).

### **3. Scope**

- 3.1 This Policy applies to all Derbyshire Dales District Council employees with contractual hours. Casual workers are excluded given there is no mutuality of obligation to be offered or accept work. However, dependent on the levels of earnings casual workers may be eligible maternity pay etc.

### **4. Documentation**

- 4.1 All personal data supplied to the District Council relating to the Family Friendly Policy will be processed solely for reasons of considering requests to work flexibly and/or to apply for statutory and non-statutory Family Friendly leave and pay. Forms will be stored securely in Human Resources & Payroll and retained in accordance with the Document Retention Policy.

### **5. Equality and Diversity.**

- 5.1 The Family Friendly Policy and the Schemes referenced in it, will be managed fairly, promote equality of opportunity and be free from discrimination, direct and indirect.
- 5.2 The Council's Policy on Equality and Diversity will underpin the approach to the management of and the employee application for, Family Friendly entitlements and benefits relating to leave, pay and flexible ways of working.
- 5.3 Employees who make a statutory request to work flexibly and/or to take Family Friendly leave, are protected against suffering detriment or unfair dismissal. The potential detrimental treatment covers victimisation, being denied promotion or job opportunities or otherwise being disadvantaged.

### **6. Responsibilities**

#### **6.1 Team Managers**

- Seek timely advice from Human Resources and Payroll where appropriate.
- Take all equality and diversity issues into account when making a decision concerning a Family Friendly initiative.
- Maintain confidentiality of information.

- Undertake health and safety risk assessments where appropriate.
- Agree how contact with the employee during different types of Family Friendly leave is established and maintained.
- Communicate constructively, keep an open mind and consider all options for the employee and at the same time, being mindful of the impact on business need.
- Decide the outcome and confirm this decision in writing, detailing the right of Appeal.
- Treat the employee fairly in all matters associated with their employment and terms and conditions and to take equality, diversity and corporate values into account.

## **6.2 Employees**

- Communicate constructively with their Team Manager and to consider all options involved in undertaking Family Friendly ways of working and also the implications on the service area/business need.
- Ensure notifications for the Family Friendly leave applied for are submitted in a timely way and to maintain confidentiality of information.
- Be aware of the Appeals process if appropriate.

## **6.3 Human Resources**

- Provide professional advice on the operation of Family Friendly schemes.
- Confirm changes to contracts of employment in writing.
- Monitor cases and provide management information as and when required.
- Maintain confidentiality of information
- Review the policy and update from the learning of its implementation or changes in employment law.

## **7. Relevant legislation and key District Council Policies**

The relevant legislation that relates to this Family Friendly Policy includes:

- Children Act 1989
- Children and Families Act 2014
- Paternity and Adoption Leave (Amendment) Regulations 2014
- Parental Leave Directive
- Shared Parental Leave Regulations 2014
- Human Embryology and Fertilisation Act 2008
- Equality Act 2010
- Employment Act 2002
- Data Protection Act 1998 and GDPR 2018
- Work and Families Act 2006
- Employment Rights Order 2006
- Employment Relations Act 2004
- Employment Rights Act 1996
- DDDC Employee Code of Conduct
- DDDC Equality and Diversity Policy
- Local Government Pension Scheme

# ADOPTION SCHEME GUIDANCE NOTES

## Introduction

This document sets out the District Council's Guidance with regard to Adoption leave and pay entitlement in line employment law and the National Joint Council for Local Government Services' National Agreement.

The intention of this Guidance is to ensure the fair and equal treatment of employees who are adopting a child/children by detailing the requirements of the District Council and the rights and benefits of the employee leading up to and during the Adoption Leave period.

The policy covers the following areas:

1. Who the Adoption Guidance applies to
2. Eligibility for Adoption leave
3. Pre Adoption Leave
4. Notification of Adoption leave
5. Entitlement
6. Statutory Adoption pay
7. Eligibility for Adoption pay
8. Overseas Adoptions
9. Surrogacy
10. Fostering for Adoption
11. Keeping in Touch Days
12. Protection from detriment
13. Terms and Conditions of Employment
14. Returning to Work
15. Annual Leave and adoption leave
16. Sickness and adoption leave
17. Pension Contributions
18. Data Protection

## 1. Who the Adoption scheme and Guidance applies to

This scheme applies to employees who will be the primary carer of the adopted child.

Statutory Adoption Leave is 52 weeks. It's made up of:

- **26 weeks of Ordinary Adoption Leave**
- **26 weeks of Additional Adoption Leave**

Therefore, qualifying employees may take up to 52 weeks' Adoption Leave. Only 1 person in a couple can take Adoption Leave. The other partner could take Paternity leave.



An Adopter who takes Adoption leave and/or pay may choose to end their Adoption leave and pay early and, if they qualify for it, opt into the Shared Parental leave and pay system in the same way as birth parents.

Some surrogate parents are also entitled to take Adoption leave (please see further information on this within the Maternity Guidance.)

## 2. **Eligibility**

To qualify for Adoption leave, you must:

- be an employee
- give the correct notice
- be matched with a child for adoption by an approved adoption agency, or be one of a couple who have been jointly matched with a child for adoption, and
- have notified the agency that you agree that the child should be placed with you and the date of placement.

Parents who have a child through a surrogacy arrangement and are eligible for a Parental Order and foster parents who are prospective adopters are entitled to Adoption leave and pay.

Both parents are also entitled to Unpaid Parental leave, (this is different from the right to Shared Parental Leave) i.e. up to 18 weeks unpaid leave for each adopted child up to their 18<sup>th</sup> birthday.

However, if you apply directly to a court for an adoption order you will not be eligible for adoption leave.

In addition, if you are not an employee you will not be entitled to Adoption leave but you may still be entitled to Statutory Adoption pay (SAP). For example, freelancers, agency workers and casual workers may still qualify for SAP.

## 3. **NOTIFICATION OF INTENTION TO TAKE ADOPTION LEAVE**

The employee should notify their Team Manager as soon as they have been approved as prospective adoptive parents i.e. before any specific placement has been made.

Employees must inform the District Council of their intention to take Adoption leave within seven days of being notified by an approved adoption agency that they have been matched with a child for adoption unless this is not reasonably practicable.

You must tell your Team Manager when; -

- **the child will be placed with you, and**
- **you want your leave to start and begin receiving SAP if you qualify for it.**

You need to give the District Council 28 days' notice that you wish to be paid Statutory Adoption Pay (SAP). Notice must be in writing and you can give notice for both pay and leave at the same time.

If you have a good reason for giving notice late such as changes in the date of placement or there is not much time between the date you were matched and the date the child was placed, the District Council will accept late notice as long as you give it as soon as reasonably practicable.

The District Council can delay the start of leave and pay if you do not give acceptable notice but they cannot delay the start of leave after the date of placement.

In order to be paid SAP, you must give your manager evidence, such as a letter from the adoption agency or matching certificate, of the:

- **name and address of the adoption agency;**
- **date on which you were notified that you had been matched with a child;**  
**and**
- **expected date of placement.**

Your manager cannot ask you to provide documentary evidence of the name and date of birth of the child.

Your manager must write to you within 28 days of receiving your notice, stating the date on which your additional adoption leave will end. If your manager does not write to you within 28 days, your manager cannot delay your return to work or take disciplinary action if you fail to return to work on time.

#### **4. Pre- Adoption Leave**

Employees who intend to apply to adopt a child will be required to attend several pre-adoption interviews and meetings as part of the preparation and assessment process.

An employee who is the main adopter has the right to take reasonable paid time off work to attend up to five adoption placement meetings.

The adopter's partner has the right to take unpaid time off to attend up to two adoption placement meetings if s/he is an employee.


Time off is capped at 6.5 hours per meeting.

## 5. Adoption Leave

Qualifying employees may take up to 52 weeks' Adoption Leave. (Some surrogate parents are also entitled to Adoption Leave.)

Adoption Leave may be taken

- when a child starts living with the employee or up to 14 days before the placement date (UK adoptions).
- when an employee has been matched with a child by a UK adoption agency.
- when the child arrives in the UK or within 28 days (overseas adoption).

The partner of an individual who adopts, or the secondary adopter if a couple are adopting jointly may be entitled to paternity leave and pay or shared parental leave (further information is available from  ACAS **Shared Parental Leave: a good practice guide for employers and employees [786kb]**).

Employees must give their manager documentary proof to show that they have the right to paid Statutory Adoption Leave. This is usually a matching certificate from the adoption agency. The adoption agency must be recognised in the UK.

Statutory Adoption Leave can start either:

- **from the date the child starts living with the employee**
- **up to 14 days before the date the child is expected to start living with the employee.**

Employees should tell the manager within seven days of being told that they have been matched with a child, if this is not possible they must tell their manager as soon as possible.

## 6 Statutory Adoption Pay

Statutory Adoption Pay (SAP) is payable for 39 weeks and there is a qualifying service requirement of 26 weeks' continuous employment.

The rate of SAP is the same as Statutory Maternity Pay. The standard rate for Statutory Adoption Pay is reviewed every April.

Where a couple adopts a child, only one parent is entitled to take Adoption Leave and claim Statutory Adoption Pay. This includes same-sex couples.

The other parent may be able to get Paternity leave and Pay during this time.

If you don't use up all your statutory Adoption leave and Statutory Adoption Pay, and you go back to work, your partner may be able to opt into the Shared Parental Leave system in the same way as birth parents.

For the first six weeks the employee will be entitled to 90% of their normal earnings. The following 33 weeks will be paid at the Statutory Adoption Pay rate.

For up to date rates of Statutory Adoption Pay please refer to <https://www.gov.uk/employers-adoption-pay-leave> or contact Human Resources and Payroll. See section 17 of this Guidance for information on Pension implications.

## 7. **Eligibility for Statutory Adoption Pay.**

To receive Statutory Adoption Pay you must:

- have worked for your employer continuously for at least 26 weeks prior and including the week you were matched with a child and
- earned at least as much as the lower earnings limit for paying National Insurance contributions. This figure increases annually. For up to date information on SAP rates please check
- Give the correct notice (<https://www.gov.uk/adoption-pay-leave/how-to-claim>).
- Give proof of the Adoption or Surrogacy (<https://www.gov.uk/adoption-pay-leave/how> to claim

### **Statutory Adoption Pay Rates**

|            |                             |
|------------|-----------------------------|
| Weeks 1-6  | 90% of a week's pay         |
| Weeks 7-39 | Statutory Adoption Pay rate |

Adopters whose average weekly earnings are below the lower earnings limit for National Insurance purposes do not qualify for SAP but may qualify for other welfare benefits.

## 8. **Overseas Adoptions**

The conditions are the same except for both Adoption leave and pay you must:

- have worked continuously for your employer for at least 26 weeks by the time you receive your 'official notification'.
- Sign form SC6 (<https://www.gov.uk/government/publications/statutory-adoption-pay-and-leave-adopting-a-child-from-abroad-sc6>) if you're adopting a child with your partner.

The official notification is permission from a UK authority that you can adopt from abroad. Form SC6 confirms that you're not taking Paternity Leave or Pay.

## 9. SURROGACY

Surrogacy is when another woman carries and gives birth to a baby for the intended parents. The woman who gives birth to the child will be treated as the mother, however, parental responsibility can be transferred by either an Adoption or Parental Order.

Parental or Adoption Order

- Intended parents must be genetically related to the child to be able to apply for a parental order.
- Adoption using a registered adoption agency, will be necessary for intended parents to become the legal parents if neither are genetically related.

Adoption Leave and pay is available to eligible employees who become the legal parents following an application for adoption or parental order.

Intended parents will be entitled to 2 unpaid antenatal appointments to enable them to accompany the birth mother.

Adoption leave can start the day of the birth or the day after. Employees must tell their employers at least 15 weeks before the baby is due and that they intend to take Adoption Leave.

Prospective adoptive parents by surrogacy must also expect the Parental Order to be granted (e.g. because you don't have any convictions involving children and the birth mother or father agree to the arrangement).

All the other conditions for qualifying for Pay and Leave are the same as for Adoptive parents.

**Paternity leave and pay** is available for those parents who are genetically related to the child and who meet the qualifying conditions. Paternity leave is up to 2 weeks, but cannot start before the child is born.

**Shared Parental leave and pay** will also be available for eligible parents; Shared Parental Leave is designed to give parents more flexibility in how to share the care of their child in the first year following birth or adoption. Parents will be able to share a pot of leave, and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.

Intended parents in a surrogacy arrangement may qualify providing they qualify for Adoption Leave and pay.

See Guidance on Paternity Leave and Pay and Shared Parental Leave and Pay for more information.

## 10. **Fostering for Adoption.**

If you're eligible for Adoption Pay and Leave, you will receive these from when the child comes to live with you.

## **11. Keeping in Touch Days**

Keeping in touch (KIT) days are intended to facilitate a smooth return to work following a period of Adoption Leave. An employee should discuss and agree any voluntary arrangements for keeping in touch during maternity leave before going on leave.

Both parties should agree when and how the employer will keep in contact, this may be via email, telephone contact etc. Employees should also agree with their employer if they will work the "keeping in touch" days, these can be used for training days, team events etc.

An employee may work for up to 10 KIT days during Adoption leave without bringing it to an end.

The work can be consecutive or not, and can include training or other activities which enable the employee to keep in touch with the workplace. Any such work must be by agreement and neither the District Council nor the employee can insist upon it.

KIT days will be paid at the contractual rate of pay or can be taken as time off in lieu after a return from Adoption Leave.

## **12. Protection from detriment**

Employees who request or take Adoption Leave are protected against suffering a detriment or unfair dismissal. They have a right to return to the same job after 26 weeks adoption leave and after 52 weeks a suitable alternative job must be found.

The potential detrimental treatment covers victimisation, being denied promotion or job opportunities or otherwise being disadvantaged. In a redundancy selection exercise, the Council will not take into account time off for ante-natal care when looking at attendance records as part of the selection criteria.

## **13. Terms and Conditions of Employment**

During the Adoption leave period, an employee's contract of employment continues in force and he/she is entitled to receive all their contractual benefits, with the exception of remuneration, i.e. wages and salary. In particular, any benefits in kind will continue and annual leave entitlement will continue to accrue.

Salary will be replaced by SAP if the employee is eligible to receive it.

When the employee returns to work, their holiday entitlement will have continued to accrue during the whole of their Adoption Leave period.

#### **14. Returning to Work**

An employee has a right to return to either exactly the same job or in some cases, a similar one, on terms and conditions no less favourable than those which would have been applicable to her if she had not been absent.

What right applies depends on when she returns. If the employee returns to work:

- after the first six months of leave, she/he is entitled to return to exactly the same job she was doing before his/her Adoption Leave.
- After the second six months of leave, he/she is also entitled to return to exactly the same job, unless there is some reason why it is not reasonably practically for him/her to return to her original job. If it is not reasonably practicable, the employee is entitled to suitable alternative work on similar terms and conditions.

In the event that the employee's position becomes redundant, or there has been a general reorganisation, the District Council must endeavour to offer the employee a suitable alternative position (as a first consideration before other employees, as is the case with employees on Maternity leave.)

An employee shall notify the District Council, in writing, at least 21 days before the intended date on which she wishes to return to work. (If an employee changes her mind about the agreed date, she must give a further 21 days notice of the new date, in writing).

All Employees have the right to request flexible working arrangements to help better manager work/life balance issues.

Any requests should be raised at the earliest opportunity. Such requests will be given full consideration taking into account the needs of the service and the employee, however, the District Council cannot guarantee approval.

See Separate Guidance notes on the right to request flexible working.

#### **15. Annual Leave and adoption leave**

An employee continues to accrue annual leave while they are on Adoption leave, but leave must be taken in the leave year it is accrued, with eligibility to request five days carry forward.

#### **16. Sickness and adoption Leave**

.Where an employee is unable to return to work on the expected day due to sickness, the absence will be covered by the Sickness Notification Procedure in the normal way.

## **17. Pension Contributions and adoption leave**

During a period of paid Adoption leave, pension contributions are deducted on the actual amounts paid to you in relation to that leave by way of Contractual or Statutory Adoption Pay. The period will count in full for pension purposes.

For any period of unpaid Adoption leave you will have the option of paying contributions based on the pay entitlement immediately before the unpaid leave began. This period will count for pension purposes, otherwise it will constitute a break in membership of the scheme. The Payroll Section will confirm these pension arrangements on your return to work.

An option to pay contributions for unpaid Adoption Leave should be made to the District Council within 30 days of returning to work, or within 30 days of leaving if the employee does not return to work.

## **18. Data Protection**

All personal data supplied to the District Council relating to the Adoption scheme will be processed solely for the reasons of Adoption leave and/or pay. Forms will be stored securely in Payroll and retained in accordance with the Document Retention Policy.

**None of the above provisions shall be construed as providing rights less favourable than statutory rights.**

**For further advice please contact the Human Resources and Payroll Section or go to [www.gov.uk](http://www.gov.uk)**



## **PLANNING ADOPTION LEAVE**

### **How to use the plan**

The plan is in three parts. You should complete Part A first. This will help you decide if you are entitled to adoption leave and pay. It will also tell you which sections of the rest of the form you need to complete. You will find it helpful to have a calendar or diary handy when you are filling out the form.

You can use Part C if you decide to return to work before you have taken your full adoption leave entitlement.

Notes to help you complete the form are given in the right hand column.

DRAFT

**PART A**

**PLANNING ADOPTION LEAVE**

**TO MY EMPLOYER**

I am giving you this form to let you know that I intend to take adoption leave and to notify you of when I want to start my adoption leave and begin receiving Statutory Adoption Pay (SAP) if I am eligible for it.

|  |  |
|--|--|
| <p><b><i>Personal Details</i></b></p> <p>1. Name .....</p> <p>Position .....</p> <p>Department.....</p>  | <p>Payroll number .....</p>  |
|  | <p>Notes</p>   |
| <p><b><i>When the child is expected</i></b></p> <p>2. The expected date the child is due to be placed:</p> <p>..... (expected date of placement)</p> <p>3. Documentary evidence confirming this:</p> <p>a) Has been given to you already <input type="checkbox"/> tick box</p> <p>b) Is enclosed with this form <input type="checkbox"/> tick box</p> <p>Or</p> <p>4. You have not requested documentary evidence.</p> | <p>Expected date of child placement</p> <p>2. The expected date of child placement is the date, on which it is expected the child will be placed with you.</p> <p><u>Documentary Evidence (which may be the matching certificate</u></p> <p>3. If you qualify for SAL and/or SAP you must provide documentary evidence giving the expected date of child placement at least 28 days before you wish to start your leave &amp; pay. The documentary evidence, which you will receive, can be used. (Questions 5-7) to help you decide if you qualify for SAP.</p> <p>Evidence <i>must</i> include: the name and address of the adoption agency, the date on which you were notified that you had been matched with a child and the expected date of placement.</p> <p>4. If you do not qualify for SAP you do not have to give documentary evidence unless your employer asks for it.</p> |

|   |   |
|---|---|
| <p><b><u>Qualifying for Adoption Pay</u></b></p> <p><b>5. The qualifying week (this is the week in which you are notified of your match with a child and runs Sunday to Saturday) is the week beginning.</b></p> <p>Sunday .....</p> <p><b>6. By the end of the qualifying week I will have worked for you continuously for at least 26 weeks</b></p> <p>Yes <input type="checkbox"/> tick box [go to question 7]</p> <p>or</p> <p>No <input type="checkbox"/> tick box <i>If you answer no then you will not be entitled to adoption leave or pay.</i></p> | <p><b><u>5. Qualifying week</u></b><br/>All employees who meet the eligibility criteria in section 2 and 3 of these notes are entitled to Adoption Leave.</p> <p>The qualifying week is the week in which you receive notification of being matched with a child and you will also receive your documentary evidence.</p> <p>6. This week is important for working out if you qualify for adoption pay. If you have worked for your employer for at least 26 weeks by the end of this week you will qualify for Statutory Adoption Pay.</p> <p><b><u>7. Continuous employment</u></b><br/>Your length of employment usually runs from the first day you started work in Local Government to the present day. Some weeks when you don't work may still count towards SAP, for example if you were absent due to sickness or injury</p>   |
| <p><b>7. In the eight weeks up to and including the qualifying week (see question 5) my average earnings were at least the lower earnings limit.</b></p> <p>Yes <input type="checkbox"/> tick box. I therefore qualify for SAP and you will check and confirm this.</p> <p>Or</p> <p>No <input type="checkbox"/> tick box. I therefore do not qualify for SAP but you will check and confirm this.</p>  | <p><b><u>8. Qualifying for SAP</u></b><br/>This section will help you decide whether you qualify for SAP. If you do not qualify for SAP you may be able to claim other benefits. If you do not agree with our decision you may be able to appeal. In order to qualify for SAP you must have been continuously employed for 26 weeks prior to and including the qualifying week and to have worked in the Qualifying Week and earned at least as much as the lower earnings limit for paying National Insurance contributions. This figure increases annually. You must also give the correct notice and give proof of the adoption or surrogacy. <i>NB The rules are slightly different if you're adopting from overseas or having a child through a surrogacy arrangement. See Adoption Scheme Guidance for further information.</i></p> <p>SAP starts as soon as you commence Adoption Leave.</p> <p>For up to date advice on the lower earnings rate to qualify for SAP, please use <a href="https://www.gov.uk/adoption-pay-leave">https://www.gov.uk/adoption-pay-leave</a></p> <p><b><u>7. Average earnings</u></b><br/>The lower earnings limit is the point at which you start to be treated as if you have paid NI contributions. We will normally use the 8 weeks ending with the qualifying week to work out your average earnings.</p> <p>If you don't qualify for SAP you may be able to claim other benefits.</p> |

**PART B**

**Ordinary and Additional Adoption Leave**

Complete this section if you answered Yes to Question 6 in Part A

Because you will have worked for the Council for at least 26 weeks by the qualifying week, you will qualify for Ordinary Adoption Leave and Additional Adoption Leave. Ordinary Adoption Leave lasts for 26 weeks. Additional Adoption Leave runs from the end of Ordinary Adoption leave for up to 26 weeks.

|   |   |
|---|---|
| <p><b>Starting Adoption Leave</b></p> <p><b>8. I would like to start my Adoption Leave on:</b></p> <p>.....(date)</p>   | <p><b>8. Start date</b><br/>It is your decision when you start your adoption leave, but you cannot start it earlier than 14 days before the expected date of placement of your child. You must notify us of your intended start date during the notification period. If you wish to change this date you must give at least 28 days' notice of when you want to start your adoption leave unless this is not reasonably practicable.</p> <p><b>Effect on SAP</b><br/>You can start your Adoption Leave and Pay on any day of the week or if you worked for any part of that day it will start on the following day. For example if you start your adoption leave on a Tuesday and did not work on that day, your SAP will start from that Tuesday. Your weeks will then run from Tuesdays to Mondays. You may wish to bear in mind that you will not get SAP for any week in which you do any work for the Council. The same applies when you go back to work - if you return during the week you will not receive any pay for that week.</p> |
| <p><b><u>Receiving SAP</u></b><br/>(Complete this if you answered yes to question 7 in Part A)</p> <p><b>9. If I qualify for SAP, my Adoption Pay Period will start on:</b></p> <p>..... (date)</p> | <p><b>9. Adoption Pay Period</b><br/>The Adoption Pay Period is the 39 weeks when you are entitled to receive SAP. It starts on the day you start your adoption leave unless you worked for any part of that day in which case it will start on the next day.</p> <p><b>Payment of SAP</b><br/>The actual payment will be made in the same way and on the same date as your wages/salary are normally paid to you.</p>  |

|   |  |
|---|--|
| <p><b><u>Returning after adoption leave</u></b></p> <p><b>10. My Additional Adoption Leave will run from the end of my ordinary adoption leave, giving me up to 52 weeks leave.</b></p> <p><b>My Additional Adoption Leave will finish on:</b></p> <p>.....(date)</p> <p><b>I am due back to work on:</b></p> <p>.....(date)</p> <p><b>I understand that if I want to return to work before this date, I must give you 28 day's notice of the date on which I want to return.</b></p> <p><b>*The Council will write to you to confirm the date that you are due back to work.</b></p> | <p><b>10. <u>Letting the Council know when you are coming back to work</u></b></p> <p>You are automatically expected back at the end of your additional adoption leave.</p> <p><b><u>End of your Additional adoption leave (AAL)</u></b><br/>This is the end of the 26th week from when you start your additional adoption leave.</p> <p><b><u>Date due back to work</u></b><br/>You are expected back to work on the next working day after your additional adoption leave finishes.</p> <p><b><u>Telling the Council you want to return early</u></b><br/>If you want to return to work before the end of your ordinary or additional adoption leave period you must give at least 28 days' notice before your intended return date. You can use Part C of this form.</p> <p><b><u>Unable to return to work</u></b><br/>If you cannot return, for example because you are sick, the normal rules for your job apply.</p> <p><b><u>Deciding not to return to work</u></b><br/>If you decide, whether now or later, that you do not intend to return to work with the Council you must give the notice period required by your contract of employment.</p> |
| <p>You have now completed all the parts of the form you can before the child is placed with you. You should sign the form and give the completed part to your Head of Service. Don't forget to keep a copy of it for yourself.</p>  |  |

Signed \_\_\_\_\_

Date \_\_\_\_\_

**PART C**

**Returning to work early**

You will be expected back at the end of your full adoption leave entitlement.

If you want to return earlier you must give the Council at least 28 days' notice. This does not have to be in writing, but you may like to use this part of the form to let us know.

If you do not give 28 days' notice the Council is entitled to postpone your return until the 28 days' notice has been complied with, although it cannot be postponed to a date later than the end of your adoption leave period.

|   |   |
|---|---|
| <p><b><u>Planning to return to work early</u></b></p> <p><b>11. I intend to return to work before the end of my Adoption Leave. I intend to return to work on</b></p> <p>.....(date)</p>  | <p><b><u>Complete this section only if you want to return to work early.</u></b></p> <p><b><u>Effect on SAP</u></b><br/>If you return to work at any time before the end of your Adoption Pay Period, for any week that you worked you will not be entitled to SAP.</p> <p>14. <b><u>Telling your employer you want to return early</u></b><br/>If you want to return to work before the end of your full Adoption Leave period, you must give the Council at least 28 days' notice before your intended return date.</p> |
| <p>You should sign the form now and email it to Human Resources and Payroll and your Head of Service. Don't forget to keep a copy of it for yourself.</p> <p><b><u>Data Protection</u></b></p> <p>All personal data supplied to the District Council relating to the Adoption scheme will be processed solely for the reasons of Adoption Leave and/or pay. Forms will be stored securely in Payroll and retained in accordance with the Document Retention Policy.</p> |   |

Signed \_\_\_\_\_

Date \_\_\_\_\_

# GUIDANCE NOTES - MATERNITY SCHEME

## Introduction

These Guidance Notes on Maternity sets out the District Council's provisions with regard to Maternity entitlement in line with employment law and the National Joint Council for Local Government Services' National Agreement on Pay and Conditions of Service.

The intention of the Guidance is to ensure the fair and equal treatment of pregnant women by detailing the requirements of the District Council and the rights and benefits of the employee leading up to, during on return from the Maternity leave period.

This Guidance is not part of the Policy Statement relating to Maternity and covers the following areas:

1. Eligibility
2. Notification of Maternity leave
3. Ante-natal Care
4. Fertility Treatment
5. Surrogacy – Rights for intended parents
6. Health and Safety
7. Miscarriage, termination, still birth and death of a baby
8. Maternity Pay
9. Maternity Leave Entitlement
- 9a Terms and Conditions of Employment
- 9b Keeping in Touch Days (KIT Days)
- 9c Sickness and maternity leave
- 9d Annual Leave and maternity leave
- 9e Pension Contributions and maternity leave
- 10 Returning to Work
- 11 Relationship with Shared Parental leave
- 12 Relationship with statutory unpaid parental leave
- 13 Data Protection

## **1. Eligibility**

This scheme applies to all pregnant employees regardless of the number of hours worked per week or length of service.

## 2. Notification of Maternity Leave

A pregnant employee must inform the District Council, preferably *in writing*, at least 15 weeks before her absence begins, or as soon as is reasonably practicable:

- a. that she is pregnant;
- b. her expected week of childbirth (EWC)
- c. when she wants her Maternity leave to start.

The employee must produce a certificate (usually a MAT B1) from a registered medical practitioner or a registered midwife stating the expected week of childbirth (this will normally be issued on or around the 20<sup>th</sup> week before the baby is due.) This notification must be received by the Human Resources at least 21 days before the start of the Maternity pay period.

Within 28 days of receipt of the initial notification, the District Council will write to the employee setting out her Maternity leave entitlement, Maternity pay, and holiday entitlement during Maternity leave, health and safety requirements, last day of Maternity leave and expected return to work date.

In the event that the baby is born before Maternity leave has started, leave will commence automatically from the day following the birth.

During the final 4 weeks of pregnancy, should an employee be absent with a pregnancy related illness, Maternity leave will commence automatically on the first day of absence.

## 3. Ante-natal Care

All pregnant employees have the right to reasonable paid time off during the working day for ante-natal care, parenting classes and relaxation classes and there is no set amount of time off available. All appointment must be attended on the advice of a registered Doctor, Midwife or Health Visitor. If requested, the employee should produce evidence of such appointments, normally the MAT B1 certificate and an appointment card.

**Part-time employees** – have the same rights as full-time employees for paid time off for antenatal care. This is an entitlement to paid time off for the actual appointment and any necessary travel and waiting time.

**Father's Rights/And Same-Sex Partners** - have the right to paid time off on up to two occasions to accompany their pregnant partners to ante-natal appointments. The right is for a maximum of six and a half hours per appointment. The partner must be in a qualifying relationship with the pregnant woman or the child meaning that he is either the

- baby's biological father
- expectant mother's spouse
- intended parent of a child in a surrogacy arrangement (if he and his or her partner expect to be entitled to and intend to apply for, a parental order in respect of the baby).

It is also possible that two men may both be entitled to time off with respect to the same woman, for example, if a pregnant woman's husband is not also her baby's father.



**Agency workers** – who have worked for at least 12 weeks in their current role have the same right to time off for ante natal appointments as a permanent employee.

### **Protection from detriment**

The Council will not disadvantage or dismiss an employee who has asked for time off for paid antenatal care, or who has exercised their right to unpaid time off to accompany their partner to ante-natal appointments.

The potential detrimental treatment covers victimisation, being denied promotion or job opportunities or otherwise being disadvantaged. In a redundancy selection exercise, the Council will not take into account time off for ante-natal care when looking at attendance records as part of the selection criteria.

## **4. Fertility Treatment**

The Council recognises that treatments like Intra Uterine Insemination (IUI) and In Vitro Fertilisation (IVF) involve regular, close monitoring in hospital or clinic for egg stimulation and/or retrieval and for placing the ova back into the woman's uterus following fertilisation.

As such, this treatment is invasive and can affect people in different ways, emotionally and physically. IVF in particular carries some medical risks including generally feeling unwell due to medication and/or the egg retrieval process, miscarriage and ectopic pregnancy. To cover such issues the following apply:

### **Time off for treatment.**

On a submission of a note from a Doctor or other qualified medical practitioner, the Council permits up to 5 days paid compassionate leave in a 12 month period, to be authorised by the Head of Service to enable an employee to attend medical appointments associated with fertility treatment. The policy also applies equally to an employee whose partner is undergoing fertility treatment.

For the purpose of entitlement to employment rights, a woman undergoing IVF is deemed to be pregnant from the point of implantation of fertilised ova until it is determined otherwise, usually a pregnancy test taken two weeks after implantation to determine or not if the treatment has been successful.

The employment rights of the woman will therefore be protected from pregnancy and Maternity discrimination and will have the right to time off for ante natal care from this point as any other expectant mother would. However, if the treatment is unsuccessful, the woman's protection will end two weeks after then end of her pregnancy.

## **5. Surrogacy – Rights for intended parents**

Surrogacy is when another woman carries and gives birth for the intended parents. The woman who gives birth to the child will be treated as the mother, however, parental responsibility can be transferred by either an Adoption or Parental Order.

The law does not currently allow the intended parents in a surrogacy arrangement to have Adoption Leave and Pay unless a registered adoption agency is involved in the process.

### **Surrogate Mothers**

Surrogates are the legal mother of any child they carry – even if they're not genetically related to the baby, until they sign a Parental or Adoption Order following the birth of a child, this transfers their rights to the intended parents.

Pregnant employees have the right to 52 weeks Maternity leave, and to return to their job after Maternity leave. Whatever the birth mother does with the child in a surrogacy arrangement following the birth, it has no impact on her right to Maternity Leave.

Ante-natal appointments – an employee who intend to apply for a Parental Order have the right to unpaid time off work to accompany the birth mother to 2 ante-natal appointments.

### **Intended Parents**

The intended parents can apply for a Parental Order 6 weeks after the child is born, and before the child is 6 months old.

### **Parental or Adoption Order**

Intended parents must be genetically related to the child to be able to apply for a Parental Order.

Adoption using a registered adoption agency, will be necessary for intended parents to become the legal parents if neither are genetically related.

**Adoption Leave and Pay-** is available to eligible employees who become the legal parents following an application for Adoption or Parental Order. Adoption Leave can start the day of the adoption or the matching date of Adoption for an older child.

Employees must tell their employers at least 15 weeks before the baby is due and that they intend to take Adoption Leave.

**Paternity Leave and Pay** – is available for those parents who are genetically related to the child and who meet the qualifying conditions. Paternity leave cannot start before the child is born. See separate Paternity leave Guidance.

**Shared Parental Leave** – may be available, subject to meeting the eligibility conditions. See separate Guidance on Shared Parental leave.

## **6. Health and Safety**

The District Council takes full responsibility for the assessment of risks to the health and safety of pregnant or breastfeeding employees at work.

Upon notification of a pregnancy, the employee's Manager (with advice where appropriate from Human Resources or the Safety Committee) will assess any risk to the pregnant employee. Where risk is identified and it is not possible to avoid the risk, the employee will be offered suitable alternative employment. If none can be found the employee will commence leave on full pay until Maternity leave commences.

## **7. Miscarriage, termination, still birth and death of a baby**

If the baby dies or is still born after 24 weeks' pregnancy the maternity scheme applies. Where this occurs before 24 weeks (miscarriage) or there is a termination sympathetic consideration to special leave or sick leave as appropriate in the individual circumstances is given based on the needs of the employee and medical opinion.

## **8. Maternity Pay**

Calculations relating to Maternity pay entitlements are based upon the employee's length of service at the 15<sup>th</sup> week before the EWC – known as the 'qualifying week'. Employees are only entitled to Statutory Maternity Pay (SMP) if they have at least 26 weeks continuous service with the District Council or local government up to and into the 15<sup>th</sup> week before the week the baby is due and if their average weekly earnings are above the Lower Earnings Limit.

If an employee does not qualify for Maternity pay for either of the reasons above, they will be issued with Form SMP1 and advised to contact the Department for Work and Pensions for advice on eligibility for Maternity Allowance.

Employees with less than 1 year's continuous service at the 11<sup>th</sup> week before EWC are entitled to:

|             |                     |
|-------------|---------------------|
| Weeks 1 – 6 | 90% of a week's pay |
| Weeks 7-39  | Lower rate SMP only |

Employees with more than 1 year's continuous service at the 11<sup>th</sup> week before EWC are entitled to:

|             |                     |
|-------------|---------------------|
| Weeks 1 – 6 | 90% of a week's pay |
|-------------|---------------------|

|            |   |
|------------|---|
| Weeks 7-18 | If an employee has declared <u>in writing</u> her intention to return to work, she will receive Occupational Maternity Pay (OMP) which equates to 50% of a week's pay <sup>(1)</sup> <sup>(2)</sup> plus SMP (or MA). If half pay and lower rate SMP come to more than full pay, payments will be scaled down to be no more than full pay whilst SMP is being paid. |
|------------|---|

|             |          |
|-------------|----------|
| Weeks 19-39 | SMP only |
|-------------|----------|

- (1) This shall be made on the understanding that the employee will return to local authority employment for a period of at least 3 months. In the event of her not doing so, she shall refund the monies paid *i.e. the 12 weeks half pay is refundable by the employee, SMP payments however are not refundable.*
- (2) These payments can be paid at this time or be deferred until the employee returns to work. For further clarification contact Human Resources and Payroll.

For up to date rates of SMP, please refer to <https://www.gov.uk/employers-Maternity-pay-leave>

## **9. Maternity Leave Entitlement**

Pregnant employees are entitled to 26 weeks Ordinary Maternity Leave (OML) and a further 26 weeks Additional Maternity Leave (AML) – a total of 52 weeks Maternity leave – regardless of length of service.

Maternity leave shall commence no earlier than 11 weeks before the EWC, or from the time of childbirth if that is earlier (i.e. the day after the baby is born).

### **9 a Terms and Conditions of Employment during maternity leave**

During the period of Maternity leave, an employee's contract of employment continues to be in force and she is entitled to receive all her contractual benefits, with the exception of remuneration, i.e. wages or salary. In particular, any benefits in kind will continue and annual leave entitlement will continue to accrue. Salary will be replaced by SMP if the employee is eligible to receive it.

When the employee returns to work, her holiday entitlement will have continued to accrue during the whole of their Maternity leave period, but must be taken in the leave year it is accrued, although 5 days may be carried forward (pro-rata for part time employees). This means that some leave may have to be taken before Maternity leave commences if the woman will not return from Maternity leave in the current leave year.

If the woman is returning in the current leave year, leave may be taken immediately when the Maternity leave ends or by the end of the leave year i.e. 31 March.

### **9 b Keeping in Touch (KIT) Days**

Keeping in touch (KIT) days are intended to facilitate a smooth return to work following a period of Maternity leave. An employee should discuss and agree any voluntary arrangements for keeping in touch during Maternity leave before going on leave.

An employee may work for up to 10 KIT days during OML and/or AML without bringing her Maternity leave to an end. (An employee may not work during the two weeks of compulsory Maternity leave immediately after the birth of her baby).

The work can be consecutive or not, and can include training or other activities which enable the employee to keep in touch with the workplace. Any such work must be by agreement and neither the District Council nor the employee can insist upon it.

KIT days may be paid at the normal hourly rate or taken as time off in lieu after returning from Maternity leave. If KIT is paid during Maternity leave, the amount payable is normal salary, less the amount of SMP payable.

### **9c Sickness and maternity Leave**

Maternity leave is not treated as sick leave and will not therefore be taken into account when calculating sick leave entitlement or managing sickness absence.

### **9d Annual Leave and maternity leave**

The Maternity leave period will be classed as continuous service and annual leave (including bank holiday entitlement) will continue to accrue during the whole of the period.

Employees should take their full leave entitlement for that year before their Maternity leave starts, if the maternity leave is likely to extend beyond the end of the leave year (excluding up to 5 untaken days, pro rata for part time employees, which may be carried forward.)

### **9e Pension Contributions and maternity leave**

During a period of paid Maternity leave, pension contributions are deducted on the actual amounts paid to you in relation to that leave by way of contractual or Statutory Maternity Pay. The period will count in full for pension purposes.

For any period of unpaid Maternity leave you will have the option of paying contributions based on the pay entitlement immediately before the unpaid leave began. This period will count for pension purposes, otherwise it will constitute a break in membership of the scheme. The Payroll Section will confirm these pension arrangements on your return to work.

An option to pay contributions for unpaid Maternity leave should be made to the District Council within 30 days of returning to work, or within 30 days of leaving if the employee does not return to work.

## **10. Returning to Work**

An employee is not permitted to return to work during the 2 week period following childbirth.

An employee has a right to return to either exactly the same job or in some cases, a similar one, on terms and conditions no less favourable than those which would have been applicable to her if she had not been absent.

Which right applies depends on when she returns. If the employee returns to work:

- after the first six months of leave, she is entitled to return to exactly the same job she was doing before her Maternity leave.
- After the second six months of leave, she is also entitled to return to exactly the same job, unless there is some reason why it is not reasonably practically for her to return to her original job. If it is not reasonably practicable, the employee is entitled to suitable alternative work on similar terms and conditions.

In the event that the employee's position becomes redundant, or there has been a general reorganisation, the District Council must give first consideration to offer the employee a suitable alternative position, before any other 'at risk' employees are considered.

An employee shall notify the District Council, in writing, at least 21 days before the intended date on which she wishes to return to work. (If an employee changes her mind about the agreed date, she must give a further 21 days' notice of the new date, in writing).

Employees have the right to request flexible working arrangements when they return from Maternity leave. Any requests should be raised at the earliest opportunity. Such requests will be given full consideration taking into account the needs of the service and the employee, however, the District Council cannot guarantee approval.

The needs of breastfeeding employees will be taken into account and any arrangements (including flexible working, facilities to breastfeed or express and store milk) should be discussed with Human Resources before returning to work.

Where an employee is unable to return to work on the expected day due to sickness, the absence will be covered by the Sickness Notification and Certification Procedure in the normal way.

## **11. Relationship with Shared Parental Leave (SPL)**

SPL allows eligible parents of babies to the right to share leave between them during the child's first year. The amount of leave available is calculated using the mother's entitlement to Maternity/Adoption leave which allows them to take up to 52 weeks leave.

If they reduce their Maternity/Adoption leave entitlement then they and/or their partner may opt in to the SPL system and take any remaining weeks as SPL. There may be an entitlement to some Shared Parental Pay (SPP).

For further information, please see the separate Guidance notes for Shared Parental leave and pay and/or contact Human Resources and Payroll.

## **12. Relationship with statutory unpaid parental leave**

18 weeks unpaid parental leave can be requested with a minimum of 7 days' notice from employees with parenting responsibility (birth of a child, fostering, adoption, surrogacy, grand parents with a significant parenting role and stepparents) for the purposes of caring for a child up to the age of 18.

Unpaid parental leave can be in a single block of 18 weeks or a number of shorter periods of a minimum of half a day or patterns which provide a part time or reduced hours working arrangement for a period of time equivalent to taking 18 weeks leave as a single block. Managers will ensure adequate staff cover for the service when considering requests for unpaid parental leave.

Every attempt will be made to avoid postponing the requested unpaid parental leave for more than 3 months except in exceptional operational circumstances. In such circumstances agreeing a different pattern or dates of leave, or shorter or longer periods of leave will be considered.

Employees who are on unpaid parental leave but fall sick and provide appropriate sickness certification will be entitled to sick pay and leave and this period will not count towards the parental leave entitlement.

Time taken for unpaid parental leave is treated as continuous service.

## **13. Data Protection**

All personal data supplied to the District Council relating to the Maternity scheme will be processed solely for the reasons of Maternity leave and/or pay. Forms will be stored securely in Payroll and retained in accordance with the Document Retention Policy.

**None of the above provisions shall be construed as providing rights less favourable than statutory rights.**

**For further advice please contact Human Resources and Payroll or go to [www.gov.uk](http://www.gov.uk)**

# PATERNITY SCHEME

## GUIDANCE NOTES

### Introduction

This document sets out the District Council's Guidance with regard to Paternity entitlement in line with employment law and the National Joint Council for Local Government Services' National Agreement on Pay and Conditions of Service.

This Guidance covers the following areas:

1. Application of Paternity leave and pay
2. Paternity leave Entitlement
3. Statutory (Ordinary) Paternity leave
4. Notifications
5. Paternity Pay
6. Notice periods for delaying or cancelling Paternity leave
7. Terms and Conditions of Employment
8. Unpaid Parental Leave
9. Entitlement to paid Paternity leave, Shared Parental leave and Unpaid Parental leave.
10. The right to Request Flexible Working.
11. Redundancy during Paternity leave.
12. Protection from detriment
13. Data Protection

### 1. Application of Paternity leave and pay

Employees may be entitled to Paternity leave and pay if their partner is having a baby, adopting a child or having a baby through a surrogacy arrangement.

### 2. Paternity Leave Entitlement

Paternity leave is available to employees who:

- Have or expect to have responsibility for the child's upbringing
- Are the biological father of the child or the mother's husband or partner (includes same sex relationships)
- Have worked continuously for their employer for 26 weeks ending with the 15<sup>th</sup> week before the baby is due, or at the end of the week in which the child's adopter is notified of being matched with the child (UK adoption), or the date the child enters the UK (overseas adoptions).

### 3. Statutory (ordinary) paternity leave



The maximum duration of the basic statutory paternity leave is 2 weeks, taken together within 56 days of the baby's birth.

The District Council allows employees to take their Paternity leave in two separate blocks of one week each, (i.e. not taking the full 2 weeks of Paternity leave all together), within 56 days of the baby's birth, recognising that this may better suit the needs of family life.

#### **4. Notifications**

The employee must inform their employer of their intention to take Paternity leave by the end of the 15<sup>th</sup> week before the baby is expected. If this isn't possible, as soon as possible afterwards and at least 28 days before the leave starts. The employee has to give their employer form SC3, which contains a self-certificate or declaration of entitlement to leave and pay and provide the following details:

- their name
- national insurance number
- the expected week of the child's birth (EWC) or, if the birth has already occurred, the date of birth
- the length of the period of leave required and the date from which leave is requested
- the length of leave
- a declaration that the employee fulfils all three of the following:
  - is either the father of the child and/or the partner or husband of the mother
  - is taking leave either to care for the child and/or to support the mother
  - has or expects to have responsibility for the child's upbringing

The employee may lose the right to Paternity leave and pay if the procedural requirements are not met.

#### **5. Paternity pay**

An employee who meets the qualifying criteria and notice requirements is entitled to two weeks Paternity pay. The statutory entitlement is for one week of full pay and one week at the statutory rate (which is updated annually).

The District Council pays Paternity Pay at the normal contractual rate for the two weeks (taken together or separately).

#### **6. Notice periods for delaying or cancelling Paternity Leave.**

The employee can delay the start of paternity leave, provided written notice is given and alternative dates requested. The notice must be at least 28 days' notice before the new leave date, unless the baby arrives a few days early or late.

## **7. Terms and conditions of employment**

Under Regulation 12 of the Paternity and Adoption Leave Regulations 2002, an employee qualifying for Paternity Leave will be entitled to retain their benefit of their terms and conditions of employment (with the exception of contractual remuneration) and is entitled to return to work.

Under Shared Parental Leave, working parents taking total leave of 26 weeks or less are legally entitled to return to the same job. This is so even if the Leave is not taken in one block, but spread out in a discontinuous pattern. Anyone taking more than 26 weeks' Leave has the right to return to the same or a similar job.

More information on notice periods required for delaying/cancelling Shared Parental leave and status of an employee's contact can be found in the Shared Parental leave Guidance.

## **8. Unpaid Parental leave**

Parents are also entitled to 18 weeks leave for each child and adopted child, up to their 18<sup>th</sup> birthday on an unpaid basis.

The limit on how much Parental leave each parent can take in a year is 4 weeks for each child.

## **9. Entitlement to paid Paternity leave, Shared Parental leave and Unpaid Parental leave**

The right to paid Parental leave is in addition to any Unpaid Parental leave rights. This means that provided the employee qualifies for the different types of leave, in the first year of the child's life an employee could have a total of 32 weeks absence from work; two weeks after the child is born paid at the contractual rate, a portion of Shared Parental leave, part of which may be paid, and four weeks Unpaid Parental leave.

## **10. Redundancy and Paternity Leave**

If there is a redundancy situation at the same time as an employee's Paternity Leave, they will be treated the same as any other employee under the circumstances. This might be consulting them about the redundancy or considering them for any other suitable job vacancies.

#### **11. Protection from Detriment**

Employees are protected from suffering a detriment or dismissal for taking, or seeking to take, Paternity leave.

#### **12. Data Protection**

All personal data supplied to the District Council relating to the Paternity scheme will be processed solely for the reasons of Paternity leave and/or pay. Forms will be stored securely in Payroll and retained in accordance with the Document Retention Policy.

**None of the above provisions shall be construed as providing rights less favourable than statutory rights.**

For further advice please contact Human Resources and Payroll or go to [www.gov.uk](http://www.gov.uk)

## GOVERNANCE AND RESOURCES COMMITTEE

09 January 2020

Report of the Head of Community & Environmental Services

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### DERBYSHIRE DALES SAFEGUARDING POLICY – MEMBERS' UPDATE

#### PURPOSE OF REPORT

This report provides an update on the Council's Revised Safeguarding Policy.

#### RECOMMENDATION

That the Safeguarding Policy as amended is noted.

#### WARDS AFFECTED

All wards

#### STRATEGIC LINK

Contributing to the District Council's aims for a clean, safe and thriving environment, District and community by keeping public places safe, tackling crime & anti-social behaviour.

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#### 1. REPORT

- 1.1 All Local Authorities have a duty to safeguard children and vulnerable adults and, where they do not have a statutory lead for adult or child care services, they must work in partnership with their upper tier authority to ensure they are safeguarded against abuse.
- 1.2 At a meeting of this Committee on 11<sup>th</sup> July 2019 a new Safeguarding Policy was approved, subject to retrospective amendment where necessary to ensure full compliance with safeguarding legislation, for which delegated authority was given to the Head of Community and Environmental Services, following consultation with Councillor Clare Raw.
- 1.3 Following detailed discussions with Councillor Raw, the revised Policy Document, which is now live and which may be accessed on the Council's website, is deemed to comply fully with current legislation. A copy is attached as an appendix to this report.
- 1.4 The key amendments contained within the revised policy may be summarised as:
  - providing a clearer distinction between Child Safeguarding Referrals and Vulnerable Adult Safeguarding Referrals
  - making it clear that responsibility for referring Safeguarding concerns rests primarily with the employee/Member, who will have access to full support and guidance from the Safeguarding Officer or appointed substitute.

- 1.5 A programme of training and raising awareness of safeguarding issues and the revised policy itself is to be established for all Council employees and Elected Members.

## **2 RISK ASSESSMENT**

### **2.1 Legal**

The policy sets out measures required to be in place locally to protect those least able to protect themselves and to provide the vision and direction to ensure that the legal framework, including powers and duties, is clear, and proportionate. The legal risk is therefore low.

### **2.2 Financial**

The cost of officer time in developing the policy has been contained within existing budgets. The implementation of the policy is not expected to incur costs in excess of budgets. The financial risk of the recommendations of this report is therefore assessed as low.

Failure to approve or implement the safeguarding policy could lead to sanctions (e.g. fines); the risk of that approach would be assessed as high.

## **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**

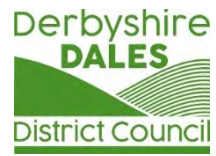
Ashley Watts  
Head of Community & Environmental Services  
Email: [ashley.watts@derbyshiredales.gov.uk](mailto:ashley.watts@derbyshiredales.gov.uk)  
Tel: 01629 761367

## **5 BACKGROUND PAPERS**

None

## **6 ATTACHMENTS**

Safeguarding Policy (as amended) September 2019



# Derbyshire Dales District Council

## Safeguarding Policy

|               |           |
|---------------|-----------|
| Date of issue | Sept 2019 |
| Review date   | Sept 2022 |

## **CONTENTS**

1. Introduction
  - 1.1. Aim of the policy
  - 1.2. Key principles
  - 1.3. Responsibility to Act
2. Scope
3. Process
4. Recruitment and Employment
5. Learning and Development
6. Health and Safety
7. Guidance for photographs at Council managed facilities and events

## **Appendix**

- |  |            |
|--|------------|
| a) Definitions of Abuse                              | Appendix A |
| b) Safeguarding Referral Quick Reference Guide       | Appendix B |
| c) Reporting Form                                    | Appendix C |
| d) Consent Forms for photography                     | Appendix D |
| e) Work Experience                                   | Appendix E |
| f) Shared information                                | Appendix F |
| g) Roles and Responsibilities                        | Appendix G |
| h) Policy on Criminal Background Checks              | Appendix H |
| i) Operation Liberty briefing note and referral form | Appendix J |
| j) Glossary  | Appendix K |
| k) Key Contacts                                      | Appendix L |

## INTRODUCTION

Derbyshire Dales District Council (referred to as 'the Council') is committed to ensuring that all children and vulnerable adults are protected and kept safe from harm.

The Council as a Local authority has a duty under Section 11 of the Children Act 2004 and The Care Act 2015 to ensure that their functions, and any services provided on their behalf, are discharged having regard to the need to safeguarding and to promote the welfare of children, and keep them safe from harm, and to work with partners to ensure that vulnerable adults, who are at risk of abuse, receive protection and support.

The Council has a responsibility to safeguard and promote the wellbeing of children and vulnerable adults so that they enjoy a safe and positive atmosphere free from harassment and bullying. However, not all children and vulnerable adults have positive experiences in their life, and the Council is committed to improving the welfare of children and vulnerable adults by encouraging good practice. The Council does not directly provide social or personal care services but is aware that safeguarding issues in its customers/ service users may arise in providing its general services.

The purpose of the Safeguarding Policy is to make explicit the responsibilities of all professionals, volunteers and agencies working together to protect those most at risk from harm and abuse. All Local Authorities have a duty to safeguard children and vulnerable adults and where they do not have a statutory lead for adult or child care services, they must work in partnership with their upper tier authority and other partner agencies to ensure they are safeguarded against abuse.



## 1.1. Policy Aim

This policy aims to:

- Implement and maintain systems of working practice to safeguard children and vulnerable adults taking part in Council activities
- Ensure that adults, children and their parents have confidence in Council staff, policies and practices in respect of the safe supervision of children and vulnerable adults
- Ensure that concerns about abuse are reported promptly to the appropriate authorities
- Ensure that Council Staff are aware of the legal framework regarding safeguarding, including the principles of making safeguarding personal for adults
- Ensure we work in partnership with local organisations and people by contributing where possible to the development of individual safety plans, particularly around Vulnerable Adults Risk Management Meetings (VARM)
- Offer guidance and support to all employees, volunteers and Councillors involved in Council activity to assist them in recognising, reporting and responding to the signs of possible abuse
- Work where possible with partners to prevent abuse occurring, such as providing early information and support to vulnerable adults, or signposting families struggling with complex issues such as mental health or alcohol
- Ensure that the Council's role and responsibility in protecting children and vulnerable adults from abuse is clear
- Raise awareness around safeguarding both of children and vulnerable adults and extremism
- Live up to our Corporate Plan to promote fairness and equality
- Raise awareness of issues and procedures
- Work in compliance with the Derby and Derbyshire Safeguarding Children Procedures (<http://derbyshirescbs.proceduresonline.com/>) and the most relevant legislation relating to Vulnerable Adults (Derbyshire Adults Safeguarding Board).
- Ensure those experiencing Domestic Abuse are signposted to receive appropriate support
- Review the Policy every 3 years or whenever there are relevant changes in legislation

## **1.2. Key Principles**

Guidance given in this policy document is based on the following key principles:

- The welfare and protection of children and vulnerable adults is the primary concern
- All children and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity have the right to protection from abuse
- All incidents of suspected poor practice and/or allegations should be taken seriously and responded to quickly and appropriately. This includes allegations of poor practice against employees, volunteers, Councillors and contractors.

## **1.3. Responsibility to Act**

It is not the responsibility of any employee of the Council or elected Member to decide whether or not abuse is taking place. There is, however, a responsibility to act on any concerns and to protect children and vulnerable adults in order that appropriate agencies (Police, DCC Children's Social Care and Adult Social Care) can make enquiries and take necessary action. The flowcharts in Appendix B provide a 'quick reference' guide for referring suspicions of abuse, both in respect of children and vulnerable adults. The report forms in Appendix C provide a template for recording such concerns and action.

## **2. SCOPE**

The policy covers all of the functions and services of the Council, as well as the operations of partners, contractors and voluntary organisations that deliver services on its behalf, unless they have their own policy which has been recognised as an adequate substitute.

The policy covers children and vulnerable adults who are affected by the services delivered by or on behalf of the Council.

The Council recognises that Derbyshire County Council's (DCC) Children's Social Care Service and the Police are the lead agencies in the District with regard to Child Protection. Derbyshire Adult Social Services is the lead agency with regard to vulnerable adults. The Council also recognises that everyone has a responsibility for identifying and reporting Safeguarding concerns and this includes all employees and Elected Members who come into contact with children and vulnerable adults. Young

people and families within our community also have a role to play as well as the community at large.

It considers that all children and vulnerable adults should be treated equally and fairly. As a service provider, the Council is committed to equality. The Council will endeavour to work with parents and other relevant parties to organise the environment and to plan activities to ensure that all children and vulnerable adults are able to take part at levels appropriate to their needs. Language and cultural requirements will also be taken into account.

## **2.1 Working Partners**

The Council regularly works with partners and contractors from a variety of sectors. This policy will be drawn to the attention of, and made available to, all agencies and organisations in joint working situations.

Certain professional bodies may also have additional policies. Members of professional bodies need to contact their body to find out about any additional child protection policies they must apply. If the allegations are made against a qualified coach/leader/teacher, the senior manager will also need to inform the relevant National Governing Body.

## **2.2. Contractors**

Contractors will be expected to follow the Policy unless they have their own Policy, which has been recognised as an adequate substitute. Should the Contractor make a referral to Call Derbyshire, the Safeguarding Officer or appointed substitute should be informed, using either the SIRF found in appendix C or equivalent form.

Safe recruitment practice will include those persons who may not have direct contact with children, but because of their presence will still be seen as safe and trustworthy.

The principles of safe recruitment will, therefore, be included in the terms of any contract drawn up between the Council and contractors or agencies that provide services for, or adults to work with, children and vulnerable adults for whom the Council provides is responsible.

The Council will monitor compliance with these contracts that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

### **3. PROCESS**

#### **3.1 Recognition of Abuse, Bullying and Extremism**

The ***Definitions of Abuse*** are located in Appendix A of this document.

It is not always easy to recognise when a Safeguarding referral needs to be made. Council employees are not expected to be experts at recognising such situations, but employees do have a responsibility to undertake basic awareness training so that they are able to identify potential instances of Safeguarding. If they have any concerns about the safety of a child or vulnerable adult they are advised to contact Call Derbyshire on 01629 533190 where appropriate advice and guidance can be given.

It is important to note that any concerns about an adult's safety should be discussed with the adult first and that their views are carefully noted before a Safeguarding referral is made. This is a key part of making care personal to an individual, as defined in the Care Act 2014.

All employees have an opportunity to discuss any concerns they may have about the welfare of a child or vulnerable adult with their line manager or another appropriate senior member of staff, but must do so as soon as possible to prevent undue delay in making any subsequent safeguarding referral.

#### **3.2 Responding to Suspicions and Allegations of Abuse and Poor Practice**

There are a number of barriers that exist which prevent a child or vulnerable adult from telling others about abuse, some of the main barriers are that they may:

- Be scared because they may have been threatened
- Think they will be taken away from home

- Believe they are to blame, or they may feel guilty
- Think it happens to others
- Feel embarrassed
- Not want their abuser to get in trouble
- Have communication or learning difficulties
- Not yet have the vocabulary to describe what has happened
- Be afraid that they won't be believed
- Think they have already told someone e.g. by dropping hints
- Have told someone before and weren't believed, so what's the point in trying again

We take any allegation seriously and investigate immediately and thoroughly.

Action to be taken if a disclosure or allegation is made:

- React calmly
- Reassure the person that they were right to tell you
- Do not make promises of confidentiality, let the person know that you may have a duty to report concerns, seek consent to share the information
- Try to reduce any questions you may choose to ask, to an absolute minimum and concentrate on listening to the person. Questions should never be leading, they should consist of Who? Where? When? What?
- Make a full written record of what has been said, heard and/or seen as soon as possible using a Safeguarding Incident Report Form (SIRF). There are different forms for children and vulnerable adults and both are detailed in Appendix C
- If you believe there is an imminent danger to life or a crime is in progress, contact the Police immediately on 999
- If you believe there is a Safeguarding issue contact Call Derbyshire and immediately thereafter notify the Safeguarding Officer (or his substitute) of your actions, and pass on the completed SIRF at the earliest opportunity
- If you are unsure whether or not the matter should be a Safeguarding referral, complete a SIRF and discuss your concerns with the Safeguarding Officer (or his substitute) as soon as possible, preferably on the same working day
- If you believe that a crime has been committed, encourage the victim to report it to the Police

#### Actions to be avoided:

- Panic
- Allow shock and/or distaste to show
- Probe to find out more information than offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Make promises to agree to keep it a secret
- Discuss the issue with anyone other than the Safeguarding Officer or his substitute

### **3.3. Safeguarding Children - Sharing concerns with parents/carers**

The Council's policy is that the welfare of children is the paramount concern. In this respect any disclosure from a child must be believed and similarly any concern of an employee or Member of the Council must be acted upon by referral to Derbyshire County Council. The County Council are the lead body for investigating referrals and they have formal procedures and guidelines for involving parents/guardians or carers in those investigations.

Whilst the District Council will co-operate with the County Council in any investigation and in furtherance of their procedures where appropriate, officers and members should not be discussing their concerns in the first instance with parents/guardians or carers for the following reasons:

- To do so may place the child at even greater risk, particularly where it is suspected that the parent/guardian or carer may be responsible for the abuse
- To do so may compromise the investigation by DCC or a criminal investigation
- To do so may put the employee at risk

It is, however, appropriate for officers to make note of the behaviour or any comments made by parents/guardians or carers (without actively engaging with them) and to make a written record of those observations on the referral form. If in doubt speak to the Safeguarding Officer (or substitute). If you believe the child is at immediate risk please call 999.

### **3.4. Safeguarding Vulnerable Adults, sharing concerns with relatives/carers or friends**

The Council's Policy is that the welfare of vulnerable adults is the paramount concern. In this respect any disclosure from a vulnerable adult must be believed and similarly any concern of an employee or Member of the Council must be acted upon by referral to Derbyshire County Council.

It should not automatically be assumed that a vulnerable adult will have a carer or responsible parent/guardian. Vulnerable adults, whatever their circumstances, are 'Adult' and will therefore have a right to privacy and equality. The role of protecting any adult from risk could conflict with their individual rights to make decisions for themselves, even when those decisions carry the risk of eventual harm. There is a balance to strike between protection and autonomy.

Whilst staff may recognise signs and signals which might indicate that someone is being abused, many incidents will come to light because the person discloses this themselves. Any conversation should always be directly with the vulnerable adult and should not involve relatives/carers or friends for the same reasons as set out in 3.3 above.

It is important to seek consent from the vulnerable adult to share the disclosed information and further explain the reason for doing so and the process that will follow. However, do not promise 'not to share' information. In some circumstances a vulnerable adult may not consent to information sharing and, whilst it is important wherever possible to respect those wishes, Safeguarding legislation and guidance does support information sharing if there is sufficient need, examples of which are:

- The adult lacks capacity to consent (MCA 2005)
- For the Prevention and Investigation of Crime (CDA 1998)
- There is a risk to other people
- There is a risk to children (CA 1989)
- The adult is under duress or coercion
- There is evidence of Domestic Abuse which meets MARAC criteria
- The alleged Abuser is in need of care and support
- Staff or Elected Members are implicated

Some adults may be at risk from their own self-neglect but fall outside the definition of 'Vulnerable Adult'. Although this is a serious issue which must be addressed, Derbyshire County Council has determined that it is not a matter to be dealt with through Safeguarding Policy' but should instead be referred to Adult Social Services to initiate an assessment.

#### Vulnerable Adults Risk Management (VARM)

This is a formal process for assessing, recording and planning the management of risk in situations where a vulnerable and capacitated adult requires support but will not engage with agencies.

If a person is vulnerable and is at risk of significant harm then safeguarding procedures should be followed in the first instance, but if they do not meet the threshold for safeguarding, or multi agency support in managing that person if required, a VARM can be called by agency to try and help support and manage the individual's needs.

The VARM process should be considered in the following circumstances:

- Where the person is perceived to have the capacity to make the decision(s) that is /are creating significant concern about their safety (risk of significant harm).
- Where there is no perpetrator and the risk arises from the capacitated individual's refusal to engage with services and/or self-neglect in one or more areas of their life
- Where there is an alleged perpetrator and the person refuses to engage with risk management
- Where existing care management and health and social care involvement has failed to resolve the issues/risks identified which are causing concern

### **3.5. Reporting Procedure**

If you believe a child or vulnerable adult to be at immediate risk call 999.

If you believe there is a safeguarding issue make a referral to Call Derbyshire (01629 533190) and immediately notify the Council's Safeguarding Officer or appointed substitute. Details of the Council's designated Safeguarding Officer and substitute are given in (Appendix K). If you are unable to contact either, then the Chief Executive should be notified as soon as possible and within the same working day.



Employees and Elected Members responding to a suspicion of abuse or poor practice should complete an SIRF (Appendix C). In doing so, please note:

- your report may be required later as part of a legal action or disciplinary procedure
- the time and date
- the name of the place and a description of the scene
- the names of people involved
- separate out factual information from your own opinions
- the report should be dated and signed and passed to the Safeguarding Officer without delay and during the same working day
- retain any original documentation (this may be required as evidence at a later date if there is a criminal investigation or prosecution)
- if you are dealing with a recent assault, which may be a potentially criminal matter, or where violence is ongoing, you should call emergency support e.g. the police or ambulance

The form should be sent to the Safeguarding Officer via email and a phone call should be made to make them aware. The Safeguarding Officer will be responsible for retaining all documentation in accordance with the principles of GDPR.

**The Safeguarding Officer should:**

- Ensure the report is comprehensive
- Ensure that the parents of the child or vulnerable adult are informed of the incident and provided with a copy of the report, providing it is deemed safe to do so and does not place anyone in a position of greater risk
- Arrange a follow-up meeting to discuss the incident with the employee/Member within 24 hours of the referral if possible and address any support needs or further actions identified
- Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes
- Keep all records of the incident in a secure locked cabinet
- Consider further training or revisions to operational procedures to reduce the risk of this type of incident recurring. Training could include preventative measures and strategies

### **3.6 Action to be taken if there are concerns about a member of staff**

Any concerns about the welfare of a child or vulnerable adult arising from abuse or harassment by an employee or Elected Member of the Council must be acted upon immediately. It can often be difficult to report a fellow employee or Elected Member, but the Council assures all employees that it will fully support and protect anyone who, without malicious intent reports their concerns about colleagues practice or the possibility that a child or vulnerable adult may be being abused or harassed

Employees and Members should familiarise themselves with the Council's '**Whistle Blowing**' Policy. If the concern or allegation is clearly regarding poor practice then the line manager and appropriate senior manager (usually Head of Service) should deal with it as a misconduct issue and follow the Council's Disciplinary Procedure.

However, if you believe there is a safeguarding issue follow the procedure outlined in section 3.5 above and immediately notify the Safeguarding officer, who will:

- In instances involving an employee, inform the relevant Head of Service and HR Manager, who will follow the Council's disciplinary procedure
- In instances involving an Elected Member, inform the Head of Corporate Services and Chief Executive.

Independent of any investigation by Police, Children's Social Care or Adult Care, the Council may, in following that procedure, suspend the individual accused of abuse, pending further investigation.

The Council will assess all individual cases under its disciplinary procedure to reach a decision in relation to the allegations and the person's employment on the available information. Employment decisions can be taken before and independently of the outcome of any legal investigation.

### **3.7 Malicious Allegations**

The Council takes any allegation seriously and will refer immediately to DCC all Safeguarding incidents. However, it is also recognised that it is possible for an employee to become victim to false or malicious allegations. Employees are

encouraged to protect themselves from false accusations by adopting 'Good Practice' at all times.

### **Good Practice guidelines for employees**

Examples of how to create a positive environment when working with children and vulnerable adults:

- Work in an open environment, avoid private or unobserved situations
- Treat all children and vulnerable adults with equal dignity and respect
- Put the welfare, success and achievement of each child first, before the winning or achieving of goals
- Make activities enjoyable and promote fair play
- Maintain a safe and appropriate distance with children and vulnerable adults
- If physical contact is necessary for demonstrating skills etc., explain and discuss these actions with the person first
- Recognise that caution is required especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse
- Keep up to date with technical skills, qualifications and insurance requirements
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of children and vulnerable adults in any work related environment
- Give constructive feedback rather than negative criticism
- Recognise the development needs of the children and vulnerable adults and avoid excessive training or competition.

### **Things to avoid**

You should **NEVER** allow or take part in any of the following:

- Engage in rough physical or sexually provocative games
- Engage in or allow any form of inappropriate touching
- Allow children and vulnerable adults to use inappropriate language unchallenged
- Make sexually suggestive comments to a child, even in fun
- Reduce a child or vulnerable adult to tears, as a form of control
- Allow allegations made by a person to go unchallenged, unrecorded or not acted upon
- Do things of a personal nature for a child or vulnerable adult that they can do for themselves including things like applying sun cream
- Transport or take children or vulnerable adults to their home unsupervised

- Administer medication unless specifically trained and approved by the person's parents to do so.
- Take a child or vulnerable adult to the toilet unsupervised

**Whenever communicating with children or vulnerable adult online:**

- Always use age-appropriate language in your communications and make sure all your communications are relevant to the work or the project you're involved in
- Use your allocated Council accounts to communicate with children and young people via email or social media, never personal accounts
- Use your allocated mobile or tablet to communicate with young people
- Understand how different social media platforms work and what their age limits are

### **3.8. Confidentiality and Sharing Information**

Sharing information is essential in working to safeguard children and vulnerable adults. It is also essential to enable early intervention to help children, vulnerable adults and their families who need additional services to achieve positive outcomes. A key factor in many serious case reviews has been a failure to share information.

Derby and Derbyshire each have a Sharing of Information Protocol which can be located on the Safer Derbyshire website at [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk) to ensure that effective communication is made across all organisations.

Personal information held by the Council is subject to a legal duty of confidence and will normally only be disclosed to third parties with the consent of the subject of the information. In some circumstances, however, the safety and welfare of a child or vulnerable adult dictates that information must be shared, without seeking consent, or where consent has not been given.

Sharing information as part of preventative services:

- Obtaining consent should be the first consideration
- Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question

- In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not, make a decision based on reasonable judgement and record it

Sharing confidential information without consent in the public interest is normally justified:

- Where, in the interest of the child or vulnerable adult, reasonable concerns identify that their health or development will be impaired without the provision of services
- Where there is evidence that a child or vulnerable adult is suffering or is at risk of suffering significant harm
- Where there is reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm
- To prevent significant harm arising to children and vulnerable adults or serious harm to adults, including through the prevention, detection and prosecution of serious crime
- If it is believed that an individual is showing extreme view or radicalised behaviours

Every effort should be made to maintain confidentiality, and information should be handled on a need to know basis. This includes the following:

- Members of the team undertaking an internal investigation, co-ordinated through the Safeguarding Officer
- The Adult who is alleged to have been abused
- The person making the allegation
- Child/Adult Care Services
- Police

Any information should be stored in a secure place with limited access and in-line with data protection laws.

### **3.9. Expert advice**

If you are not sure what to do, but believe that there may be a Safeguarding issue, please contact the Safeguarding Officer (or substitute), if these are not available then contact Call Derbyshire on 01629 533190. The staff will give you guidance and support through the process. Please ensure you inform the Safeguarding Officer if you have

sought the advice of Call Derbyshire, so a full log of Safeguarding cases can be recorded.

### **3.10 Handling of difficult situations**

There may be situations when individuals pose an immediate risk to others, property or themselves. There are two types of simple control methods can be used:

- Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
- Holding or touching to persuade a child or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.

Wherever possible, steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the police should be contacted immediately. If other adults are present in the area they should, if possible, be moved away from the situation.

If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the Police should be contacted immediately.

## **4. RECRUITMENT AND EMPLOYMENT**

Derbyshire Dales District Council will take all reasonable steps to prevent unsuitable people from working with children and vulnerable adults. Few posts require a DBS check as the District Council does not directly provide social or personal care services. In particular, it will:

- Ensure all staff with responsibility for recruitment and selection are trained
- Evaluate the need for Disclosure & Barring Service (DBS) check, for all vacancies/new posts
- As appropriate, identify requirement in job advertisement/candidate profile
- As appropriate, ensure previous experience of working with children and vulnerable adults (and also any apparent gaps in employment history) is covered at interview

- Confirm identity of prospective appointee
- Take up two references (one from current or most recent employer) and, as appropriate, Disclosure & Barring Service (DBS), prior to offering the successful candidate the appointment

## **5. LEARNING AND DEVELOPMENT**

The Council has a responsibility to ensure all new staff undertake an induction programme which includes both corporate and service induction. As part of this induction programme, the Council will ensure staff are made aware of and understand their responsibilities in respect of the Safeguarding Policy. Elected Members are required to undertake Safeguarding training as part of their induction.

The Council will also provide on-going learning and development to ensure employees are confident and competent in carrying out their responsibilities and that they are aware of how to recognise and respond to safeguarding concerns.

All new appointments undergo the Council's formal induction, in which line managers will go through this Safeguarding Policy. Employees will be required to sign to acknowledge their understanding of the policy and procedures and that they will abide by them. There are also two training models on LOLA (the e-learning system) for Safeguarding Children and Vulnerable adults.

### **5.1 Work Experience Placements**

Work Experience placements for anyone under 18 or for a vulnerable person should be managed in line with the Council's policy for work experience. Any such placements should be first discussed with the HR Manager and a risk assessment carried out prior to the placement. In most cases an assessment will also be carried out by the school, college or County Council.

Guidance for Work Experience Placements are covered in Appendix E of this document.

## **6. HEALTH & SAFETY**

Under health and safety law, the Council has the same legal and moral responsibilities for the health, safety and welfare of children and vulnerable adults, as its employees.

Protecting the health and safety of children and vulnerable adults should comply with the Council's legal responsibilities but at the same time not restrict the child's or vulnerable person's right to autonomy, privacy or dignity.

We should also take into account that children or vulnerable adults may be

- Inexperienced;
- Have not been trained; and
- May not pay enough attention to health and safety

Risk assessments will be carried out for all activities involving children and vulnerable adults before they start in employment, on work-experience, or participate in supervised Council activities. The risk assessment will determine the level of supervision the child or vulnerable adult requires.

All children and vulnerable adults will be inducted before they start in employment and work-experience, or participate in supervised Council activities. The risk assessment will determine the level of supervision the child or vulnerable adult requires.

An accident, incident or a near miss to a child or vulnerable adult should be reported to your line manager, in accordance with Health and Safety reporting.

## **7. GUIDELINES FOR PHOTOGRAPHY AND FILMING AT COUNCIL MANAGED FACILITIES AND EVENTS**

Anyone wishing to use photographic/film/video equipment at the Council's facilities and/or events may do so only with the permission of the Council. Permission will only be granted once a photographer has signed to say he or she will abide by the conditions for use of photographic and filming equipment.



These conditions are:

- Any image taken will be used only for the purposes stated on the Photography and Filming Request Form
- Any images are taken with the permission of the subjects (examples of which are given in Appendix D). When the data subject happens to be a minor (under 16 years old), parental consent must be obtained.
- Proof of identity may be required in order to grant permission to use the photographic filming equipment
- The Council reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police
- The photographer should take steps to make themselves easily recognisable to members of the public (e.g.: the use of a badge, banner, vest etc.)
- The photographer should be sensitive to other users/participants and as far as reasonably possible restrict the images taken to those of the subject(s).
- If at any time another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately
- In the case of dance shows, productions and private hiring of Council facilities it is the responsibility of the organisers/hirers to inform parents/carers of the individuals attending the event that photographs will be taken
- It is the responsibility of any commercial photographer taking images at Council facilities to obtain written permission of any subjects included in their photographs to use the images before publication
- Images may only be taken in the areas shown on the date indicated on the Photography and Filming Permission Request form
- If for any reason the details shown on the permission request change, the form should be returned to the Council for alteration. If, when challenged, a discrepancy is found between the Photographer and Council copies for the permission request, permission to use photographic and filming equipment will be withdrawn.

## **7.1 Photography and filming during external hire of facilities**

The control of the use of photographic/film/video equipment by external hirers of Council facilities is the responsibility of the hirer. This responsibility extends from who is allowed

to use photographic/film/video equipment, to where and where not equipment is used and what images are and are not allowed to be taken.

It is the hirer's responsibility to ensure that all participants and their parents/guardians/carers if under 18 are aware that photographic/filming/video equipment is going to be used. Where appropriate they may be required to get written permission from participants or their parents/guardians/carers to use the photographs in publicity, promotional or media material.

## **7.2 Guidelines for taking photographs of children and vulnerable adults**

There will be occasions when photographs are taken for the purposes of gathering evidence for enforcement action or contractual compliance, and the following precautions will be taken:

- If a photograph is used, avoid naming individuals
- Before the images are taken the written permission of the individual's parents should be sought
- Only use images of individuals in suitable dress to reduce the risk of inappropriate use
- There are some activities e.g. swimming, gymnastics and athletics where the risk of potential misuse is much greater. With these sports the photographs should focus on the activity not a particular subject and should avoid full face and body shots. For example photographs of children and vulnerable adults in a pool would be appropriate or if on poolside from the waist or shoulder up.

## **7.3 Guidelines for CCTV**

The CCTV cameras are operated according to a Framework Code of Practice. This has been reviewed and amended to include Subject Access Information, Statements from Control Operators and Public Requests for Service.

## **7.4 Vigilance by the general public**

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of "peeping tom" type activity

make it very difficult to police. In recognition of this, the Council asks users of their facilities to be alert to any suspicious activity, particularly where children and vulnerable adults may be involved and encourages them to report any such incidents or concerns at the earliest opportunity to a Council employee.

**GOVERNANCE AND RESOURCES COMMITTEE**

09 January 2020

Report of the Estates and Facilities Manager

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**PROPOSED LICENCE TO UNDERTAKE WORKS – UNIT 16 BLEINHEIM ROAD, ASHBOURNE AIRFIELD INDUSTRIAL ESTATE**

**PURPOSE OF REPORT**

This report recommends entering into a short term licence to undertake necessary repair works on third party land. The works are required to enable the discharge of additional surface water from a section of road owned and maintained by the Council resulting from the proposed construction of Ashbourne Airfield Link Road to facilitate new industrial development.

**RECOMMENDATION**

1. That a short term licence is agreed and entered into at the appropriate time on the terms stated in paragraph 3 of the report.
2. That approval is given to undertake the works, funded through the approved Capital Programme contribution, and delegated authority given to officers to negotiate implementation as part of the construction contract to deliver Ashbourne Airfield Link Road when let.

**WARDS AFFECTED**

Ashbourne South

**STRATEGIC LINK**

The licence will enable the progression of the adoption of Blenheim Road and help facilitate the connection of Ashbourne Airfield Link Road, a priority scheme for the District Council, in support of the corporate priority of Business Growth and Job Creation.

---

**1 BACKGROUND**

- 1.1 The District Council owns an unadopted section of Blenheim Road as shown edged in red and unshaded on the plan at Appendix.1. (The green shaded area shows the extent of the current adopted public highway).
- 1.2 To help facilitate the Ashbourne Airfield Link Road project, Blenheim Road requires upgrading to an adoptable standard which will include the diversion of surface water.
- 1.3 As part of the investigation report into the road upgrade, undertaken by Aecom, a covered culvert has been identified to which surface water can be directed. The areas requiring repair are on third party land so the permission of the land owner is required, hence this report.

## **2 CURRENT SITUATION**

- 2.1 The culvert is shown in blue on the plan at Appendix 1 and runs under Blenheim Road draining into an open watercourse on Snipesmoor Lane. Aecom consider this culvert to be suitable for use on the proviso that it requires some repairs to carry the additional water.
- 2.2 In order to undertake these works, the Council will need to enter into a licence agreement with the land owner on the basis of the provisionally agreed terms at paragraph 3 of this report.
- 2.3 Derbyshire County Council has been out to tender on the Ashbourne Airfield Link Road scheme. The scope of the tender identified a programme of remedial works to Blenheim Road, including culvert repairs on private land as part of necessary repairs to the current highway drainage system. Works will need to be arranged to minimise disruption to the business occupying third party land.
- 2.4 The tender assessment process is currently in progress and a verbal update will be given at the meeting. Subject to progress with the Ashbourne Airfield Link Road project and confirmation with partners of the proposed delivery programme, the timescale for undertaking the repairs will be determined.

## **3 PROPOSED TERMS**

- 3.1 The provisional licence terms agreed with the third party land owner are set out below. As the construction works will take place under a contract, items 3.1.4 to 3.1.6 below will be negated by contractor's undertaking and insurance.
  - 3.1.1 Licence fee of £1 payable on demand.
  - 3.1.2 Licence duration approximately 2 weeks.
  - 3.1.3 Licence access land, work areas (1 and 3) and compound (area 2) are shown on the plan at Appendix.2.
  - 3.1.4 The Council will comply with statutory requirements and reinstate land on completion of works.
  - 3.1.5 The Council will insure and indemnify against claims resulting from the works.
  - 3.1.6 The Council will repair any subsidence resulting from the works for a period of 3 months after completion.
  - 3.1.7 The Council would need to meet the other parties reasonable legal costs.
- 3.2 The areas required for works and a site compound are indicated as 1-3 on the plan at Appendix.2 of this report with the access land shaded yellow.

## **4 RISK ASSESSMENT**

### **4.1 Legal**

The proposed terms protect the Council's interest. The legal risk is therefore low.

### **4.2 Financial**

The cost of the licence and the planned works can be contained within the provision made in the capital programme. The financial risk is, therefore, assessed as low.

### **4.3 Corporate Risk**

The ability to undertake the works on third party land will enable the District Council to progress works required for the adoption of the section of Blenheim Road in District Council ownership at the appropriate time thereby supporting this priority scheme. The Corporate risk associated with progressing the works described in the report is considered low.

## **5 OTHER CONSIDERATIONS**

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

## **6 CONTACT INFORMATION**

Mike Galsworthy, Estates & Facilities Manager  
Tel: (01629) 761207  
Email: [mike.galsworthy@derbyshiredales.gov.uk](mailto:mike.galsworthy@derbyshiredales.gov.uk)

Giles Dann, Economic Development Manager  
Tel: (01629) 761121  
Email: [giles.dann@derbyshiredales.gov.uk](mailto:giles.dann@derbyshiredales.gov.uk)

## **7 BACKGROUND PAPERS**

None.

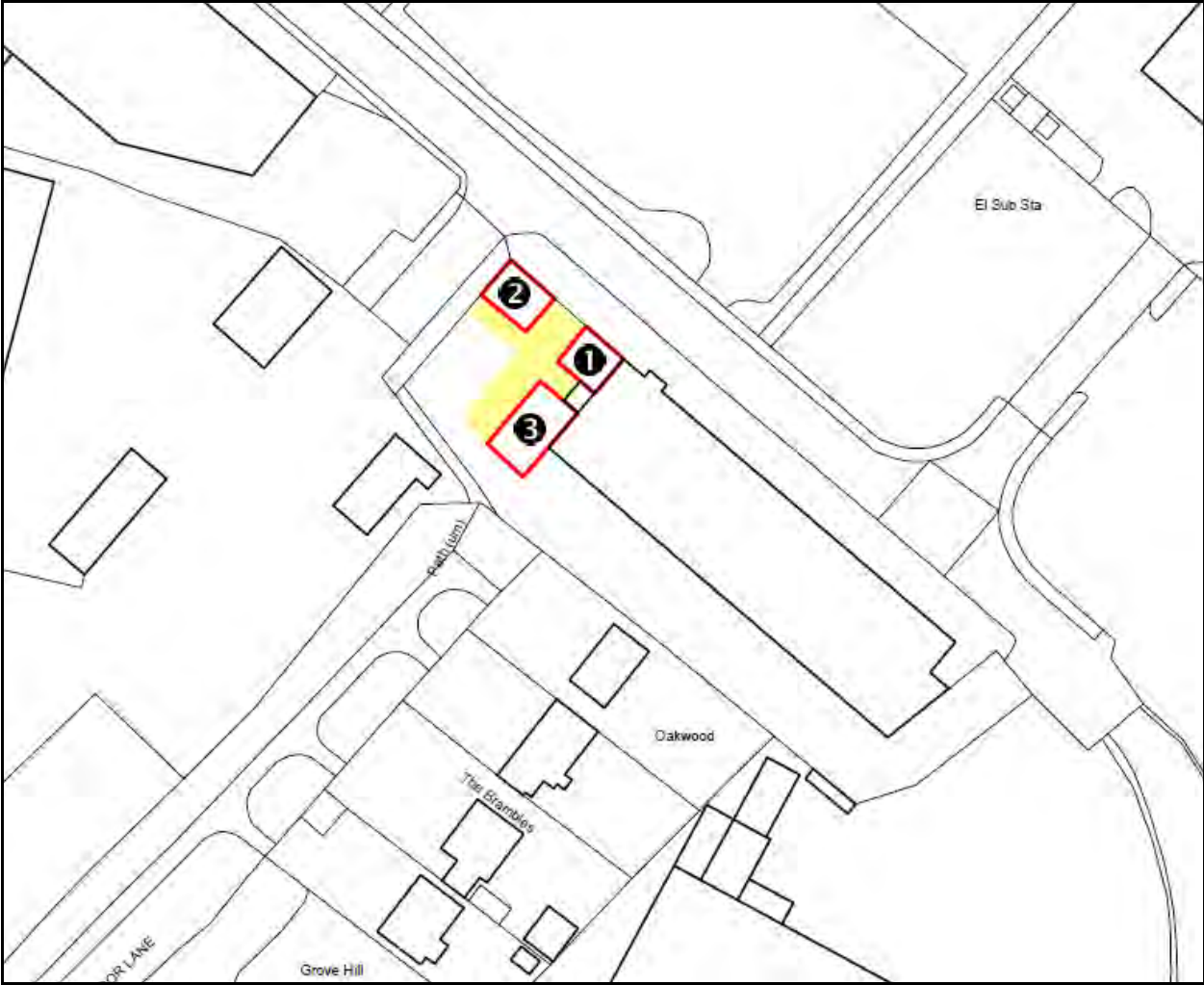
## **8 ATTACHMENTS**

Appendix 1 – Blenheim Road

Appendix 2 - Site Compound



Appendix 2





**GOVERNANCE AND RESOURCES COMMITTEE**

09 January 2020

Report of the Chief Executive

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**RISK MANAGEMENT - CHIEF EXECUTIVE'S ANNUAL REPORT**

**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.

**RECOMMENDATION**

That the report and risk management arrangements 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.

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**1 REPORT**

**1.1 Introduction**

The Council's [Risk Management Policy and Strategy](#) approved by this Committee in September 2018, 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 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.

## 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 (the Risk Management & Continuity Hub) 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 2018.

## 1.3 Recent developments and achievements

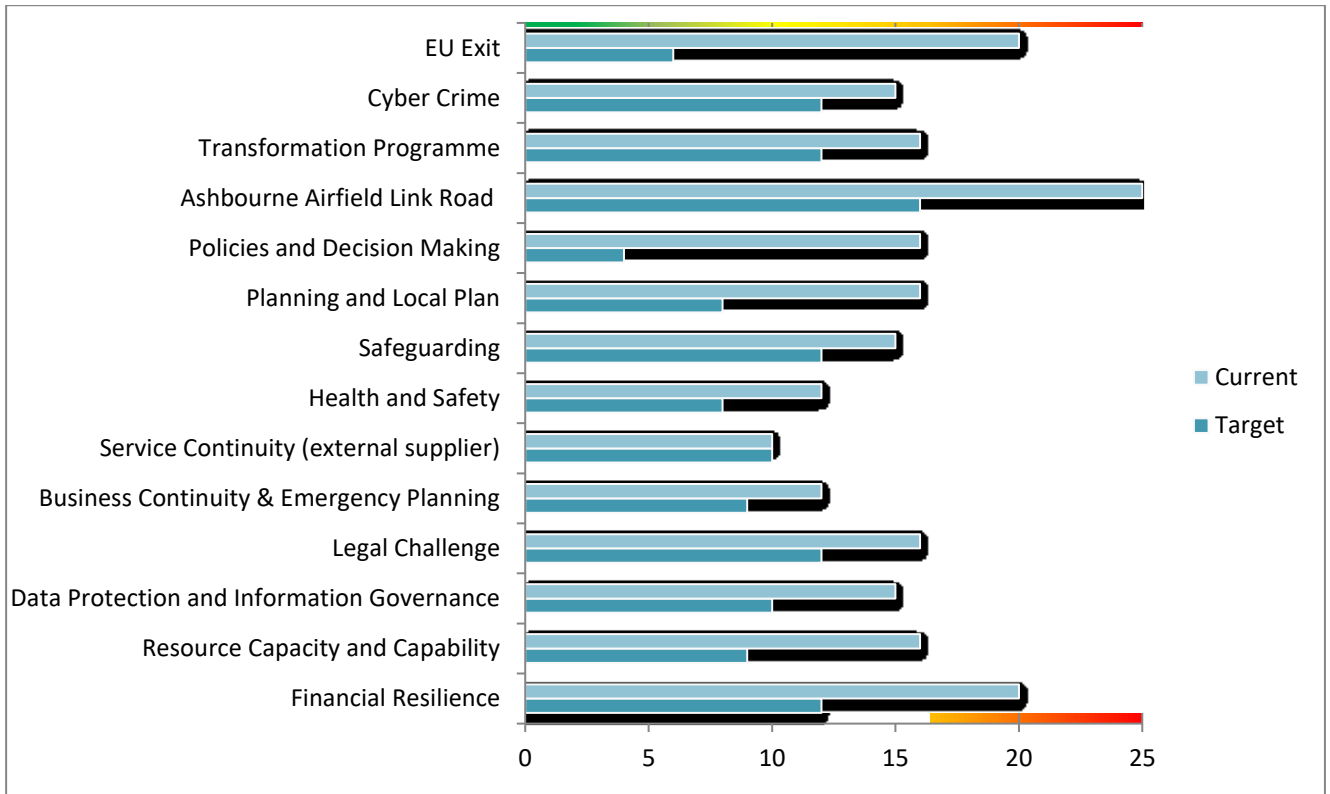
The Council remains committed to ongoing risk management activities. Risk management practices and procedures are well embedded. The Risk Continuity Group continues to be well attended; key actions arising in the last twelve months include:

- Regular reviews of the strategic risk register
- Regular discussions relating to events being held in the District
- Preparation of the draft annual report
- Discussions relating to areas of risk highlighted by Zurich Municipal
- Analysis of insurance claims 2016/17 to 2018/19.

## 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 October 2019 are as follows:

Chart 1: Strategic Risk Scores (October 2019)



1.4.2 A comparison of current risks with the chart shown in last year’s report shows a static overall situation, as illustrated in the table below:

| Level of Risk | Rating  | Number of risks 2018 | Number of risks 2019 | Direction of travel |
|---------------|---------|----------------------|----------------------|---------------------|
| Low           | 1 - 4   | 0                    | 0                    | -                   |
| Medium        | 5 - 16  | 10                   | 11                   | -                   |
| High          | 17 - 25 | 3                    | 3*                   | -                   |

\*includes 1 new risk

1.4.3 The strategic risk for legal challenge in respect of contracts, liabilities, compliance and safeguarding has been reduced from “high” to “medium”. This reflects improvements in contractual and procurement processes and increased staff knowledge and awareness in how to be 'contract safe', in order to protect the Council from potential litigation and financial loss. The resources available in Legal to support this have been reviewed and enhanced but are still limited. Contract standing orders were updated in May 2019 and officer training has taken place.

1.4.4 A new risk “EU Exit” has been added to the strategic risk register in 2019/20. This risk addresses the potential impact of the EU Exit on services and the Council’s plans to deal with any disruption. At the time of writing the report the strategic risk has been assessed as “high”. Key areas that have been considered include disruptions to supply of vehicle fuel and parts, ICT resilience, access to data, financial losses and waste disposal. A more detailed operational risk register is also in place for EU Exit.

1.4.5 Business continuity management planning and exercises took place in July and October 2019 and further exercises are planned for 2019/20.

## 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.

| Strategic Risk  | Mitigating Actions Identified   |
|---|---|
| <p><b>Financial Resilience</b></p> <div data-bbox="252 696 485 808" style="border: 1px solid blue; border-radius: 10px; background-color: red; color: white; padding: 5px; text-align: center; width: fit-content; margin: 10px auto;">Current Score 20</div> <div data-bbox="252 842 485 954" style="border: 1px solid blue; border-radius: 10px; background-color: orange; color: white; padding: 5px; text-align: center; width: fit-content; margin: 10px auto;">Target Score 12</div>                                | <ul style="list-style-type: none"> <li>• Update the Medium Term Financial Strategy to set out the approach to achieving the savings that will be required from 2020/21 onwards.</li> <li>• Assess impact of Local Government Finance Settlement on Budget for 2020/21. The indications are that the settlement for 2020/21 will be in line with that for 2019/20.</li> <li>• Clearer picture on outlook expected when government announces details of 75% rate retention and the results of the Fair Funding Review.</li> <li>• 2020/21 settlement expected to be better than anticipated in Medium Term Financial Plan but funding position for 2021/22 onwards is still very uncertain, with a risk of significant change.</li> </ul>   |
| <p><b>Resource: Capacity and Capability</b></p> <div data-bbox="244 1245 477 1357" style="border: 1px solid blue; border-radius: 10px; background-color: orange; color: white; padding: 5px; text-align: center; width: fit-content; margin: 10px auto;">Current Score 16</div> <div data-bbox="244 1406 477 1518" style="border: 1px solid blue; border-radius: 10px; background-color: orange; color: white; padding: 5px; text-align: center; width: fit-content; margin: 10px auto;">Target Score 9</div>             | <ul style="list-style-type: none"> <li>• Consider use of additional hours, temporary staff, external secondment and external agencies for resource support</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>• Plan being developed to address age profile of depot employees and provide future resilience</li> <li>• Delivery of Learning and &amp; Development Programme</li> <li>• Dales INSIGHT (training for managers) to be re-run in 2020/21</li> <li>• CLT is actively considering Resources, Resilience &amp; Priorities in regard to emerging corporate plan</li> <li>• Need to manage the new council agenda (e.g. climate change) as there is a risk that too much focus on new projects will leave little capacity for ongoing service issues</li> </ul> |
| <p><b>Data Protection &amp; Information Governance</b></p> <div data-bbox="244 1854 477 1966" style="border: 1px solid blue; border-radius: 10px; background-color: orange; color: white; padding: 5px; text-align: center; width: fit-content; margin: 10px auto;">Current Score 15</div> <div data-bbox="244 1977 477 2089" style="border: 1px solid blue; border-radius: 10px; background-color: orange; color: white; padding: 5px; text-align: center; width: fit-content; margin: 10px auto;">Target Score 10</div> | <ul style="list-style-type: none"> <li>• Review contracts to ensure DPA and GDPR is addressed;</li> <li>• Set out the Council's policy on data protection governance arrangements and complete an appropriate risk assessment.</li> <li>• Deliver DPA training to Members, especially those recently elected, &amp; register councillors with ICO.</li> <li>• Continue to raise staff awareness of Data Protection / GDPR requirements.</li> </ul>  |

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| <p><b>Legal challenge in respect of contracts etc.</b></p> <p>Current Score 16</p> <p>Target Score 12</p>                | <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>• Provide guidance on consultation issues for relevant officers.</li> <li>• Roll out PSS Live to ensure that there is a record of inspections, reducing the risk of successful compensation / insurance claims</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>• Updated safeguarding policy to be reported to G&amp;R Committee in January 2020 for approval, to be followed by Member workshops for safeguarding.</li> </ul> |
| <p><b>Business Continuity &amp; Emergency Planning</b></p> <p>Current Score 12</p> <p>Target Score 9</p>                 | <ul style="list-style-type: none"> <li>• Mutual aid possibilities with other organisations 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>  |
| <p><b>Continuity of Service (where there is an External Supplier)</b></p> <p>Current Score 10</p> <p>Target Score 10</p> | <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>• New arrangements being developed to replace Arvato contract for the revenues and benefits service.</li> <li>• New waste and recycling contract being procured.</li> <li>• Develop suite of contracts to include provisions to mitigate this risk.</li> <li>• Ensure new contracts have a sensible share of risks and liabilities.</li> <li>•</li> </ul>   |
| <p><b>Health &amp; Safety</b></p> <p>Current Score 12</p> <p>Target Score 8</p>  | <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 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> </ul>   |

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|  | <ul style="list-style-type: none"> <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>• Procure new cash collection contract to include toilets and illuminations</li> </ul>  |
| <p><b>Safeguarding</b></p> <p>Current Score 15</p> <p>Target Score 12</p>                  | <ul style="list-style-type: none"> <li>• Implement recommendations from Internal Audit Review</li> <li>• Consider internal safeguarding workshops</li> <li>• Updated safeguarding policy to be reported to G&amp;R Committee in January 2020 for approval</li> <li>• Mandatory training for members</li> <li>• Specific training for safeguarding officers</li> <li>• Ensure all employees complete online training</li> <li>• Quarterly meetings to review policy and reflect on incidents</li> <li>• Introduction of a safeguarding group</li> </ul> |
| <p><b>Planning &amp; Local Plan</b></p> <p>Current Score 16</p> <p>Target Score 8</p>      | <ul style="list-style-type: none"> <li>• Ongoing Local Plan monitoring</li> <li>• Developer contribution SPD to be reported to Council in January 2020 for approval</li> <li>• Housing Delivery Test Action Plan being formulated</li> <li>• Statutory Review Local Plan by 2022 to determine if longer term changes to residential patterns required</li> </ul>   |
| <p><b>Policies &amp; Decision Making</b></p> <p>Current Score 16</p> <p>Target Score 4</p> | <ul style="list-style-type: none"> <li>• Further training as necessary</li> <li>• Member workshops on keys areas for savings e.g. commercialism, public conveniences</li> <li>• In depth risk assessments for commercial projects</li> </ul>   |
| <p><b>Ashbourne Airfield Link Road</b></p> <p>Current Score 25</p> <p>Target Score 16</p>  | <ul style="list-style-type: none"> <li>• Section 73 variation granted but not yet implemented</li> <li>• Understanding and expediting landowner agreements</li> <li>• County Council remains scheme promoter</li> <li>• New outline planning permission required post March 2020.</li> </ul>   |

|   |  |
|---|--|
| <p><b>Transformation Programme</b></p> <p>Current Score 16</p> <p>Target Score 12</p> | <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 fully implemented in Development Management</li> <li>• Rollout of EDMS to be determined and resourced</li> <li>• Customer Access Strategy &amp; Online Payment Facilities to be taken forward by Innovation Hub focusing on environmental services (charging for bins and garden waste) with business process re-engineering where helpful</li> <li>• CLT need to keep under review the organisational structure as the CRM is rolled out.</li> </ul> |
| <p><b>Cyber Crime</b></p> <p>Current Score 15</p> <p>Target Score 12</p>              | <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>  |
| <p><b>EU Exit</b></p> <p>Current Score 20</p> <p>Target Score 6</p>                   | <ul style="list-style-type: none"> <li>• Develop operational risk register</li> <li>• Consider government advice relating to elections</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

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

**5. BACKGROUND PAPERS**

None.

**6. ATTACHMENTS**

None.





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

For assistance in understanding or reading this document or specific information about these Minutes please call the Committee Team on 01629 761133 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## JOINT CONSULTATIVE GROUP

**Minutes of a Meeting held on Tuesday 15 October 2019 in the Council Chamber, Town Hall, Matlock DE4 3NN at 2.30pm.**

**PRESENT** Paul Wilson, in the Chair

Councillors Neil Buttle, Tom Donnelly, Stuart Lees, Elisa McDonagh and Tony Morley

Representing UNISON – Keith Postlethwaite

Representing GMB – Jon Bradbury and Mick Coppin (Regional Officer)

Paul Wilson (Chief Executive), Deborah Unwin (Human Resources Manager) and Simon Johnson (Democratic Services Officer)

## APOLOGIES

Apologies for absence were received from Councillor Helen Froggatt, Councillor Garry Purdy, Denise Dawson (UNISON) and Ian Buxton (GMB)

**In the absence of a quorum the election of Chairman and appointment of Vice Chairman will be reconsidered at the next meeting and the two policies, recommended for acceptance by the Governance and Resources Committee, will be considered in full by that Committee.**

## REWARD & RECOGNITION POLICY

The Committee considered a report outlining the reasons for the development of a new Reward and Recognition Policy, in response to the staff survey in 2017..

The Committee was informed the new policy received broad support from the Employee Group which suggested that the long list of benefits be made easier to understand by grouping them into the following headings:

- Wellbeing
- General
- Communication and information
- Learning & Development
- Good governance

In line with other employment policies, once approved it is only changes to the policy statement that would require Committee approval. Changes to the guidance notes from changes in legislation or learning through implementing the guidance notes can be approved by Corporate Leadership Team.

It was moved by Councillor Tony Morley seconded by Councillor Ton Donnelly and

**AGREED** That the Governance and Resources Committee be recommended  
(Unanimously) to adopt the new employment policy on Reward and Recognition for Derbyshire Dales District Council.

### **FAMILY FRIENDLY POLICY**

The Committee considered a report outlining the reasons for the development of a new Family Friendly Policy.

The Committee was informed that the District Council has a long standing 'Maternity Scheme' but does not have local policies for paternity, adoption or shared parental leave and has instead relied upon forms and guidance on [www.gov.uk](http://www.gov.uk) as the frequency of these requests has been lesser than that for maternity leave. In considering the update for local guidance, the Human Resources Manager felt that local guidance in maternity, paternity, adoption and shared parental should be combined under an overarching Family Friendly Policy.

In the discussion of this policy the Committee the following suggestions and amendments to the draft policy:

- Ante-Natal Care – to include provision for attendance at parenting classes and relaxation as advised by the midwife.
- Statutory Rights for Fathers – to include the unpaid leave on up to two occasions to accompany the mother to antenatal care to be given as paid leave.
- Milk Expression and Storage – to include provision for breast-feeding mothers to feed and/or express and store milk.

In line with other employment policies, once approved it is only changes to the policy statement that would require Committee approval. Changes to the guidance notes from changes in legislation or learning through implementing the guidance notes can be approved by Corporate Leadership Team.

It was moved by Councillor Elisa McDonagh seconded by Councillor Neil Buttle and

**AGREED** That the Governance and Resources Committee be recommended  
(Unanimously) to adopt the new employment policy on Family Friendly matters with the incorporated amendments listed above for Derbyshire Dales District Council.

### **EMPLOYEE GROUP – NOTES OF THE MEETINGS HELD ON:**

- 10 APRIL 2019
- 18 SEPTEMBER 2019

It was moved by Keith Postlethwaite, seconded by Councillor Tom Donnelly and

**AGREED** That the notes of the Employee Group meetings held on:  
(Unanimously) 

- 30 January 2019 be received.
- 18 September 2019 be received.

**SAFETY COMMITTEE – NOTES OF MEETING HELD ON:**

- 05 JUNE 2019

It was moved by Keith Postlethwaite, seconded by Councillor Tony Morley and

**AGREED**                      That the notes of the Safety Committee meeting held on:  
(Unanimously)              05 June 2019 be received.

**Meeting Closed 3.09pm**

**Chairman**

**BACK TO AGENDA**