

3rd October 2018

Dear Councillor,

Finance and Management Committee

A Meeting of the **Finance and Management Committee** will be held in the **Council Chamber**, on **Thursday, 11 October 2018 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

Councillor Harrison (Chairman), and Councillors Billings, Mrs Coe, Dr Coyle, Ford, Hewlett, Murray, Smith and Watson

Labour Group

Councillors Rhind, Richards, Southerd and Taylor

AGENDA

Open to Public and Press

- 1** Apologies and to note any Substitutes appointed for the Meeting.
- 2** To receive the Open Minutes of the following Meetings:

Finance and Management Committee 26th July 2018 Open Minutes **4 - 9**

Finance and Management Committee 30th August 2018 Open Minutes **10 - 14**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** Reports of Overview and Scrutiny Committee
- 7** MODERN SLAVERY STATEMENT AND PROCEDURE DOCUMENT **15 - 34**
- 8** UPDATE TO THE FINANCIAL STRATEGY 2018-19 **35 - 43**
- 9** REVIEW and PROPOSED USE OF EARMARKED RESERVES **44 - 55**
- 10** UPDATE TO THE MEDIUM TERM FINANCIAL POSITION **56 - 76**
- 11** ANNUAL TRAINING REPORT 201718 AND PRIORITIES FOR 201819 **77 - 83**
- 12** POTENTIALLY VIOLENT PERSONS POLICY **84 - 99**

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| 13 | UPDATED HOUSING STRATEGY ACTION PLAN 2018-19 | 100 - 128 |
| 14 | COMMITTEE WORK PROGRAMME | 129 - 135 |

Exclusion of the Public and Press:

- 15** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 16** To receive the Exempt Minutes of the following Meetings:
Finance and Management Committee 30th August 2018 Exempt Minutes
Finance and Management Committee 26th July 2018 Exempt Minutes
- 17** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 18** FORMER TENANT ARREARS TEMPORARY ACCOMMODATION DEBT WRITE-OFF
- 19** STAFFING – CUSTOMER SERVICES
- 20** STAFFING REVENUES BENEFITS AND CUSTOMER SERVICES
FEEDBACK FROM CONSULTATION WITH STAFF AND TRADE
UNIONS

FINANCE AND MANAGEMENT COMMITTEE - SPECIAL

26th July 2018

PRESENT:-

Conservative Group

Councillor Harrison (Chairman), Councillor Mrs Plenderleith (Vice-Chairman) and Councillors Mrs Coe (substituting for Councillor Mrs Coyle), Billings, Ford, Stanton (substituting for Councillor Hewlett) and Watson.

Labour Group

Councillors Rhind, Richards, Southerd and Taylor

In attendance

Councillor Dunn

FM/27 **APOLOGIES**

Apologies were received from Councillors Mrs Coyle, Hewlett and Wheeler (Conservative Group).

The Committee wished to convey their regards to Councillor Wheeler who had been admitted into hospital.

FM/28 **MINUTES**

The Open Minutes of the Meeting held on 14th June 2018 were taken as read, approved as a true record and signed by the Chairman.

FM/29 **DECLARATIONS OF INTEREST**

Councillor Ford declared a personal interest in Item 17 of the Agenda by virtue of being a County Councillor.

Councillor Ford declared a personal interest in Item 18 of the Agenda by virtue of being an acquaintance of the External Auditor.

Councillor Harrison declared a pecuniary interest in Item 19 of the Agenda by virtue of being an Honorary President of Melbourne Sporting Partnership, advising that he would leave the Chamber whilst the Item was being discussed.

FM/30 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/31 QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions from Members of the Council had been received.

FM/32 REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE

The Committee was informed that no reports had been received.

MATTERS DELEGATED TO COMMITTEE**FM/33 AUDIT SUB-COMMITTEE**

The Open Minutes of the Audit Sub-Committee Meeting held on 30th May 2018 were submitted.

Councillor Richards wished for it to be noted that in relation to the Expression of Interest for the Infinity Garden Village, the Councillor felt that the correct decision had not been made by the Audit Sub-Committee as in the Councillor's opinion, it fell outside the agreed Scheme of Delegation and for this reason it could not be supported. The Chief Executive responded that the Member's opinion would be recorded.

FM/34 BUDGET OUT-TURN and FINAL ACCOUNTS 2017/18

The Strategic Director (Corporate Resources) presented the report to Committee highlighting which accounts had generated income, explaining variances in the General Fund where additional Business Rates and being part of the Derbyshire pool had been financially beneficial. It was also noted that due to residential development and better collection rates Council Tax receipts continued to increase. In relation to the Housing Revenue Account, the Strategic Director outlined this was underspent due to the changes in the Housing Department and subsequent vacancies.

Members thanked officers and welcomed the report commenting that it was informative and reassuring that prudence was proving to be positive.

RESOLVED:***1.1 The Committee approved the final out-turn position for:***

- ***The General Fund Revenue Account 2017/18***
- ***The Housing Revenue Account 2017/18***
- ***Capital Expenditure and Financing 2017/18***
- ***The Collection Fund 2017/18***
- ***The Balance of Reserves and Provisions at 31st March 2018.***

1.2 The Committee approved that a net appropriation of £599,071 in 2017/18 be made from the General Fund Reserve to other Earmarked Reserves as detailed in the report.

1.3 The Committee noted the following contributions and adjustments have been made to Bad Debt and Appeal Provisions in 2017/18:

| | | |
|------------------------------|----------|--------------|
| Sundry Debtors | 84,978 | General Fund |
| Temporary Accommodation | 21,828 | General Fund |
| Housing Benefit Overpayments | 100,135 | General Fund |
| Council Tax Arrears | -7,661 | General Fund |
| Business Rates Arrears | 58,065 | General Fund |
| Business Rates Appeals | -171,121 | General Fund |
| Planning Appeals | 5,500 | General Fund |
| Housing Rent Arrears | 48,168 | HRA |

FM/35 **TREASURY MANAGEMENT ANNUAL REPORT 2017/18**

The Strategic Director (Corporate Resources) presented the report to Committee.

RESOLVED:

1.1 The Committee approved the Treasury Management Annual Report for 2017/18.

1.2 The Committee noted the Prudential Indicators and Limits for 2018/19 to 2022/23 as approved in February 2018.

1.3 The Committee approved the updated counterparty (lending) list as at 1st April 2018.

FM/36 **ACCOUNTS and FINANCIAL STATEMENTS 2017/18**

The Strategic Director (Corporate Resources) introduced the report informing the Committee that the detailed statutory accounts, notes and numbering were presented in the prescribed form. Members were advised that the draft version of the accounts had been publicly available since May and that the internal and external audit reports had been considered by the Audit Sub-Committee at its Meeting the previous day. The Strategic Director explained that the outcome of the whistleblowing investigation and subsequent remaining actions had led to the 'except for' qualification issued by the Auditors for the Council's 'value for money' arrangements.

Members raised questions regarding the qualified and unqualified opinion, which were clarified by the Strategic Director.

A discussion ensued between Councillors Southerd, Richards and the Chairman regarding increasing Council Tax due to the amount held in the Council Reserves.

RESOLVED:

The Committee approve that the Council's Audited Accounts and Financial Statements for 2017/18 be approved and signed by the Chairman of the Committee for publication.

FM/37 **BETTER CARE FUNDING ALLOCATION 2018-19**

The Strategic Director (Service Delivery) presented the report to Committee which had previously been approved by the Housing and Community Services Committee on 7th June 2018.

Councillor Richards sought clarification on whether the funding would be available to private landlords to which the Strategic Director (Service Delivery) responded that it would only be available to tenants.

The report was welcomed and commended by the Committee.

Councillor Southerd queried how the scheme would be publicised. The Strategic Director (Service Delivery) responded that although information would be accessible on the Council's website, the scheme would be available through referrals.

RESOLVED:

1.1 Following approval at Housing and Community Services Committee on 7th June, the Finance and Management Committee approved the proposed schemes and associated financial commitment from the Better Care Fund (BCF) required to establish and deliver the projects and mandatory grant delivery during 2018/19.

1.2 The Committee approved that each of the new projects be established as separate schemes within the Council's capital programme for 2018/19.

1.3 The Committee acknowledged the wider impact of the schemes on other Council Services.

1.4 The Committee approved the additional hours and associated staffing costs within the Housing Solutions Team to deliver the Hospital-to-Home scheme.

FM/38 **THE LOCAL AUTHORITIES' PROPERTY FUND**

The Strategic Director (Corporate Resources) presented the report to Committee advising Members that the proposed increase in investment would be required long-term to enable capital growth and to maximise dividends.

RESOLVED:

The Committee resolved:-

1.1 That the Council invests an additional £1m into the CCLA Lamit Property Fund for an indefinite period, subject to quarterly review.

1.2 That progress on the value of the cash deposit together with dividend returns is reported to the Committee on a quarterly basis.

FM/39 **PLANNING & LAND CHARGES SOFTWARE**

The Strategic Director (Service Delivery) presented the report updating the Committee that as stated at the Environmental and Development Services Committee Meeting on the 30th May 2018, this report set out the business case for software requirements.

RESOLVED:

1.1 The Committee endorsed the Business Case set out in section 3 of Appendix A (Project Brief - Planning Services Improvement) as a valid business reason to invest in a new Planning and Land Charges system.

1.2 The Committee approved a maximum of £100,000 from earmarked reserves to fund the implementation of new Planning and Land Charges software in accordance with the Business Case.

FM/40 **COMMITTEE WORK PROGRAMME**

RESOLVED:

The Committee considered and approved the updated work programme.

FM/41 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 14th June 2018 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

IMPLICATIONS OF THE COMPLETION OF SINFIN LANE WASTE TREATMENT FACILITY ON THE COUNCIL'S WASTE COLLECTION SERVICE (Paragraph 3 and 4)

Members approved the recommendation in the report.

AUDIT OF THE HOUSING BENEFITS SUBSIDY CLAIM (Paragraph 3)

Members approved the recommendations in the report.

MELBOURNE SPORTS PARK – LAND DRAINAGE MATTERS (Paragraph 3)

Members approved the recommendations in the report.

The meeting terminated at 7.15pm.

COUNCILLOR J HARRISON

CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

30th August 2018

PRESENT:-

Conservative Group

Councillor Harrison (Chairman) and Councillors Ford, Hewlett, Smith and Watson

Labour Group

Councillors Rhind, Richards, Southerd and Taylor

FM/47 **COUNCILLOR WHEELER**

At the behest of the Chairman all present stood for a minute's silence in memory of Councillor Wheeler. Councillor Southerd paid tribute to his fellow former Member, noting his dedication to the end.

FM/48 **COUNCILLOR MRS PLENDERLEITH**

Following Mrs Plenderleith's recent resignation, Members wished to record their thanks to the former Councillor for her long-term commitment to the Council.

FM/49 **APOLOGIES**

Apologies were received from Councillors Billings and Mrs Coyle (Conservative Group)

FM/50 **DECLARATIONS OF INTEREST**

Councillor Smith declared a personal interest in Item 15 on the Agenda by virtue of being Chairman of Active South Derbyshire.

Councillors Richards and Ford declared a personal interest in Item 10 on the Agenda by virtue of their involvement with the Toyota twinning ceremony, both stating that they would take no part in the debate.

FM/51 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/52 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

FM/53 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports had been received.

MATTERS DELEGATED TO COMMITTEE

FM/54 **AUDIT SUB-COMMITTEE**

The Open Minutes of the Audit Sub-Committee Meeting held on 25th July 2018 were submitted.

Councillor Richards made reference to Minute No.AS/20, querying what lessons had been learned. The Chairman confirmed that the matter had been reviewed by senior staff, noted for future reference. The Chief Executive stated that the contract is operational and being provided to a good level, but that it would be reviewed as opportunities arose. An aural understanding is in place, in effect a binding contract that protects the Council's position, although it was acknowledged that the preference was always that a signed contract should be in place.

FM/55 **CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 APRIL – 30 JUNE 2018)**

The Strategic Director (Corporate Resources) presented the report to Committee, making particular reference to the two matters currently below target, namely sickness absence and the LGA DMA Review. With regard to the former, the situation is improving and in relation to the latter, following a meeting with the LGA earlier in the day, Final proposals had been signed off by the Leadership Team.

The Chairman queried the sickness figures and if they were being addressed. The Strategic Director (Corporate Resources) gave assurances that the matter was constantly monitored and that the direction of travel was positive, the Chief Executive adding that the matter was on the agenda of a meeting being held with the Trade Unions the following week. Councillor Richards queried whether the absences were indicative of a morale issue. The Chief Executive stated that external reviews had concluded that morale at the Council was satisfactory.

RESOLVED:

The Committee noted progress against the performance targets.

FM/56 **BUDGET AND FINANCIAL MONITORING 2018/19**

The Strategic Director (Corporate Resources) presented the report to Committee, drawing attention to the improved Business Rates and Council

Tax returns, in addition to council house sales, which continued to be higher than anticipated.

Councillor Richards welcomed the match-funding for Swadlincote Woodlands, meaning it being completed as originally planned, but also queried the situation regarding the new refuse freighters and vans. The Strategic Director (Service Delivery) confirmed that the eight refuse freighters were in place, but that delays were being incurred with the delivery of the 29 vans on order. Councillor Smith queried if a late delivery penalty clause could be invoked. The Strategic Director (Service Delivery) confirmed that the contract had not included such a clause, that matters were being pursued with the contractor as a matter of urgency.

Councillor Watson made references to the New Homes Bonus and increased Council Tax revenues, querying what assumptions were being made in the medium-term financial calculations. The Strategic Director (Corporate Resources) confirmed that the figures were monitored and increased accordingly, running below the Local Plan estimates to be prudent, with growth costs also being accounted for.

RESOLVED:

The Committee considered and approved the latest budget and financial position for 2018/19, as detailed in the report.

FM/57 **TREASURY MANAGEMENT UPDATE 2018/19**

The Strategic Director (Corporate Resources) presented the report to Committee, highlighting the Investment Benchmarking comparison table in the report, detailing the Council's position compared to other local authorities.

RESOLVED:

1.1 The Committee considered and approved the latest Treasury Management Update for 2018/19, as detailed in Appendix 1 to the report.

1.2 The Committee approved the updated Counterparty List for investments and bank deposits, as detailed in Appendix 2 to the report.

FM/58 **TOYOTA CITY**

The Chief Executive introduced this item, outlining the benefits for the future, including opportunities for employment, engagement, education and investment.

RESOLVED:

The Committee approved the following:

- *Recognition of the importance of the relationship with Toyota City to South Derbyshire, particularly in terms of inward investment and employment.*
- *To support the activities of the Toyota City Partnership Development Board.*
- *The allocation of a one-off budget of £14,500 from General Fund Reserves to support the allocation of resources to further develop this successful relationship for the benefit of the local economy.*

FM/59 **COMMITTEE WORK PROGRAMME**

RESOLVED:

The Committee considered and approved the updated work programme.

FM/60 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

BUSINESS RATE RETENTION PILOT – STRATEGIC INVESTMENT FUND (Paragraph 3)

The Committee approved the recommendations in the report.

REVIEW OF STRATEGIC HOUSING TEAM (Paragraph 2)

The Committee approved the recommendations in the report.

SPORT AND HEALTH SERVICE UNIT STAFFING STRUCTURE AND CONTRACT EXTENSIONS (Paragraph 1)

The Committee approved the recommendations in the report.

COMMUNITIES TEAM – SERVICE ASSISTANT (Paragraph 1)

The Committee approved the recommendation in the report.

ROSLISTON FORESTRY CENTRE – MANAGEMENT ARRANGEMENTS (Paragraphs 2 & 3)

Members approved the recommendations in the report.

REVIEW STAFFING – REVENUES, BENEFITS & CUSTOMER SERVICES
(Paragraph 2)

The Committee approved the recommendations in the report.

FINANCIAL SERVICES: SERVICE PROVISION RESTRUCTURE
(Paragraph 2)

The Committee approved the recommendations in the report.

The meeting terminated at 7.15pm.

COUNCILLOR J HARRISON

CHAIRMAN

| | | |
|--------------------------------|---|-----------------------------|
| REPORT TO: | FINANCE AND MANAGEMENT COMMITTEE | AGENDA ITEM: 7 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: DELEGATED/ |
| REPORT FROM: | STRATEGIC DIRECTOR SERVICE DELIVERY | EXEMPT PARAGRAPH NO: |
| MEMBERS' CONTACT POINT: | CHRIS SMITH EXT: 5924 | DOC: |
| SUBJECT: | MODERN SLAVERY STATEMENT AND MODERN SLAVERY REFERRAL PROCEDURE | REF: |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: |

1.0 Recommendations

1.1 That the Committee approves the new Modern Day Slavery Statement and Referral Procedure- Guidance for Employees Document.

2.0 Purpose of Report

2.1 To inform the Committee there is a requirement for the Council to have a Modern Slavery Statement, to provide them with the draft Statement and the associated draft Modern Slavery Referral Procedure- Guidance for Employees Document.

3.0 Detail

3.1 Modern slavery is a crime resulting in an abhorrent abuse of human rights. It is constituted in the Modern Slavery Act 2015 by the offences of 'slavery, servitude and forced or compulsory labour' and 'human trafficking'.

3.2 Section 54 of the Modern Slavery Act 2015 Act requires that any commercial organisations in any sector, which supplies goods or services, and carries on a business or part of a business in the United Kingdom (UK), and is above a specified total turn-over, must produce a Slavery and Human Trafficking Statement for each financial year.

3.3 Regulations have set the total turnover threshold at £36m.

- 3.4 The Statement must set out what steps the organization has taken during the financial year to ensure that modern slavery is not occurring in its supply chains and in its own organisation.
- 3.5 The Slavery and Human Trafficking Statement should be a public-facing document. To aid transparency the Statement should be written in simple language that is easily understood.
- 3.6 The Act requires each organisation to publish a Slavery and Human Trafficking Statement on its website and include a link in a prominent place on its homepage.
- 3.7 The Modern Slavery Act requires a Slavery and Human Trafficking Statement to be approved and signed by an appropriate senior person in the business. This ensures senior level accountability, leadership and responsibility for modern slavery and gives it the serious attention it deserves
- 3.8 The Modern Slavery Act does not dictate in precise detail what a Statement must include or how it should be structured. It does, however, provide a non-exhaustive list of information that may be included.

A Statement should aim to include information about:

- a. The organisation's structure, its business and its supply chains;
 - b. Its policies in relation to slavery and human trafficking;
 - c. Its due diligence processes in relation to slavery and human trafficking in its business and supply chains;
 - d. The parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;
 - e. Its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;
 - f. The training and capacity building about slavery and human trafficking available to its staff.
- 3.9 Organisations are legally required to publish a statement for each financial year. They should publish their statement as soon as possible after their financial year end.
 - 3.10 The Statement which has been produced for South Derbyshire District Council is based on the Derbyshire County Council Modern Slavery Statement which was produced and approved earlier this year. This was passed to Derbyshire District and Borough Councils to use as a template.
 - 3.11 The Council's Human Resources and Procurement Teams have both reviewed and contributed to the relevant sections of the Modern Slavery Statement. The documents have also been considered by the Council's Joint Negotiations Group, and Trade Unions have been invited to comment on it.

3.12 A Modern Slavery Referral Procedure- Guidance for Employees document has been produced so all District Council staff are made aware of what modern slavery is, how they can recognise the warning signs and how they can support, report and refer any potential victims.

4.0 Financial Implications

4.1 There are no financial implications with the introduction of these documents.

5.0 Employment Implications

5.1 The Document will be shared with all District Council employees. Modern slavery briefings will also be undertaken with the teams that could potentially encounter victims of modern slavery and trafficking.

6.0 Corporate Implications

6.1 The documents will impact on the Corporate Plan's aims to 'Connect with our communities, helping them feel safe and secure' and 'Protect and support the most vulnerable, including those affected by financial challenges'.

7.0 Community Implications

7.1 The introduction of the two documents will provide members of the public with information on how the Council is taking steps to prevent modern slavery. It will also ensure that all Council staff are educated on what modern slavery is and how to support and refer any local victims they may encounter.

8.0 Conclusions

8.1 The Modern Slavery Statement is a statutory requirement which will need reviewing and updating on an annual basis. The Modern Slavery Referral Procedure will ensure staff are educated and informed on modern slavery to help identify, report and refer any local concerns.

9.0 Background Papers

9.1 Modern Slavery Statement
Modern Slavery Referral Procedure- Guidance for Employees

South Derbyshire District Council Modern Slavery Transparency Statement 2018-19

Communities Team

Oct 2018

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Version Control

| Version | Description of version | Effective Date |
|---------|---|----------------|
| 1.0 | Modern Slavery Transparency Statement 2018-19 | June 2018 |
| | | |

Approvals

| Approved by | Date |
|-----------------------------|-------------------------------|
| F & M Committee (Appending) | 11 th October 2018 |
| | |

Associated Documentation

| Description of Documentation | |
|--|--|
| SDDC Modern Slavery Referral procedure | |
| | |

1.0 Introduction

This Statement constitutes South Derbyshire District Council's (The Council) actions to ensure there is no slavery or human trafficking in its own business or supply chains. This Statement is for the financial year commencing 1 April 2018 to meet the requirements of Section 54 of the Modern Slavery Act 2015.

As part of the public sector and a member of the Derby and Derbyshire Modern Slavery Partnership, the Council is committed to improving its practices to identify and combat this crime. The Council accepts its responsibility to take a robust approach to modern slavery and human trafficking as an employer, commissioner and contractor with other bodies; and acknowledges its duty to notify the Secretary of State of suspected victims of slavery or human trafficking as required by section 52 of the Modern Slavery Act 2015.

The Council is committed to preventing and taking action against identified slavery and human trafficking in its corporate activities, supply chains and the wider community, and ensuring these are free from slavery and human trafficking.

This Statement covers all activities of South Derbyshire District Council. The Statement covers employees of the Council, agency workers and services delivered on behalf of the Council by third party organisations and the Council's supply chains.

2.0 Our Business and our Supply Chains

The Council's vision statement is 'Making South Derbyshire a better place to live, work and visit'.

The Council's values provide a framework for the way it wants to work, helping to deliver its vision and achieve its key objectives. Throughout its work, the Council will:

- Put residents first
- Set clear targets
- Act decisively
- Lead for success
- Actively listen and resolve problems
- Develop the Council's staff
- Be driven by economy, effectiveness and efficiency

The Corporate Plan 2016-2021 sets out the Council's values and vision for South Derbyshire and defines its priorities for delivering services. It describes how - under four themes of People, Place,

Progress and Outcomes - the Council will work with partners to improve the quality of life of residents, community groups and businesses.

One of the key aims under the 'People' theme is to; 'Protect and help support the most vulnerable, including those affected by financial challenges'.

The Council has responsibility for providing a wide range of statutory and discretionary services for its residents, businesses, visitors and partners, either delivered directly or through external contractors or partners.

The Council procures goods and services from various suppliers and this is governed by its Procurement Guidance and Procedure Manual.

3.0 Policies

The Council reviews its policies and procedures on an ongoing basis to ensure they remain compliant and fit for purpose. The following policies and procedures are considered to be key in meeting the requirements of the Modern Slavery Act.

Corporate Plan 2016-2021

The Corporate Plan is a key document that describes the Council's priorities, resources and how progress is monitored. The Plan also shows how the Council will work more closely with its partners: police, parish councils, the voluntary sector and the health services to ensure it maximises its resources to provide better joined-up services.

For more information about the Council Plan 2016–2021 go to: <https://www.south-derbys.gov.uk>

Safeguarding

The Council accepts its responsibility to develop, implement and monitor policies and procedures to safeguard the welfare of children and adults at risk. The Council has a Safeguarding Policy and provides training and information on its requirements to employees and Elected Members. The Council will also ensure that any volunteers, commissioned or contracted services are also aware of the Safeguarding Policy and their responsibilities within it. The Council also works within multi-agency partnerships to protect and safeguard people.

Employment Policies and Practices

The Council is committed to advancing equality, eradicating unfair treatment and promoting good relations across and between all our communities.

The Council has employment policies and procedures that minimise the risk of any form of modern slavery existing within the organisation. These include disciplinary, grievance, harassment, Employee Code of Conduct, confidential reporting procedures, as well as other policies that support fair treatment of employees including attendance management, performance capability, recruitment and selection etc.

Management guidance and toolkits are also provided to ensure that policies are applied consistently and fairly.

Recruitment

The Council's recruitment processes are transparent and reviewed regularly. They include robust procedures for screening new employees to ensure they are able to confirm their identities, work history, qualifications, and they are paid only into an appropriate, personal bank account. To comply with the Asylum, Immigration and Nationality Act 2006, all prospective employees are required to supply evidence of their eligibility to live and work in the UK. References are also requested. Where the duties of the post require regular and unsupervised access to children or vulnerable adults a check is completed using the Disclosure and Barring Service, either at a standard or enhanced level. A new employee cannot commence their duties with the Council until all these checks have been completed.

Agency Workers

The Council uses only reputable employment agencies to source labour and verifies the practices of any new agency it is using before accepting workers from that agency. It also utilises a central government agency framework for the majority of agency workers that are required.

Pay

The Council uses a job evaluation scheme, facilitated by an independent partner, to ensure that employees are paid fairly and equitably.

The Council employs people under different national terms and conditions of service dependent on their occupations. These national conditions of service provide consistency across employment groups in terms of pay, allowances and other employment conditions, as well as determining annual pay awards.

Employee Code of Conduct

The Code of Conduct makes clear the actions and behaviours expected of employees when representing the Council. The Council requires the highest professional standards of employee conduct and ethical behaviour and breaches are formally investigated. The Code also applies to contractors, agency staff, volunteers and those on student / work experience placements working on behalf of the Council.

Whistleblowing Policy and Procedure

The Council enables its employees, customers and other business partners to report any concerns related to the direct activities or the supply chains of the Council. This Policy and Procedure provides a confidential and robust framework for employees and members of the public to raise any concerns and for them to be formally investigated where appropriate.

Procurement Contractors and Service Providers

The Council is committed to ensuring that its contractors adhere to the highest standards of ethics. The Council expects its key contractors to have safeguarding policies, procedures and training in place. From April 2016, all tender processes require bidders to provide confirmation that they are compliant with the Modern Slavery Act 2015.

4.0 Equality and Fairness

The Council annually publishes its Corporate Equalities Report, which demonstrates how it has played its part in helping to make society fairer by tackling discrimination and providing equality for all. This is supplemented by the annual Corporate Equalities and Safeguarding Action Plan, which sets down priority projects for the coming year.

As a major employer and provider of services, the Council is committed to advancing equality of opportunity and providing fair access and treatment in employment and when delivering services as well as protecting and supporting the most vulnerable in the community. Equality and Safeguarding are embedded into everyday business. The Council requires all Elected Members, employees, partners and contractors to treat everyone with dignity and respect and provide the best possible standards of service to all our customers.

To re-enforce this commitment, all employees and Elected Members receive training in equality and fairness as well as safeguarding. An internal group, which includes Elected Members and representatives from across all relevant service areas, monitor, promote and keep under review progress on the Equalities and Safeguarding Action Plan and any emerging patterns/trends.

5.0 Partnerships

Through its local statutory Community Safety Partnership (The Safer South Derbyshire Partnership), the Council links in with the Derby and Derbyshire Modern Slavery Partnership. Bringing together public, private and voluntary organisations to disrupt perpetrators and support victims of human trafficking and modern day slavery in Derby and Derbyshire and further afield. The Council will strive for a community wherein awareness of all forms of human trafficking and modern day slavery is commonplace and that across all sectors people work collectively to eradicate its existence. The Council works in partnership with a wide range of agencies to prevent abuse and neglect, to detect and report occurrences and to support victims. This includes the Derbyshire Safeguarding Children and Adults' Boards.

6.0 Training and Awareness

The Council has a robust induction process and a mandatory training programme that all employees must complete, including separate courses on Safeguarding Awareness and Equality and Fairness. This enables employees, particularly in community-facing roles to identify and know how to report incidents of abuse and neglect, including modern slavery and human trafficking.

A Modern Day Slavery Referral Procedure Document has been produced and is accessible to all staff. The content includes:

- What modern slavery is
- The different types and what the signs of modern slavery are
- What can be done to flag potential concerns

- How to refer and support potential victims
- Who to speak to for support and guidance
- The National Referral Model and the Duty to Notify

A dedicated page to Modern Slavery is available to all on the Safer Derbyshire website www.saferderbyshire.gov.uk/what-we-do/modern-slavery-and-organised-crime/modern-slavery-and-organised-crime.aspx

The Council recognises that employees are required to complete training on modern slavery. This has commenced with a focus on customer-facing roles and consideration then given to prioritising staff responsible for supply chain management, and those who have a direct influence on the employment of staff or contractors and for procuring goods and services.

7.0 Performance

The Council will assess the effectiveness of the steps that are taken to ensure that slavery and / or human trafficking is not taking place within our business or supply chains through:

- Investigating all allegations, complaints, whistleblowing reports received from employees, the public, or law enforcement agencies regarding modern slavery and human trafficking.
- Undertaking a number of community awareness programme for adults and children.
- Providing training for all staff working in supply chain management and with responsibility for the employment of staff/contractors and/or the procurement of goods and services.
- Reviewing and evaluating high risk supply chains, occupations and contracted services as part of ongoing contract management activity.

8.0 Working with Suppliers and Due Diligence

The nature of global supply chains for goods and services is increasingly complex. Modern Slavery can be found anywhere in the chain but it tends to be much worse the further down the value chain, where there is little visibility and where the poorest and most vulnerable work.

Human rights due diligence is also a key concept in the United Nations Guiding Principles' on Business and Human Rights (UNGPs). The UNGPs specify that due diligence processes should "include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed".

The Council adheres to Section 52 of the Modern Slavery Act - Duty to Notify. Incidents of modern slavery are referred to the Police and the Designated Modern Slavery Lead within Community Safety, who is the Council's direct link to Derbyshire Constabulary Operation Wilberforce and Local Serious and Organised Crime Boards.

The Council works to ensure the safeguarding of all vulnerable people and recognises at risk groups including workers in certain occupations such as car washes, care work and large numbers of adults in multiple occupancy domestic properties.

Any investigation and/or victim support in relation to modern slavery is conducted through the Derby and Derbyshire Modern Slavery Partnerships Multi Agency Tactical Response Agreement.

9.0 Review and Approval

This Statement has been approved by the Council's Finance and Management Committee. The Statement will be reviewed on a regular basis. Responsibilities for the Statement and Modern Slavery are designated as:

1. Developing and Updating the Statement: Designated Modern Slavery Lead

The Designated Modern Slavery Lead within the Council, in conjunction with Human Resources, Procurement, Communities and Legal Services, monitors and updates the Statement in line with national guidelines and corporate priorities.

2. Risk Assessments and Prevention: Appointing a Designated Modern Slavery Lead

The Designated Modern Slavery Lead within Community Safety is responsible for:

- Working with Managers to identify high risk activities and appropriate actions relating to modern slavery and human trafficking;
- Ensuring appropriate information and training for staff and councillors;
- Ensuring that this Statement and resulting actions are embedded within the Council's Safeguarding Policies and Procedures and Strategic Plans.

3. Early Identification and Notification: Duty of Managers

Managers will notify any suspected modern slavery concerns encountered in the course of their work, to the Designated Modern Slavery Lead and ensure that staff complete all relevant training.

4. Identifying and Reporting Concerns: All Staff and Councillors

As with all safeguarding concerns, all staff and Councillors are required to share these in order that they can be investigated and action taken as required.

Modern Slavery Referral Procedure

Service Area: Communities Team

Date: October 2018

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Version Control

| Version | Description of version | Effective Date |
|---------|-----------------------------------|----------------|
| 1.0 | Modern Slavery Referral Procedure | |
| | | |

Approvals

| Approved by | Date |
|--|---------------------------|
| Finance and Management Committee (Appending) | 11 th Oct 2018 |
| | |

Associated Documentation

| Description of Documentation | |
|------------------------------|--|
| Modern Day Slavery Statement | |
| | |

1.0 Introduction

Modern slavery occurs when a person is brought to, or moved around the country by others who threaten, frighten or hurt them, and force them into work or other things they do not want to do. It is a term used to describe:

- Human trafficking, slavery, forced labour and domestic servitude
- Slavery practices such as debt bondage, sale or exploitation of children and forced marriage

Modern slavery is, by definition, the same as human trafficking, but this involves the act of transporting and movement of people. Derbyshire Police has information on spotting the signs of human trafficking and how to report concerns.

2.0 Scope of Procedure

Under Section 52 of the Modern Slavery Act 2015, local authorities are under a duty to notify the Home Office when they identify a potential victim of modern slavery (where it is believed a potential victim's life is in immediate danger, the advice is to call 999).

For children this means referring them into the National Referral Mechanism (NRM) through Children's Services. For adults, a NRM referral can also be made if they consent to the referral. If an adult does not consent to enter the NRM, councils are still under a duty to notify and should refer them to the Home Office by submitting the MS1 form.

The Derbyshire referral process can be found in **9.0**. The procedure will assist Council employees in identifying what modern slavery is, what are the signs and how to support and refer potential victims of modern slavery.

Section 54 of the Modern Slavery Act 2015 requires certain organisations to develop a Slavery and Human Trafficking Statement each year. The Slavery and Human Trafficking statement should set out what steps organisations have taken to ensure modern slavery is not taking place in their business or supply chains. A separate Modern Slavery Transparency Statement has been produced and can be found on the Council's Intranet.

3.0 Overview of the role of Councils in tackling modern slavery

Councils can play a key role in tackling modern slavery. Their role can be separated into four distinct areas;

1. Identify and referring victims
2. Supporting victims – this can be through safeguarding children and adults with care and support needs and through housing/ homelessness services
3. Undertaking community safety services and disruption activities
4. Ensuring that the supply chains councils use are free from modern slavery

Derbyshire and Derby City have a Modern Slavery Partnership which supports and enables the discovery of, and response to incidents of modern slavery through a victim centred, all-encompassing and community based approach.

4.0 The different types of modern slavery and trafficking:

Labour exploitation

Victims often work very long hours for little or no pay. They may work in poor conditions and under the threat of verbal or physical threats of violence. Perpetrators may claim benefits on behalf of the victims, who will never see a penny.

Debt bondage

Victims are forced to work to pay off debts that they will never realistically be able to repay. For example, perpetrators may 'charge' them large fees in return for travelling to the United Kingdom (UK), or for finding them employment.

Sexual exploitation

Victims are forced to perform sexual acts against their will, such as prostitution, escort work or pornography. They are often threatened with violence.

Criminal exploitation

Victims are forced into crimes against their will, such as theft or growing cannabis. Often victims are controlled and maltreated.

Domestic servitude

Victims are made to carry out housework and other domestic chores in private households with little or no pay. Their movements maybe restricted, they may have very limited or no free time and minimal privacy. They often sleep where they work.

5.0 What are the signs?

It is important to be aware of the warning signs of trafficking, as often the indicators of this type of abuse can be very subtle. People who have been trafficked may:

- Show signs of consistent abuse or have untreated health issues.
- Have no identification documents in their personal possession, and little or no finances of their own.
- Be unwilling to talk without a more 'senior', controlling person around who may act as their translator.
- Sleep in a cramped, unhygienic room in a building that they are unable to freely leave.
- Be unable to leave their place of work to find different employment, and fear that bad things

may happen if they do.

- Be charged for accommodation or transport by their employers as a condition of their employment, at an unrealistic and inflated cost which is deducted from their wages.

They may be forced to work in certain types of industries or activities, such as:

- Factories, farms or fast food restaurants.
- Domestic service, such as a cleaner or nanny.
- Street crime, such as pickpocketing or robbery.

Victims of modern day slavery are often, but not exclusively, found working in industries such as nail bars, hand car washes, takeaways and restaurants. They may show signs of physical abuse, look malnourished or unkempt, or appear withdrawn or neglected.

Here are signs to look out for, which could indicate the person serving you is a victim;

Nail bars

- Do they only speak a little English, or none at all?
- Are they unusually quiet or untidy looking for a beautician?
- Does someone always talk and take payment for them?
- Can you only pay by cash?
- Is there a lack of professional qualifications on display?
- Could someone be living at the salon?

Car washes

- Are workers dressed inappropriately for the job?
- Does one person always take the payment?
- Can you only pay by cash?
- Do the workers seem uneasy, under pressure, fearful or withdrawn?
- Does the manager seem controlling and intimidating?
- Are there youngsters working at the site?
- Is it strange that there are no staff vehicles parked on site?
- Is there a caravan or container on site where staff could be living?

Takeaways and restaurants

- Does the front of the premises look untidy and uncared for?
- Is there a lack of professional qualifications or certificates on display?
- Are the kitchen staff dressed inappropriately for the job?
- Do the management and staff seem to lack a friendly relationship?
- Are there signs of staff living on the premises?
- Is the food of a lower quality than you would expect?

6.0 What are we doing to tackle modern slavery?

Derbyshire Constabulary has a dedicated team which exists to identify and support victims of modern slavery and gather intelligence about the issue. Known as Operation Wilberforce, the

team also seeks to educate people as to how they can spot the signs of slavery and trafficking and support investigations into this type of crime.

The Council links with the Derby and Derbyshire Modern Slavery Partnership via the Safer South Derbyshire Partnership. The Partnership undertakes outreach and education work and promotes campaigns in the community to raise awareness of trafficking and modern slavery.

The Council has a robust induction process and a mandatory training programme that all employees must complete, including Safeguarding Awareness Training. This enables employees particularly in community-facing roles to identify and know how to report incidents of abuse and neglect, including modern slavery and human trafficking.

7.0 Resources

Modern slavery is a brutal crime affecting thousands in the UK and millions around the world. Victims are in situations of exploitation, controlled by deception, threats and violence. Exploitation can be hidden in plain sight, in car washes, nail bars, fields, factories, brothels and private homes.

Kevin Hyland, the independent Anti-Slavery Commissioner, in partnership with the South East Strategic Partnership's local authority lead, has developed a short video for local authorities to inform staff of indicators of modern slavery, signs to look out for and the correct course of actions. This can be found on YouTube.

In addition to the video, the Anti-Slavery Commissioner has resources including legislation, training materials, guidance and information on your duty to notify the Home Office of potential victims. <http://www.antislaverycommissioner.co.uk/resources>

8.0 Reporting concerns

If a member of staff or elected member is worried about, or suspects that a person may be a potential victim of modern slavery / trafficking, they can contact:

999, if the person's life/health is at immediate risk

Call Derbyshire on 01629 533190 (24hr Adults & Children) Children triaged via Starting Point

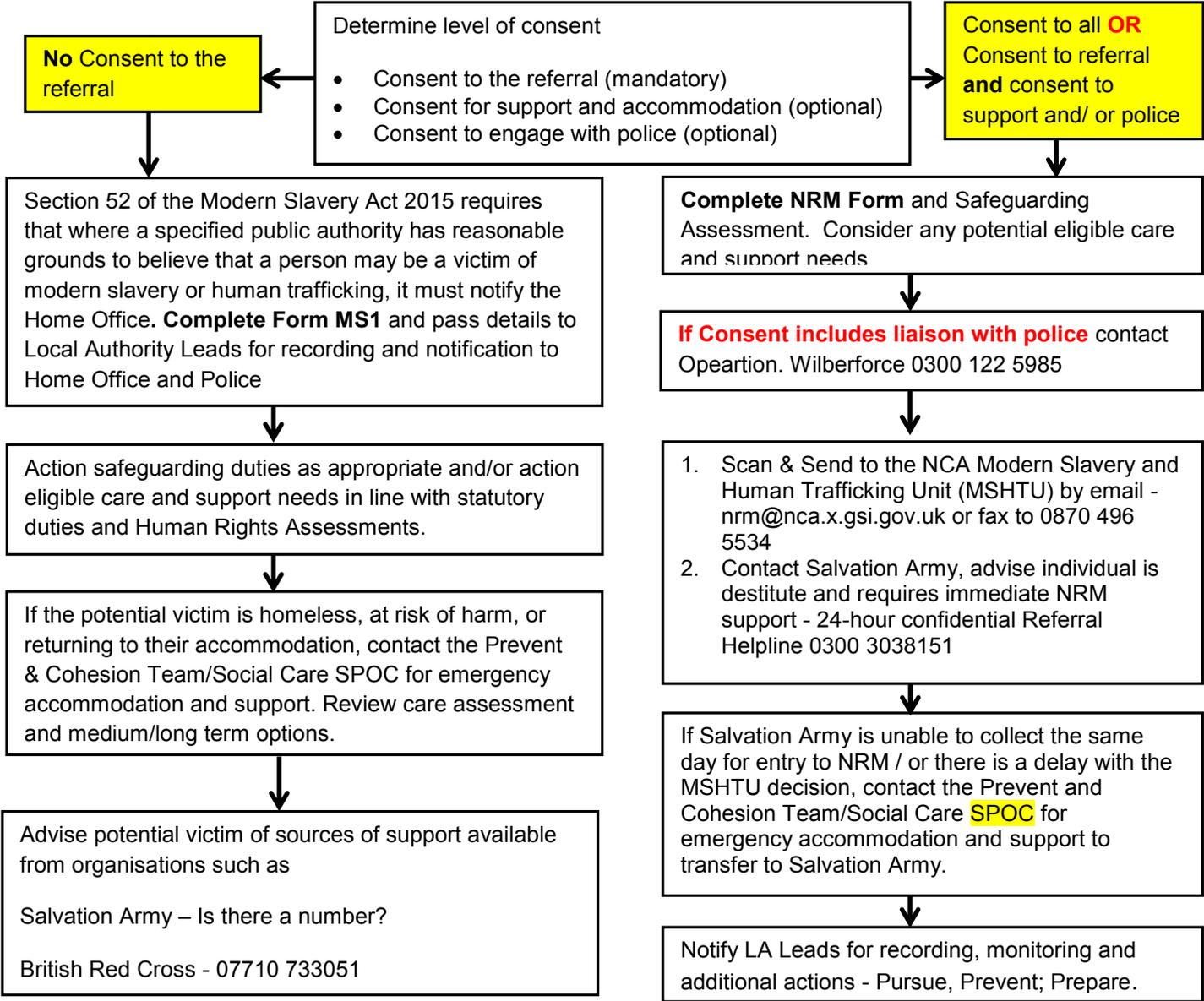
101, if a non-emergency - quote 'Operation Wilberforce'

Project Wilberforce for advice on 0300 122 8918, or email:
Operationwilberforce@derbyshire.pnn.police.uk

9.0 Derbyshire Modern Slavery Referral Pathway

Potential Victim identified or referred to Social Care

Clearly explain what Modern Slavery is, followed by the National Referral Mechanism (NRM), the referral process and potential outcomes. What they are consenting to, where their details will be sent and that they can choose to enter or leave the support service at any point. Notify LA Leads for support, recording, monitoring and liaison with police and Salvation Army .



***If at any time the potential victim decides that they do wish to engage with the NRM Process – follow the Consent referral route.**

For support contact your Local Authority Lead for Modern Slavery/Human Trafficking:
Pop Gill – Prevent & Cohesion Manager DCC 01332 643044 / purjinder.gill@derby.gov.uk
NRM Form and Guidance – www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms **Page 33 of 135**
MS1 Form and Guidance – www.gov.uk/government/publications/duty-to-notify-the-home-office-of-potential-victims-of-modern-slavery
Home Office Guidance - victims-of-modern-slavery-frontline-staff-guidance

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|--------------------------------|--|---|
| REPORT TO: | FINANCE AND MANAGEMENT COMMITTEE | AGENDA ITEM: 8 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: RECOMMENDED |
| REPORT FROM: | STRATEGIC DIRECTOR (CORPORATE RESOURCES) | OPEN |
| MEMBERS' CONTACT POINT: | KEVIN STACKHOUSE (01283 595811) Kevin.stackhouse@south-derbys.gov.uk | DOC: s/finance/committee/2018-19/Oct |
| SUBJECT: | UPDATE TO THE FINANCIAL STRATEGY 2018/19 | REF: |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: FM 08 |

1.0 Recommendations

- 1.1 That the Financial Strategy in **Appendix 1** for 2018/19 is approved.
- 1.2 That an annual review of the Strategy is undertaken and any significant changes are reported to this Committee.

2.0 Purpose of the Report

- 2.1 To provide an update to the Council's Financial Strategy in accordance with best practice.

3.0 Summary

- 3.1 The Strategy provides the process adopted to manage and safeguard financial resources in line with priorities set out in the Corporate Plan.
- 3.2 There has been little change to funding streams but a review has been undertaken to ensure that the strategy is fit for purpose.

4.0 Financial Implications

- 4.1 None directly

5.0 Corporate Implications

- 5.1 None directly

6.0 Community Implications

- 6.1 None directly

7.0 Background Papers

7.1 None



**South
Derbyshire
District Council**

Financial Strategy

October 2018

Introduction

The Strategy sets out the process on which the Council plans and manages its financial resources, ensuring that this supports the direction of the Council's priorities as reported within the Corporate Plan.

Support for the priorities of the Council are at the forefront but this Strategy is designed to ensure that the Council's financial position is resilient, sustainable and that probity and stewardship exist in the use of financial resources.

Updates on the Council's financial position are reported to the Finance and Management Committee on a regular basis through the Medium Term Financial Plan, Budget Monitoring, Treasury Management, Capital forecasting and the audited Statement of Accounts.

Responsibility for Financial Management

The Finance and Management Committee is responsible for setting and monitoring the financial transactions of the Council.

The Committee is advised by its Section 151 (Chief Finance) Officer who is the Strategic Director (Corporate Resources). This Officer is responsible for the oversight of activity and to ensure that the Financial Strategy and associated policies are adhered to.

Supporting Strategies and Policies

Detail of the strategies and policies in place at the Council with regard to financial management are listed below:

- **Medium Term Financial Plan (MTFP)** - the MTFP is reported bi-annually in October and February. This sets out the medium-term forecasted spending and finance plans for both the General Fund and Housing Revenue Account to identify the extent of a budget surplus or deficit and the impact on General Reserves.
- **Treasury Management Strategy** - this is reported annually in February and sets out how cash, borrowing and investments are to be managed in the following financial year.
- **Financial Regulations and Procedure Rules** - these are updated annually and are contained within the Council's Constitution. They set out the procedures to be followed to ensure that the use of financial resources is legal, properly authorised and provides value for money.
- **Internal Audit Plan** – this is reported annually in March to the Audit-Sub Committee and sets out when key systems and processes will be reviewed to test the effectiveness of internal control.
- **Capital Strategy** – currently in the process of being updated but sets out how major investment is planned and managed.

- **Asset Management Plan** – currently in the process of being updated but sets out the management of land and property, together with identifying assets surplus to requirements for potential disposal.
- **Debt Management & Credit Control Policy** – is updated in line with changes to legislation. This ensures that monies due to the Council are recovered on a timely basis in a consistent and sensitive manner based on recommendations set out in best practice.

The Strategy

It is appropriate for all services delivered by the Council and defines the key areas making up the overall framework that are considered and reviewed on a regular basis.

The key areas considered to achieve the Council's objectives are as follows:

- Setting a minimum level of general reserve balances
- Maintaining a resilient and sustainable financial position
- Earmarked reserves
- Core funding
- Generating/maximising external funding and other income streams
- Housing Rent
- Ensuring probity and stewardship
- Maintaining good financial management
- Raising awareness of finance

The strategy is set against a medium-term time frame to fit in with the Council's corporate planning framework. However, in principle it will exist for longer as it provides the overall direction and parameters for financial management at the Council in accordance with best practice.

New financial opportunities and risks plus changes in policy direction may require developments and updates to the Strategy therefore, in response, the Strategy is updated annually.

Key Areas

The key areas considered by the Council to ensure financial resilience are explained in the following detail.

SETTING a MINIMUM LEVEL OF GENERAL RESERVES

It is the responsibility of the Section 151 (Chief Finance) Officer to recommend a minimum level of general reserves to act as a contingency against any unforeseen events or unexpected liabilities.

There is no externally set figure and the Section 151 Officer is required to recommend a level to reflect local circumstances.

Based on financial risks identified in the financial and resource projections, the Council's target minimum General Reserve at the end of each year during the planning period is:

- £1.5m on the General Fund over a 5 year planning period
- £1m on the HRA over a 10 year planning period

MAINTAINING a RESILIENT and SUSTAINABLE FINANCIAL POSITION

With a principle set regarding a minimum level of general reserves, the Council plans and manages its finances within this target. This is detailed in the Medium Term Financial Plan (MTFP).

The MTFP details how financial resources will be utilised in order to deliver services set out in the Council's Corporate Plan. In summary, the MTFP covers the following:

- Sets out the spending and financing plans over a rolling 5 years for general fund services and for capital investment.
- Annually reviews the 5 year capital expenditure and financing programme in accordance with a nationally recognised Code of Practice.
- Maintains and keeps under review a 10 year rolling financial projection on the HRA in accordance with the 30 year HRA Business Plan under the "self-financing" framework.
- Assesses the affordability of proposed service developments and new capital investment over the associated planning period.

The MTFP is formulated as part of the Council's yearly budget setting process (in February each year) and is reviewed and updated where necessary in October each year. As part of this review process, financial risks are updated and any potential financial implications are considered in the projections.

A key part of the budget process is the assessment of proposals for new spending and investment. Additional resources are limited, although on occasion, new demands for spending arise and these need to be prioritised to fit available resources.

The Council sets aside a provision within the MTFP for the demand of growth in the District. Where services are stretched due to the pressure of residential growth, Service Managers write a business case to request additional funding. All business cases are evaluated financially prior to presentation to the Leadership Team. Once appraised fully, approval is required by Finance & Management Committee.

On occasion, the Council will release General Fund or Capital resources for one off investment in projects across the District. An evaluation framework is in place to provide an objective assessment of new spending proposals and they are prioritised in line with the Council's objectives together with any national targets.

An independent panel assess all bids for funding and the scoring system takes account of the following:

- How far a bid meets Council/local community priorities
- How far it meets wider regional and national priorities

- The degree of risk involved
- How much partnership working is delivered
- External funding levered in
- Income generation and future cost savings
- Any environmental and social impacts

EARMARKED RESERVES

In addition to general reserves, the Council maintains earmarked reserves that are held for specific purposes. They are provided to meet known commitments and to fund non-statutory services.

These reserves can exist over a number of years. Although this is a prudent way of safeguarding the Council's financial position, it is equally important to check that resources are not underutilised unnecessarily and that they are in accordance with the Corporate Plan and accounting practice.

Therefore, these reserves are reported and reviewed annually as part of the Council's financial reporting process.

EXTERNAL FUNDING

It is recognised that the Council has limited resources and cannot achieve all of its aims in isolation. The majority of funding for services is from local taxation; however the Council does have access to a variety of additional funding sources as set out below.

- **Government Funding** – the main funding stream from Central Government is New Homes Bonus. This accounts for approximately 20% of the Council's core funding.

It is critical that the Council receives its fair and equitable share of central funding and therefore the Council seeks to consult with the Government through special interest and wider national groups that share common issues with South Derbyshire.

- **Partnership/External Funding** – the Council has a good track record of leveraging in external funding. Delivery of some of the Council's priorities such as community development are dependent upon it.

Working in partnership and/or the bidding for external funding is only sought if it will contribute and help deliver the Council's priorities.

- **Capital Investment** – plans for securing, maximising and utilising finance specifically for capital projects are detailed in the Council's Capital Strategy.

In summary, this covers the proceeds from selling fixed assets, generating additional resources via the Asset Management Plan, partnership and external funding, local businesses and prudential borrowing.

- **Fees and Charges** – the Council generates approximately £5m per year from fees, sales, rents (excluding council houses) and other charges. The level of some of these is statutorily set or subject to periodic legal reviews such as commercial rents and leases.

Many others are at the discretion of the Council and from time to time a more comprehensive review of the charging structure is undertaken, in particular for discretionary services.

- **Investment Income** – the Council has an underlying borrowing requirement but is a net lender of funds on a daily basis. Consequently, it has surplus cash to invest.

The Council's Treasury Management Strategy sets out the way in which investment income and the return received is maximised. It also sets out how security and liquidity of funds is safeguarded which is a key theme of the Strategy.

HOUSING RENT

Council housing is financed through the rents charged to tenants. Central Government do control the levels of rent charged and periodically review the formula for charges. There is flexibility to vary rents however there is a risk that the Council could be penalised through the Benefit Subsidy received if the rents are set too high.

The Council sets its yearly rent charge in accordance with Government policy but the affordability to tenants is also considered as part of the annual review.

PROBITY and STEWARDSHIP

Ensuring probity and stewardship in the use of public funds is contained in the Council's Constitution and is based on best practice set out by the Chartered Institute of Public Finance.

- **Financial Regulations** – these set out the policies in relation to financial accountability, financial policy, risk management and internal control, financial administration, partnerships, purchasing and contract arrangements and the prevention of fraud and corruption.
- **Financial Procedure Rules** – these provide an interpretation of the regulations and set out responsibilities and detailed guidance for Members and Officers.

The regulations and procedures are subject to at least annual review by the Section 151 Officer who submits and additions or amendments where necessary to the Council for approval. In addition, the S151 Officer will report, where appropriate, breaches of the rules to the Council.

MAINTAINING GOOD FINANCIAL MANAGEMENT

Staying on track and monitoring financial plans and the use of resources is a key part of the Financial Strategy. This is achieved through a system of:

- Regular budget monitoring between budget holders and their service accountant to highlight variances and potential issues at an early stage.

- Regular budget and financial reporting to the Council’s Finance and Management Committee.
- Referral of any adverse variance or potential issues to the Council’s main Policy Committees for consideration and action.
- An annual budget review by the Overview and Scrutiny Committee.

RAISING AWARENESS of FINANCE

Local Government Finance is very technical and diverse. It is governed by a myriad of legislation, regulations and complicated distribution mechanisms. This can be over-bearing to the “non-finance” person.

The Section 151 Officer plays a key role in setting the strategy, but the whole Council is involved in its delivery at various stages. For example, the responsibility for managing budgets and using resources rests with Strategic Directors and their Service Managers. The ultimate responsibility for allocating resources rests with elected Members.

It is necessary therefore that those having this responsibility have the necessary awareness and knowledge to manage budgets and make decisions. The role of Section 151 Officer is there to help ensure this.

Raising awareness and training is an ongoing issue. It can be gained as a matter of course through experience and the gathering of knowledge from regular involvement but in addition, the S151 Officer provides more formal means of raising awareness in a number of ways as listed below.

- Through the induction processes for new employees
- Induction training for new members
- Seminars for members
- Ad-hoc teaching and awareness sessions for individual services
- The provision of documentation and guidance notes on the Council’s intranet
- The provision of training material in audio and visual mode

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| REPORT TO: | FINANCE & MANAGEMENT COMMITTEE | AGENDA ITEM: 9 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: RECOMMENDED |
| REPORT FROM: | STRATEGIC DIRECTOR (CORPORATE RESOURCES) | OPEN |
| MEMBERS' CONTACT POINT: | KEVIN STACKHOUSE (01283 595811) kevin.stackhouse@south-derbys.gov.uk | DOC: u/ks/ live files/financial strategy/reserves/review of earmarked reserves Oct 2018 |
| SUBJECT: | REVIEW and PROPOSED USE OF EARMARKED RESERVES | |
| WARD (S) AFFECTED: | ALL | TERMS OF REFERENCE: FM 08 |

1.0 Recommendations

- 1.1 That the Planning Services Reserve is earmarked for capital investment to develop a corporate mapping and geographical information system.
- 1.2 That the Corporate Services Innovation Fund is transferred to the ICT Reserve.
- 1.3 That the residual amount on the Play Equipment Reserve is transferred to the Leisure Maintenance Reserve.
- 1.4 That amounts set-aside for matters arising from the Localism Act 2011 are transferred to the General Fund Reserve as detailed in the Report.

2.0 Purpose of the Report

- 2.1 In accordance with the Council's Reserves Policy, the report provides an annual update on the level and use of earmarked reserves. Subsequently, the report proposes changes to several reserves for which their intended purpose has been superseded.

3.0 Detail

- 3.1 In addition to the General Fund, Housing Revenue and Capital Reserves, the Council maintains Earmarked Reserves that are held for specific purposes. They are provided to:

- Pay for approved expenditure not included in base budgets.
- Pay for one-off items of expenditure.
- Spread expenditure over a number of financial years to smooth out fluctuations in the profile of actual expenditure.

- Set-aside external finance (grants and contributions) received in advance of expenditure.
- Hold amounts in trust to meet a legal or contractual commitment at some future date.

3.2 Although this is considered to be a prudent way of safeguarding the Council's financial position, it is important to review earmarked reserves regularly. This ensures that resources are not under-utilised or held unnecessarily.

3.3 Once established by the Committee, Earmarked Reserves can only be used for that specific purpose.

Classifying Earmarked Reserves

3.4 Under the Council's Policy, Earmarked Reserves are classified into three distinct categories as detailed below:

- **Council funds**, i.e. those that are funded directly by the Council where the Council has total discretion over each reserve.
- **Specific grants and contributions**, i.e. those that are funded from external contributions and grant funding for specifically defined purposes, including those delivered in partnership with other agencies and organisations. In many circumstances, the Council has a certain degree of discretion over the use of this funding within the parameters of the particular service.

In the case of funding provided by the Government for additional costs under their New Burdens Doctrine, the Council can opt to use these reserves in other ways or return them to general reserves, if the actual costs can be absorbed within current resources.

- **Section 106 funds**, i.e. those funds secured under Section 106 Planning Agreements. Besides funding for the provision and maintenance of open space, the Council holds the funds as the Planning Authority, pending it being drawn down by other agencies in accordance with planning agreements.

3.5 **Appendix 1** itemises each of the approved reserves and shows how they are funded, managed and controlled. This excludes Section 106 Funds, which are subject to separate monitoring and review. All of the Reserves listed in the Appendix have previously been approved by the Committee.

3.6 The amount in each Reserve reflects the balance at 31st March 2018 and matters for further consideration are detailed in the following sections.

Planning Services

3.7 An amount of £102,000 has previously been set-aside and utilised for additional resources in Planning Services.

- 3.8 The Committee approved a revised staffing structure for Planning in June 2018. This has been financed from existing resources, together with additional planning fees following the Government's 20% increase, which has been applied since January 2018.
- 3.9 This additional income is being set-aside in its own reserve (as shown in Appendix 1) to meet the Government's expectation that this income is reinvested back into Planning. Therefore, it is considered that this "Fees Reserve" now supersedes the requirement to hold this particular general planning reserve.
- 3.10 Following the replacement of the Planning software, as approved by the Committee in July, a further business change project is being developed to enhance mapping and geographical information systems so that a single corporate database is used across the Council.
- 3.11 An outline business case was reported to the Committee in April 2017 to be implemented when resources allowed. If this reserve is reallocated, it would enable an appropriate level of capital investment to be set-aside pending a detailed business case to be prepared.

Corporate Services Innovation Fund

- 3.12 This Fund is an accumulation of various savings made from procurement and business improvement over the period of the out-sourcing arrangement with Northgate Public Services. The aim of the Fund was to invest the savings to generate further efficiencies.
- 3.13 No bids have been made against this Fund. Therefore, it is proposed that the balance of the Fund (£81k) is transferred to the ICT Reserve. This would supplement the programme of works to improve systems in order to achieve more efficient working in back-office services as identified in the IT Strategy.

Facilities Development

- 3.14 An amount of £30,000 was previously earmarked to fund external support to produce a strategy for securing developer contributions towards sport and recreational facilities. This work is being completed within existing resources.
- 3.15 Therefore, this additional funding is no longer required. It is proposed that the Reserve is now added to the Leisure Maintenance Reserve (below) pending a work programme being drawn-up.

Play Equipment

- 3.16 There is a small balance of approximately £3,000 remaining in this Reserve following various capital schemes in previous years. It is proposed that the amount is transferred to the Leisure Maintenance Reserve.

Localism Act Funding

- 3.17 The Council received three separate amounts some years ago from the Government, totalling approximately £45,000. These were to fund administrative costs associated with the Community Right to Bid and the Right to Challenge, together with formatting data in a consistent form for reporting requirements. These were new initiatives introduced in the 2011 Localism Act.
- 3.18 Although the Council has received several applications under the Community Right to Bid, these have been dealt with at no extra cost. The data reporting requirements were also dealt with at no extra cost.
- 3.19 The Council has not received any applications under the Community Right to Challenge. It is considered that any further requests would be dealt with from existing resources. Therefore, it is proposed that the amount in the Reserve is transferred to the General Fund Reserve.

4.0 Financial Implications

- 4.1 As detailed in the report.

5.0 Corporate Implications

- 5.1 A key aim in the Council's Corporate Plan is to maintain "financial health". Maintaining Earmarked Reserves helps to contribute to a sustainable financial position by prudently setting aside resources to meet future commitments for specific purposes.

6.0 Community Implications

- 6.1 Earmarked Reserves are a way of ensuring that sufficient resources are maintained to deliver current and future service levels to the residents of the District.

7.0 Background Papers

- 7.1 None.

APPENDIX 1: ANALYSIS OF EARMARKED RESERVES 2018

COUNCIL FUNDS

| Reserve and Value as at 31 st March 2018. | Use | Funding Basis | Delegated Responsibility / Control / Approvals, etc. | Review Period / Projected End Date (if applicable) |
|--|---|--|--|---|
| District Growth (£600k) | To fund future demand on services arising from growth of the District. | Additional Council Tax income and New Homes Bonus. | Finance and Management Committee. | As additional demand is identified, a business case is prepared for consideration by the Committee. |
| Vehicle and Plant (Asset) Replacement (£854k) | To finance the capital purchase of new vehicles and plant. | Annual contributions from the General Fund. | Direct Services Manager, with reference to the approved Asset Replacement Programme and liaison with the Procurement Team. | On-going – this is an operational reserve. |
| Factory Site (Hearthcote Road) Capital Works (£12k) | To meet obligations under a lease agreement. | Capital fund lodged by the tenant. | Corporate Asset Manager. | Works completed in 2017/18. Balance held for retention payment. Next review of lease in 2019. |
| ICT / Telecommunications (£282k) | To finance capital developments and upgrades to the Council's ICT platform and infrastructure. Detailed spending plan to 2020 outlined in IT Strategy. Expenditure to be incurred in 2018/19 and 2019/20. | Unused budgetary provision in the ICT annual budget. | ICT strategy and work programme; budget controlled by the ICT and Business Transformation Manager. | On-going - this is an operational reserve. |

| | | | | |
|---|---|---|---|---|
| Pensions (£138k) | To finance increases in the Council's contribution to the Derbyshire Pension Fund. | Funding set-aside in 2013 to mitigate risk identified in the MTFP. | Strategic Director (Corporate Resources) makes recommendations to the Committee. | Being drawn down over the period of the MTFP subject to the next valuation of the Pension Fund in 2019. |
| Development of the Local Plan (now set-aside to replace IT systems – see note) (£108k) | To meet one-off costs of developing, consulting and adopting the Local Plan. | Additional income from Planning Fees in previous years. | Strategic Director (Service Delivery). | As no further costs were expected beyond 2017/18, a proposal to transfer the balance to finance the replacement of the Planning and Land Charges System was approved by the Committee in July 2018. |
| Planning Income (£33k) | To re-invest into Planning Services as expected by the Government. The Reserve is currently funding additional staff as approved by the Committee in June 2018. | Additional income generated from the national 20% increase in planning fees which was introduced in January 2018. | Planning Services Manager, subject to confirmation of HR implications and any necessary Committee approval. | Budget out-turn – annually in July. |
| Planning Services (£102k) | To fund staffing and support costs to meet peaks in the volume of planning applications. | Additional income from Planning Fees in previous years. | As above. | Due to the Reserve above, it is considered that this Reserve is no longer required. Therefore, it is proposed that the amount is set-aside to develop mapping and geographical data to provide a single database across the Council. |
| Repton Parish Council | To contribute to new or | Residual value of | Ring-fenced subject to a | The Parish and the Village |

| | | | | |
|--|--|---|---|--|
| (£33k) | improved recreational facilities in the Parish of Repton. | sale proceeds of a former Council depot. | legal agreement which stipulates how the funding is used. | Hall Committee have recently secured a financial package to redevelop the Village Hall. It is currently subject to procurement and the Council's contribution is due imminently. |
| Corporate Services Innovation Fund (£81k) | Contractual payment to the Council. Currently, there are no specific proposals. | A proportion of procurement and business improvement savings accumulated from the Corporate Services Partnership. | Finance and Management Committee. | It is now proposed that this Fund is transferred to the IT Reserve to finance Council-wide projects. |
| Rosliston Forestry Centre Capital Reserve (£150k) | To pay for capital investment at the Centre. | A combination of operating surpluses, budget underspends grants and income over several years. | Rosliston Forestry Centre Executive Board. | Following the management of the Centre being brought back in-house in April 2018, detailed plans have been postponed pending a strategic review of operations. |
| Rosliston Forestry Centre Café (£12k) | To fund repairs and maintenance specific to the Café under a lease agreement. | The Council receives a share of the turnover from the Café. | Cultural Services Manager. | On-going - this is an operational reserve. |
| Facilities Development | To fund external support to draw up a plan for securing | Additional income from Planning Fees | Cultural Services Manager. | This exercise is being completed within existing |

| | | | | |
|---|---|---|---|--|
| (£30k) | developer (S106) funds for new recreational facilities. | in 2015/16. | | resources and the funding is no longer required. It is proposed that the Reserve is now added to the Leisure Maintenance Reserve (below) pending a work programme being drawn-up. |
| Civic Offices (£50k) | To fund additional maintenance identified for the main administrative building. | Underspends in the main operational budget in previous years. | Corporate Asset Manager and the Public Buildings Officer. | Budget out-turn – annually in July. A maintenance programme is currently under review. |
| Leisure Maintenance (£33k) | To contribute to one-off works. | Underspends in the main operational budget in previous years. | Cultural Services Manager. | Budget out-turn – annually in July. A maintenance programme is currently under review. |
| Corporate Training (£41k) | To fund the Leadership and Management Development Programme. | Unspent allocations carried forward to meet costs over a 3-4 year period. | Leadership Team. | Programme completed. No further commitments at this stage. Proposed to maintain pending implementation of the LGA/DMA review of senior management. |

APPENDIX 1: ANALYSIS OF EARMARKED RESERVES 2018

SPECIFIC GRANTS and CONTRIBUTIONS

| Reserve and Value as at 31 st March 2018. | Use | Funding Basis | Delegated Responsibility / Control / Approvals, etc. | Review Period / Projected End Date (if applicable) |
|--|--|--|--|---|
| Public Open Space – Commuted Sums (£1.26m) | To fund on-going costs associated with maintaining new/adopted open space and parks. | Developer (Section 106) Planning contributions | Housing and Community Services Committee. | Annual budget round to ensure sufficient resources are drawn down to meet commitments. A review is currently in progress to determine the best use of these resources in future years. |
| Community and Cultural Services <ul style="list-style-type: none"> • <i>Youth Engagement (£638k)</i> • <i>School Sports (£189k)</i> • <i>Community Safety/Crime Reduction (£331k)</i> • <i>Culture/Arts Development (£7k)</i> • <i>Get Active in the Forest (£43k)</i> • <i>Environmental Education (£33k)</i> | Several partnership reserves which are held by the Council as the Accountable Body to fund some staffing costs and project work in these specific areas. | External contributions and grants | Housing and Community Services Committee. | Annual budget round or where approval is required for a new initiative. |
| Tetron Point Storm Water Basin (£53k) | Tetron Point Development. | Section 106 Planning contribution. | None specific as it is a ring-fenced amount. | Awaiting drawdown. |
| Swadlincote Woodlands | To fund on-going costs associated with maintaining this | Planning (Section 106) contribution | Housing and Community Services Committee. | Annual budget round to ensure sufficient resources |

| | | | | |
|--|--|--|---|---|
| (£50k) | area. | received several years ago. The original amount was approximately £1/2m, but this has been drawn down to finance on-going maintenance costs. | | are drawn down to meet costs. The remaining balance of £50k has remained static for 3 to 4 years as existing costs are now within the Council's mainstream budget. Effectively, the retained balance acts as a contingency. |
| Play Equipment (£3k) | To fund the replacement of play equipment and to improve safety surfacing. | Various external contributions and grants. | Housing and Community Services Committee. | Small residual amount remaining. It is proposed that this amount is transferred to the Leisure Maintenance Reserve. |
| Maurice Lea Park (£23k) | To fund improvements at the Park. | National Heritage Lottery Fund. | Housing and Community Services Committee. | All works identified in the original grant completed. Residual amount remaining which can be spent on the Park. |
| Homelessness Prevention (£173k) | To fund initiatives and projects to prevent homelessness in accordance with the Homelessness Reduction Act 2018. | Government Grants under the New Burdens Doctrine. | Housing and Community Services Committee. | Annual budget round to ensure sufficient resources are drawn down to meet commitments. It is anticipated that this reserve will be fully utilised over the term of the MTFP. |
| Welfare Reform, Fraud and Compliance | To fund system improvements and to streamline processes to prevent and detect fraud, | Government Grants under the New Burdens Doctrine. | Strategic Director (Corporate Resources). | Annual budget round to ensure sufficient resources are drawn down to meet |

| | | | | |
|---|---|---|---|---|
| (£241k) | benefits processing, together with implementing local changes arising from Welfare Reform and Universal Credit (UC). This includes supporting affected people to access benefits and support. | | | commitments. It is anticipated that this reserve will be fully utilised over the term of the MTFP and is being kept under review pending the introduction of UC across the District and neighbouring areas. |
| Localism Act Funding <ul style="list-style-type: none"> • <i>Community Right to Bid (£20k)</i> • <i>Community Right to Challenge (£16k)</i> • <i>Data Sharing (£7k)</i> | To fund administrative costs of implementing the legislative requirements locally. | Government Grants under the New Burdens Doctrine. | Strategic Director (Corporate Resources). | Costs have been absorbed in current budgets and it is not anticipated that any significant costs will now be incurred. Therefore, it is proposed that the total amount of £43k is transferred to the General Fund Reserve. |
| Heritage Grants (£18k) | To fund contributions to renovate shops and business premises. | The Heritage Lottery | Heritage Grants Sub-Committee. | At Committee meetings. |
| Town Centre Projects Fund (£26k) | To fund works in Swadlincote Town Centre | Additional income and grants in Economic Development. | Economic Development Manager. | Works are due to be completed in 2018/19. |
| Electoral Registration (£4k) | To support improvements to implement Individual Electoral Registration. | Government Grants under the New Burdens Doctrine. | Legal and Democratic Services Manager. | Small residual amount remaining. It is proposed that it is held as a contingency pending the 2019 District Election. |
| Infinity Garden Village Reserve (£228k) | To finance work to secure infrastructure improvements. Expenditure programme approved by EDS Committee on | Central Government. | Strategic Director (Service Delivery). | Progress subject to separate reports. Expenditure to be undertaken in 2017/18 and |

| | | | | |
|--|----------------------------------|--|--|----------|
| | 28 th September 2017. | | | 2018/19. |
|--|----------------------------------|--|--|----------|

| | | |
|--------------------------------|--|---|
| REPORT TO: | FINANCE AND MANAGEMENT COMMITTEE | AGENDA ITEM: 10 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: RECOMMENDED |
| REPORT FROM: | STRATEGIC DIRECTOR (CORPORATE RESOURCES) | OPEN |
| MEMBERS' CONTACT POINT: | KEVIN STACKHOUSE (01283 595811) kevin.stackhouse@south-derbys.gov.uk | DOC: s/finance/committee/2018-19/Oct18 |
| SUBJECT: | UPDATE TO THE MEDIUM TERM FINANCIAL POSITION | REF: |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: FM 08 |

1.0 Recommendations

- 1.1 That the update to the Medium-term Financial Plan to 2024 on the General Fund and to 2029 on the Housing Revenue Account as detailed in the report and summarised in **Appendix 1** and **Appendix 2** are approved.
- 1.2 That the risks and assumptions detailed in the report for the General Fund and Housing Revenue Account are noted and that the Council continues its cautious approach to maintain financial stability ahead of the Government's Spending Review in 2019/20.
- 1.3 That this strategy is reviewed half-yearly to ensure that potential budget deficits are addressed at the earliest opportunity.
- 1.4 That efficiencies and budget savings continue to be pursued where opportunities arise to sustain the current financial position.
- 1.5 That the financial projections provide the basis for planning and for setting the Base Budget for the General Fund and HRA for 2019/20.
- 1.6 That the Council supports an application to the Government as part of the Derbyshire Pool to pilot 75% Business Rates Retention for 2019/20.
- 1.7 That an update on progress of the Pilot is provided at the next Committee meeting on 29th November 2018.
- 1.8 That any additional New Homes Bonus received above the level forecast is earmarked for future growth and transferred to the Growth Provision.
- 1.9 That the Government's Technical Consultation regarding Social Housing Rents from 2020/21 as detailed in the report is noted.

2.0 Purpose of the Report

2.1 In accordance with the Council's financial policy framework, the report updates the Council's medium-term financial position. This follows the reported out-turn for 2017/18, together with known and potential changes since the 2018/19 budget round.

The Council's Financial Planning Framework

2.2 A key factor within the Council's overall Financial Strategy is medium term financial planning. This is considered good practice and is based on Audit guidance which directs councils to achieve a resilient and sustainable financial position. The Council's arrangements for achieving this, together with its performance, are subject to an External Audit each year as part of the "Value for Money conclusion".

2.3 The main target within the Financial Strategy is to achieve a minimum level of General Reserves, £1.5m on the General Fund and £1m on the Housing Revenue Account (HRA), by the end of every financial planning period. This is based on a Medium Term Financial Plan (MTFP) which sets out a financial projection for 5 years on the General Fund and 10 years on the HRA.

2.4 The main focus of the projections is to estimate the Council's future financial position and provide an early warning sign of any financial challenges that may arise in the future. This then provides the opportunity to take a planned approach to remedial action. In addition, it is used as the basis for building detailed budget plans each year.

2.5 It also helps the Council to focus on the resources that it will have available at the end of each period. In addition, it identifies where resources and spending are changing in the medium term to enable action to be taken at an early stage to prevent any loss of financial stability.

2.6 The financial models project forward current base spending and income. This is adjusted for anticipated changes in factors such as Government policy, inflation, local spending plans and commitments approved through the Committee process.

2.7 Assumptions and variables are regularly updated to take account of previous spending changes and their effects over the medium term. The projection aims to show a prudent but realistic position over the planning periods.

Purpose of this Review

2.8 The Council's financial policy requires a mid-year review of the medium term financial position. This follows the budget out-turn for the previous year and before the forthcoming annual budget round. This provides a basis for planning purposes and identifies potential matters for consideration, together with risks and opportunities.

2.9 Since the current MTFP was approved in February 2018, there have not been any significant changes nationally that may immediately affect the Council's financial position. However, the Government released a technical consultation paper in September 2018 outlining proposals for the 2019/20 Local Government Finance Settlement.

2.10 The current New Homes Bonus (NHB) allocation was amended by the Government to include a Baseline of 0.4% on housing growth for 2018/19, below which no NHB is paid. The consultation paper makes reference to the expectation that the Baseline will be increased as part of the settlement but gives no indication as to the level of the expected increase.

Future Business Rates Retention

2.11 When issuing the technical consultation, the Government confirmed that the current 100% Pilots would not continue beyond 2018/19. This includes the current Derbyshire Pilot for which the Council is an integral member.

2.12 However, proposals to apply for inclusion in a 75% Business Rates Retention Pilot have been noted in the technical consultation with applications to be submitted during September 2018. Generally, it appears that the Government's preferred model is now to introduce a system of 75% retention for all authorities from 2020/21.

2.13 Further detail regarding the 75% Business Rates Retention Pilot and New Homes Bonus assumptions are included later in the report.

2.14 This report is divided into the following sections.

- Section 3: Detailed analysis of the General Fund
- Section 4: Housing Revenue Account
- Section 5: Capital Receipts

Appendices

- *Appendix 1 – Projected General Fund Revenue Account*
- *Appendix 2 – Projected Housing Revenue Account*

3.0 General Fund Revenue Account

3.1 The overall projection on the General Fund, as reported in February, is summarised in the following table.

Medium-term Projection as at February 2018

| | Budget Deficit / Surplus (-) £ | Earmarked Sums £ | General Reserve £ |
|-------------------------|---|------------------------|-------------------------|
| Approved Budget 2018/19 | 161,270 | 871,294 | -8,180,032 |
| Projection 2019/20 | 1,055,817 | 381,830 | -6,742,385 |
| Projection 2020/21 | 955,165 | 380,394 | -5,406,826 |
| Projection 2021/22 | 1,128,215 | 378,922 | -3,899,689 |
| Projection 2022/23 | 1,470,430 | 377,413 | -2,051,846 |

Position Entering this Review

- 3.2 The position at this time highlighted a budget deficit for every year of the projection. This was due to the reduction of Revenue Support Grant and the Baseline reduction on New Homes Bonus allocations.
- 3.3 The current level of the General Reserve was healthy compared to the minimum level of £1.5m and was forecast to remain above the minimum level throughout the period to 2022/23. The budgeted deficits could be financed from the General Reserve and the forecast effectively showed the implications of taking that action.
- 3.4 However, it was considered that this was a high risk strategy. The deficits in future years were projected to be significant. If no action were taken to reduce future deficits, it could quickly de-stabilise the financial position given that any action to achieve budget savings may take time to fully implement.
- 3.5 Provision for certain cost pressures and potential risks were included in the MTFP, including £500k of additional revenue being set-aside to meet potential demand on services arising from residential growth.

Financial Strengths

- 3.6 The Council is required to maintain a resilient and sustainable financial position. Currently, the Council continues in this position due to:
- Positive cash flow
 - No debt outstanding (on the General Fund)
 - Not reliant on interest rates rising to generate additional income
 - Current General Reserve healthy
 - Provisions in the Base Budget to mitigate inflation and growth
 - Budget for a full employee establishment – no vacancy rate is assumed
 - Earmarked reserves for capital replacements

- Separate provision made for bad debts, appeals and pensions
- Earmarked reserves to sustain project and capital works
- Growth in the Tax Base
- Capital expenditure not heavily reliant on revenue funding or borrowing

3.7 The Council also has a good history of spending within its Net Budget. However, this cannot be guaranteed in future years and is never assumed for future budgeting purposes.

Financial Risks

3.8 There are many variables that are included in the projection that carry a risk and if realised, could have a significant effect on the overall financial position. The main risks identified in the financial register when the Budget was approved in February 2018 were:

- **Higher risks**

- Further changes to the national funding system and in particular the allocation of the New Homes Bonus
- A reduction in Business Rates income due to appeals
- Additional pressure on service costs due to growth

- **Lower risks**

- A budget overspend
- Economic conditions
- Impact of Welfare Reform

3.9 The Risk Register details the arrangements in place to mitigate the impact of these risks. Currently, any issues arising from the lower risks (above) are not significantly impacting upon the Council's financial position. The impact of the higher risks are, or have the potential to be, more significant.

Core Funding

3.10 The Council's core funding is an aggregate of:

- Business Rates
- New Homes Bonus
- Council Tax Income

Updating the MTFP

3.11 An update and assessment of the main assumptions and variables, where this has been necessary, together with a consideration of external issues, are detailed in the following sections.

3.12 A revised medium-term financial projection is detailed in **Appendix 1**. To maintain a rolling 5 year projection, the forecast position for 2023/24 has been added to the MTFP. The updated position of the General Fund projected balance is summarised in the following table.

Medium-term Projection as at October 2018

| | Budget Deficit / Surplus (-) £ | Earmarked Sums £ | General Reserve £ |
|---------------------|---|---------------------------------|----------------------------------|
| Base Budget 2018/19 | -778,399 | 1,808,080 | -9,014,050 |
| Projection 2019/20 | 723,481 | 784,904 | -7,505,665 |
| Projection 2020/21 | 673,230 | 383,475 | -6,448,960 |
| Projection 2021/22 | 760,245 | 382,010 | -5,306,705 |
| Projection 2022/23 | 1,000,347 | 380,508 | -3,925,850 |
| Projection 2023/24 | 1,304,547 | 378,969 | -2,242,334 |

3.13 The projected position (now to 2024) overall has improved compared to that reported in February 2018 as shown in the following table. The General Fund Reserve balance is still projected to be approximately £2.2m by 2024, which is above the minimum level of £1.5m.

Projected General Fund Reserve Balance as at October 2018

| | £'000 |
|--|----------------------|
| Projected balance as at 2023 (reported February 2018) | -2,052 |
| Increased New Homes Bonus | -1,590 |
| Increased Business Rates Funding | -939 |
| 2017/18 Out-turn | -734 |
| Industrial Unit Income Loss Re-profiled (see below) | -190 |
| Capital Bid - Release of DFG Funding (see below) | -186 |
| Pension Deficit Increased Costs | 46 |
| Rosliston Forestry Centre Management Costs (as approved) | 143 |
| Approved Establishment Updates (as approved) | 372 |
| Loss of Revenue Support Grant (offset by Business Rates above) | 338 |
| Inflation Increase | 416 |
| MSP Approved Funding | 450 |
| Projected Balance as at 2023 (revised) | -3,926 |
| Add: Projected Deficit 2023/24 | 1,684 |
| | <u>-2,242</u> |

3.14 The improved position, as shown in the above table, is mainly due to increased New Homes Bonus funding alongside a better out-turn position for 2017/18 as previously reported. The assumptions used regarding New Homes Bonus are detailed later in the report.

3.15 Additional revenue from Business Rates, offset in part by the loss of Revenue Support Grant, is due mainly to the 100% Business Rates Retention Pilot in

2018/19. Further detail regarding the assumptions on Business Rates is detailed later in the report.

Funding for Disabled Facility Grants

- 3.16 Previously, resources have been set-aside from the General Reserve to finance capital projects within the District. Associated schemes were approved and included within the Capital Programme. However, since the allocation of General Fund resources there has been an update to the funding of Disabled Facility Grants (DFG) and Social Adult Care through the Better Care Fund (BCF).
- 3.17 As previously reported, the BCF allocation from Derbyshire County Council has increased the funding received for DFG. Therefore, the £186k capital resources earmarked are no longer required and it is proposed that this amount is returned to the General Fund Reserve.

Income from Industrial Units

- 3.18 The forecasted loss of Industrial Unit income regarding the main factory site on the edge of Swadlincote has been put back by one year. This is due to further negotiations with the current tenant who have indicated that they will not consider their break option now until September 2019 (previously it was September 2018). Any changes would then take-effect from April 2020. The MTFP continues to assume that no rent, at approximately £190k per year, will be payable from that date.

Other Provisions

- 3.19 An increase to inflation of 0.5% using an assumption up to 2.5%, in line with economic projections, has been added to the cost base of the Council alongside an increase of 0.6% for potential pension deficit charges in future years. The Pension Fund revaluation occurs every 3 years with the next revaluation due in 2019/20, which will affect the Council's contributions from April 2020.
- 3.20 Provisions for growth, changes to Waste & Recycling due to potential increases in recycling costs, together with potential National Insurance liabilities for "Off-Payroll" employees continue to be included within contingent sums.
- 3.21 The growth provision has reduced from £500k per year to £315k per year to fund the recruitment of additional Street Scene employees after approval in March 2018.

New Homes Bonus (NHB)

- 3.22 As noted at 2.10, the Government released a technical consultation paper for the Local Government Finance Settlement 2019/20 in September 2018. Within

this consultation paper reference was made to an expected increase in baseline growth of residential properties, below which no NHB is paid.

3.23 Currently the Baseline is 0.4% and the Council currently foregoes revenue on growth in the Tax Base by this baseline percentage. Introduction of the changes to allocations in 2018/19 had an impact of approximately 175 properties (i.e. for which no NHB was paid) resulting in a total loss in income of approximately £1m over the 4 year period.

3.24 No guidance or detail has been issued regarding the expected increase in the Baseline but the assumption used for the MTFP is a baseline of **0.6%** which has further reduced the Tax Base by 94 properties for NHB purposes.

3.25 However, an assumption regarding growth of the Tax Base in future years has also been updated and a 3 year average has now been implemented in accordance with the most recent growth of properties. It is considered that this will reflect accelerated growth over the next four to five years as detailed in the Local Plan.

3.26 This has resulted in an increased Tax Base of 212 properties per annum. The overall impact of the changes to the Tax Base and Baseline on the MTFP is shown in the following table.

New Homes Bonus Tax Base Growth

| | Yearly Growth in Properties |
|--|-----------------------------|
| Tax Base as at Feb 18 - 4 year average | 651 |
| Tax Base as at Oct 18 - 3 year average | 863 |
| Increase in Tax Base | 212 |
| Baseline growth as at Feb 18 | -175 |
| Baseline growth as at Oct 18 | -269 |
| Baseline reduction In Tax Base | -94 |
| Increased Tax Base | 118 |

3.27 Financially, the increase in projected income due to the Tax Base growth is summarised in the following table.

New Homes Bonus Revenue

| | £'000 |
|---------------------------------------|-------------|
| Projected Allocation as at Feb 2018 | 786 |
| Projected Allocation as at Oct 2018 | 1,061 |
| Increased Allocation | 275 |
| Baseline Reduction as at Feb 2018 | -211 |
| Baseline Reduction as at Oct 2018 | -327 |
| Baseline Reduction | -116 |
| Increased Projected Allocation | 159 |

3.28 The assumption of 0.6% used for the Baseline growth is considered to be a prudent assessment at this stage. If the Baseline were to increase to 0.5%, the impact to the Council is shown in the following table.

| £'000 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | Total |
|---------------------------------------|-----------|------------|------------|------------|--------------|
| Projected Allocation at 0.6% Baseline | 159 | 318 | 477 | 636 | 1,590 |
| Projected Allocation at 0.5% Baseline | 213 | 426 | 639 | 852 | 2,130 |
| Increased Allocation | 54 | 108 | 162 | 216 | 540 |

3.29 Clearly, the impact of a small change of 0.1% results in a loss of approximately £540k over a 4 year period. However, growth of the Tax Base is likely to be greater than projected and therefore the Council are more likely to receive a larger allocation of income using the current funding mechanism.

3.30 This is due to the fact that the assumed increase of 863 properties per year is still below the forecasts in the Local Plan which are based on current planning permissions. The latest housing trajectory shows increases of well in excess of 1,000 properties per year between 2018 and 2024.

3.31 The Government are due to announce their decision on New Homes Bonus allocations and changes to the Baseline alongside the Financial Settlement in January 2019.

3.32 It is recommended that any additional funding that may be allocated over and above the projection once the Finance Settlement is announced is set-aside within the Growth Reserve to mitigate future service pressures associated with growth of the District.

Business Rates

3.33 Following the successful application to the Government to be included in a Derbyshire 100% Business Rates Retention Pilot for 2018/19, the MTFP has been updated to incorporate the additional revenue received as part of the Pilot. Due to the success of the Pilot to-date approval to apply for inclusion in a 75% Business Rates Retention Pilot for 2019/20 is recommended.

3.34 Additional revenue in 2018/19 is projected at £1.5m but this is offset by the approval to earmark £1m for Economic Development and costs of an external agency to identify unregistered business which will cost an estimated £100k for 2018/19.

3.35 The loss of Revenue Support Grant due to becoming part of the Business Rates Pilot has been included in the MTFP and offsets a large part of the remaining additional revenue resulting in an increase of income to the General Fund in 2018/19 of approximately £60k.

3.36 Projected revenue from Business Rates from 2019/20 has assumed that the Council will revert back to the 40% share mechanism previously in place due to no certainty at this point regarding the potential application to Pilot 75% Business Rates Retention.

3.37 An increase in revenue has been assumed of approximately £130k per annum from 2019/20 due to a continuing growth in the Tax Base for commercial properties.

A New Funding System from 2020/2021

3.38 The financial year 2019/2020, is the final year of funding for local authorities arising from the Government's Spending Review of 2015. The Government are currently conducting a "Fair Funding Review" which, if implemented, will reset baseline funding for all councils. Any changes, subject to any transition, will take effect from 2020/21.

3.39 In addition, it is now likely that the Government will implement a 75% retention system for Business Rates universally across local government. Funding for the NHB is also under review.

3.40 Although it is considered that the NHB will still form part of a revised system, its allocation could change to better reflect performance against Local Plan delivery, rather than a pure increase in property numbers from year-to-year.

Council Tax

3.41 The MTFP includes an annual increase in the rate of Council Tax of 1.95%, subject to annual review. This is well below the Government's limit of £5 per Band D property.

3.42 The Band D Tax for 2018/19 is £159.21. The 1.95% increase in the MTFP will raise Band D to £162.31, an increase of just over £3 per year. This would be adjusted across other bands accordingly.

3.43 An increase of £5 would equate to £164.21, an increase of 3.1%. This would increase resources in the MTFP by an additional £63k per year, or £315k over the 5 year planning period.

Updated General Fund Position - Summary

3.44 In principle, the overall scenario for the General Fund has not changed. The current level of the General Fund Reserve remains healthy and is projected to do so over the planning period.

3.45 Although the current level of reserves can be used to meet the projected deficit, this is not a sustainable solution in the longer-term. The MTFP assumes that base budget expenditure will increase year-on-year and overall core funding will increase at a slower rate resulting in larger annual deficits each year over the planning period.

3.46 The Council has historically generated additional income and underspent compared to its Budget, although clearly this cannot be guaranteed. The MTFP aims to set out a realistic but prudent assessment of the future financial position. This includes setting aside resources for known changes, for

example, pay awards, pension contributions, bad debts, together with known service pressures associated with waste collection and recycling. These are detailed in Appendix 1.

- 3.47 It is considered that the biggest risks are further changes to the New Homes Bonus allocation and the associated cost of growth. The MTFP continues to set-aside resources and it is recommended that additional resources over and above those projected in the MTFP for the NHB, are set-aside in the Growth Reserve.
- 3.48 A further review of services needs to be undertaken to more accurately assess future costs. This would enable a more accurate reflection and enable better planning to meet these financial pressures.
- 3.49 Although the current financial position remains strong, a cautious approach is still recommended pending the outcome of the Fair Funding Review. In the meantime, efficiencies and budget savings should continue to be pursued wherever opportunities arise, to sustain the financial position.

4.0 Housing Revenue Account (HRA)

- 4.1 The HRA budget for 2018/19, together with an updated financial plan to 2028, was approved by Committee in February 2018. In summary, based on the associated projections, the financial plan showed a sustainable position with the HRA's minimum reserve remaining above the minimum level £1m in the medium-term, with resources being set-aside to meet future debt repayment and capital works.
- 4.2 The main risks identified were the impact of Welfare Reform, the reduction in housing stock due to Right to Buy and the ongoing reduction of Supporting People Grant from Derbyshire County Council.
- 4.3 An updated projection is detailed in **Appendix 2** and includes the positive effects of the 2017/18 out-turn alongside the impact to capital of increases to the Dwelling Valuation (detailed later) and Right to Buy.

HRA Financial Plan

- 4.4 The projection is based on a financial model designed so that a £1m minimum balance is maintained on the HRA's General Reserve and that planned resources are set-aside for debt repayment and capital expenditure in future years. These are the priority financial objectives to ensure that the HRA Business Plan is sustainable and the core housing service is delivered.
- 4.5 Given that these objectives are met, any increase or decrease in resources are reflected in the planned capital or new build programmes and these can be flexed accordingly into the longer term where there is a more significant change in resources.

4.6 Overall, the Plan shows a sustainable position and is forecast to make surpluses as planned each year over the 10 year period. There has been a reduction in the projected General Reserve balance however to 2028 as shown in the following table.

Projected HRA Reserve Balance as at October 2018

| | £'000 |
|--|----------------------|
| Projected balance as at 2028 (reported February 2018) | -4,808 |
| Reduced Rent due to Right to Buy | 509 |
| Increased Capital contribution due to Dwelling Revaluation | 983 |
| 2017/18 Out-turn | -750 |
| Projected Balance as at 2028 (revised) | -4,066 |
| Add: Projected Surplus 2028/29 | -1,900 |
| | <u>-5,966</u> |

4.7 The increased contribution to the General Reserve due to a more favourable out-turn has been more than offset by the increased capital contribution required under statute plus the loss of income through Right to Buy.

4.8 Right to Buy sales totalled 22 properties in 2017/18 and as at 30th September 2018, another 16 properties have been sold. The assumptions regarding future Right to Buy have been increased in the projection as listed below but are unlikely to be high enough if sales continue at the same rate over the next few years.

| | February 18 Projection | October 18 Projection | Increased Projection |
|---------|-----------------------------------|----------------------------------|---------------------------------|
| 2018/19 | 15 | 20 | 5 |
| 2019/20 | 13 | 18 | 5 |
| 2020/21 | 13 | 18 | 5 |
| 2021/22 | 12 | 15 | 3 |
| 2022/23 | 12 | 15 | 3 |
| 2023/24 | 10 | 12 | 2 |
| 2024/25 | 10 | 12 | 2 |
| 2025/26 | 10 | 12 | 2 |
| 2026/27 | 10 | 10 | 0 |
| 2027/28 | 10 | 10 | 0 |
| | 115 | 142 | 27 |

4.9 The sale of only 27 additional properties over a 10 year period results in a loss of income of over £500k. If the current trend continues over coming years then this could potentially more than double the loss of revenue which impacts on the General Reserve and the potential to be below the statutory minimum level.

4.10 However, the current Housing Strategy action plan is currently in the process of being updated which will lay out plans to increase housing stock primarily through acquisition and land Page 47 of 135 addition to new build in Overseal.

Specific proposals will be subject to separate approval which will include the effects on the HRA's Financial Plan.

- 4.11 Another risk to the HRA, as noted in the table at 4.6, is the capital contribution required under statute. The HRA is expected to spend an amount on capital works or debt repayment that is equal to the depreciation charge incurred in any one year. In previous years, the HRA has achieved this.
- 4.12 The housing stock had a large upward revaluation during 2016/17 which has resulted in an increase to the depreciation charge. Accounting standards applicable to the method used for depreciation result in it being difficult to mitigate against this risk. If housing stock values were to increase further, the depreciation charged would also increase and this could potentially reduce the HRA General Reserve below the required minimum level.
- 4.13 Although this is a technical accounting adjustment, it does reflect whether the Council is spending adequate amounts to maintain and repair its housing stock over the longer-term. If not, then the depreciation charge effectively ensures that adequate resources are set-aside.

HRA Reserves

- 4.13 The HRA has 5 separate reserves as shown in the following table. Projections are detailed in Appendix 2.

| Reserve | Balance 2017/18 £'000 | Detail |
|------------------------|--------------------------------------|---|
| General Reserve | 5,147 | Held as a contingency with a minimum balance of £1m |
| Earmarked Reserve | 215 | Sums set-aside annually for replacement of vehicles on a rolling 7 year programme. |
| Major Repairs Reserve | 2,754 | A balance held over from the previous financing system. It is increase each year from the HRA for future capital expenditure and is drawn down accordingly. |
| New Build Reserve | 1,529 | Accumulated Capital Receipts pending expenditure on building or acquiring new properties. |
| Debt Repayment Reserve | 3,054 | Sums set-aside to repay debt in accordance with the repayment profile. |
| | 12,699 | |

Other Risks

- 4.14 Implementation of Universal Credit (UC) was started in part of the District in July 2018. Full roll out is not due to be completed until 2023. Not all tenants claiming housing benefit will be affected by the change but it is estimated that up to 60% of cases will see an impact.

- 4.15 Currently, housing benefit is applied directly to rent accounts internally at the Council so that a tenant's rent is paid. There has been some concern that UC could increase rent arrears as the one "all-encompassing benefit" will be paid directly to housing tenants.
- 4.16 Reports from across the Country suggest that this is increasing rent arrears which will cost the HRA in the form of a Bad Debt Provision if the rents are considered irrecoverable.
- 4.17 This is being kept continually under review but the impact cannot be assessed in detail at this stage and therefore this is noted as a risk. However, the HRA's provision for bad and doubtful debts has previously been increased to allow for additional rent arrears
- 4.18 Another potential risk to the HRA is the Supporting People Grant which is paid by the County Council for tenants receiving Careline support.
- 4.19 The contribution has been reduced in recent years and £164k per year is included within the projection for perpetuity but this is reviewed annually by the County Council and there is a potential that funding could be withdrawn.

Future Rent Increases and Government Policy

- 4.20 Following the release of the Government's Green Paper regarding Social Housing in August, the MHCLG issued a technical consultation on rents for social housing from 2020/2021. This will give the Secretary of State the power to direct the Regulator of Social Housing to implement rent policy from 1st April 2020.
- 4.21 Effectively, the Government are intending to allow social housing providers to increase rents following the current social rent reduction, which ends in 2019/20. This follows four years of rent reductions of 1% per annum.
- 4.22 The direction will allow providers to increase rents up to a maximum of inflation (as measured by the Consumer Prices Index) + 1% in any one year. This direction will then apply for the next five years to 2024/2025.
- 4.23 This will be subject to controls regarding not exceeding the Formula Rent for individual properties and the overall Limit Rent (a Government average) over which housing benefit subsidy cannot be reclaimed.
- 4.24 This is in accordance with the projections contained in the HRA's financial projections and therefore mitigates the risk of on-going rent reductions in the HRA. There are no other matters of concern contained in the consultation that would immediately affect the Council.

5.0 Capital Receipts

General Fund

5.1 The updated position on the General Fund is shown in the following table.

| | 2018/19 £'000 | 2019/20 £'000 | 2020/21 £'000 | 2021/22 £'000 | 2022/23 £'000 | 2023/24 £'000 |
|-------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Balance B/fwd | -506 | -1,372 | -1,347 | -1,322 | -1,797 | -2,222 |
| Drawdown to finance Capital Schemes | 200 | 0 | 0 | 0 | 50 | 0 |
| Development at William Nadin Way | -291 | 0 | 0 | -500 | -500 | 0 |
| Sale of Old Depot Site | -400 | 0 | 0 | 0 | 0 | 0 |
| Land at Staley Close | -400 | 0 | 0 | 0 | 0 | 0 |
| Provision for Professional Fees | 25 | 25 | 25 | 25 | 25 | 25 |
| | -1,372 | -1,347 | -1,322 | -1,797 | -2,222 | -2,197 |

5.2 The drawdown to finance capital schemes of £200k in the current year includes some provision for planned maintenance on public buildings together with strategic housing surveys which are a statutory requirement.

5.3 Receipt for the former Depot site at Darklands Road is still in negotiation and a sale is anticipated within this financial year but may cross in 2019/20.

5.4 Development of land at William Nadin Way is still ongoing and receipts are expected over the next 4 years. An additional £1m is expected for the remaining phases over a 4 year period but it is anticipated that, due to collaboration costs, the Council will receive sums at the latter stages of development.

5.5 Although an additional £1m has been included in the above projection, this sum cannot be guaranteed and are subject to on-going option appraisals; details of any proposals will be reported for separate consideration.

HRA

5.6 Council policy is to reinvest all housing receipts (after any pooling payment to Government) from the sale of council houses and land, into the housing stock and in particular, for New Build.

5.7 As regards New Build, the Council has an agreement with the Government to enable it to retain additional receipts generated above a target level of council house sales each year (known as 1-4-1 receipts) to be used on New Build.

5.8 The level of receipts and their drawdown is included in the HRA's Financial Plan as detailed in Appendix 2.

6.0 Financial Implications

6.1 As detailed in the report.

7.0 Corporate and Community Implications

The aim of medium-term financial planning is to “maintain financial health” – a key outcome in the Corporate Plan. The purpose of the MTFP is to ensure that the financial position remains sustainable and that sufficient resources are maintained to deliver current and future service levels.

8.0 Background Papers

8.1 None.

GENERAL FUND MEDIUM TERM FINANCIAL PLAN
BUDGET & PROJECTION as at OCTOBER 2018

| | Budget £ 2018.19 | Projection £ 2019.20 | Projection £ 2020.21 | Projection £ 2021.22 | Projection £ 2022.23 | Projection £ 2023.24 |
|--|------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| BASE BUDGET | | | | | | |
| Environmental & Development | 4,290,775 | 4,437,348 | 4,564,250 | 4,694,055 | 4,826,836 | 4,975,862 |
| Housing & Community | 2,643,680 | 2,685,657 | 2,743,532 | 2,802,790 | 2,863,467 | 2,950,884 |
| Finance & Management | 5,075,571 | 5,115,726 | 5,251,100 | 5,389,878 | 5,532,152 | 5,678,018 |
| Net Service Expenditure | 12,010,026 | 12,238,731 | 12,558,882 | 12,886,722 | 13,222,454 | 13,604,764 |
| Accounting Adjustments | | | | | | |
| Reverse out Depreciation | -871,666 | -871,666 | -871,666 | -871,666 | -871,666 | -871,666 |
| Minimum Revenue Provision (MRP) | 205,634 | 197,409 | 189,512 | 181,932 | 174,654 | 167,668 |
| Voluntary Revenue Provision (VRP - Recycling Bins & Grove Active Zone) | 131,226 | 131,226 | 131,226 | 75,891 | 20,556 | 20,556 |
| | 11,475,220 | 11,695,700 | 12,007,954 | 12,272,878 | 12,545,998 | 12,921,322 |
| Add: Known Variations | | | | | | |
| External Facilitator - Pay and Grading Review | 10,000 | 0 | 0 | 0 | 0 | 0 |
| Pay and Grading - On-going Costs of Supporting Downgraded Posts | 0 | 8,750 | 8,750 | 8,750 | 8,750 | 8,750 |
| Planning Review | -7,443 | 27,647 | 27,647 | 28,876 | 24,090 | 24,090 |
| Restructures (approved August 2018) | 28,742 | 37,412 | 40,303 | 43,311 | 43,241 | 44,322 |
| Rosliston Management Arrangements (approved August 2018) | 27,067 | 68,079 | 0 | 0 | 0 | 0 |
| Senior Management Restructure - Reinvestment of Saving | 92,000 | 94,300 | 96,658 | 99,074 | 101,551 | 104,090 |
| Pension Deficit | 0 | 15,096 | 16,525 | 17,990 | 19,492 | 21,031 |
| Incremental Salary Increases | 0 | 11,065 | 11,065 | 11,065 | 11,065 | 11,065 |
| Apprenticeship Levy | 31,377 | 32,004 | 32,804 | 33,625 | 34,465 | 35,327 |
| Costs of Rateable Value finder | 100,000 | 0 | 0 | 0 | 0 | 0 |
| Phased Implementation of National Living Wage | 0 | 14,822 | 15,194 | 15,194 | 15,194 | 15,194 |
| Potential Cost of New Waste Disposal Site | 0 | 23,260 | 50,089 | 70,400 | 73,920 | 77,616 |
| Potential Loss of Industrial Unit Income | 0 | 0 | 190,000 | 190,000 | 190,000 | 190,000 |
| District Election May 2019 & May 2023 | 0 | 125,000 | 0 | 0 | 0 | 125,000 |
| TOTAL ESTIMATED SPENDING | 11,752,963 | 12,153,135 | 12,496,989 | 12,791,163 | 13,067,766 | 13,577,806 |

GENERAL FUND MEDIUM TERM FINANCIAL PLAN
BUDGET & PROJECTION as at OCTOBER 2018

| | Budget £ 2018.19 | Projection £ 2019.20 | Projection £ 2020.21 | Projection £ 2021.22 | Projection £ 2022.23 | Projection £ 2023.24 |
|--|------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Provisions | | | | | | |
| Provision for Employer's NIC on "off-payroll" payments | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 |
| Contingent Sum - Growth | 315,000 | 315,000 | 315,000 | 315,000 | 315,000 | 315,000 |
| Waste and Recycling | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| TOTAL PROJECTED SPENDING | 12,181,963 | 12,578,135 | 12,921,989 | 13,216,163 | 13,492,766 | 14,002,806 |
| FINANCING | | | | | | |
| Business Rates Retention | -4,985,318 | -3,529,391 | -3,547,020 | -3,563,495 | -3,578,746 | -3,592,704 |
| Discretionary Business Rate Relief Scheme | -49,000 | -20,000 | -3,000 | 0 | 0 | 0 |
| New Homes Bonus | -2,701,973 | -2,892,785 | -3,092,473 | -3,086,849 | -2,903,127 | -2,884,231 |
| Council Tax Income | -5,169,071 | -5,357,477 | -5,551,266 | -5,750,575 | -5,955,546 | -6,166,325 |
| Core Spending Power | -12,905,362 | -11,799,654 | -12,193,759 | -12,400,918 | -12,437,419 | -12,643,259 |
| Add Estimated Collection Fund Surplus - Council Tax | -55,000 | -55,000 | -55,000 | -55,000 | -55,000 | -55,000 |
| TOTAL FINANCING | -12,960,362 | -11,854,654 | -12,248,759 | -12,455,918 | -12,492,419 | -12,698,259 |
| General Fund yearly Surplus (-) / Deficit | -778,399 | 723,481 | 673,230 | 760,245 | 1,000,347 | 1,304,547 |
| GENERAL FUND RESERVE BALANCE | | | | | | |
| Balance b/fwd | -10,043,731 | -9,014,050 | -7,505,665 | -6,448,960 | -5,306,706 | -3,925,851 |
| General Fund Yearly Surplus (-) / Deficit (as above) | -778,399 | 723,481 | 673,230 | 760,245 | 1,000,347 | 1,304,547 |
| MSP funding | 50,000 | 400,000 | 0 | 0 | 0 | 0 |
| NNDR Earmarked for Economic Development | 1,000,000 | 0 | 0 | 0 | 0 | 0 |
| Purchase of Town Centre Land | 44,335 | 0 | 0 | 0 | 0 | 0 |
| Community Partnership Scheme | 250,000 | 0 | 0 | 0 | 0 | 0 |
| General Fund Capital Bids Remaining | 90,988 | 0 | 0 | 0 | 0 | 0 |
| Pension Earmarked Reserve Drawdown | -27,243 | -15,096 | -16,525 | -17,990 | -19,492 | -21,031 |
| Contribution to Asset Replacement Fund | 400,000 | 400,000 | 400,000 | 400,000 | 400,000 | 400,000 |
| Balance c/fwd | -9,014,050 | -7,505,665 | -6,448,960 | -5,306,706 | -3,925,851 | -2,242,336 |

HOUSING REVENUE ACCOUNT FINANCIAL PROJECTION - OCTOBER 2018

| | 2018.19 Approved Budget £'000 | 2019.20 Forecast £'000 | 2020.21 Forecast £'000 | 2021.22 Forecast £'000 | 2022.23 Forecast £'000 | 2023.24 Forecast £'000 | 2024.25 Forecast £'000 | 2025.26 Forecast £'000 | 2026.27 Forecast £'000 | 2027.28 Forecast £'000 | 2028.29 Forecast £'000 |
|---------------------------------------|--|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| INCOME | | | | | | | | | | | |
| Rental Income | -12,166 | -12,300 | -12,297 | -12,535 | -12,845 | -13,170 | -13,510 | -14,122 | -14,220 | -14,596 | -14,982 |
| Non-Dwelling Income | -121 | -120 | -122 | -125 | -129 | -132 | -136 | -140 | -143 | -147 | -152 |
| Supporting People Grant | -164 | -164 | -164 | -164 | -164 | -164 | -164 | -164 | -164 | -164 | -164 |
| Other Income | -175 | -175 | -175 | -175 | -175 | -175 | -175 | -175 | -175 | -175 | -175 |
| Total Income | -12,626 | -12,759 | -12,758 | -12,999 | -13,313 | -13,641 | -13,985 | -14,601 | -14,702 | -15,082 | -15,473 |
| EXPENDITURE | | | | | | | | | | | |
| General Management | 1,907 | 1,952 | 1,998 | 2,045 | 2,093 | 2,143 | 2,193 | 2,245 | 2,298 | 2,352 | 2,407 |
| Supporting People | 795 | 817 | 839 | 861 | 885 | 910 | 935 | 962 | 989 | 1,018 | 1,049 |
| Responsive | 1,283 | 1,314 | 1,347 | 1,380 | 1,414 | 1,449 | 1,485 | 1,521 | 1,559 | 1,597 | 1,636 |
| Planned Maintenance | 1,860 | 1,905 | 1,952 | 1,999 | 2,049 | 2,097 | 2,148 | 2,201 | 2,254 | 2,309 | 2,365 |
| Bad Debt Provision | 100 | 123 | 123 | 125 | 128 | 132 | 135 | 141 | 142 | 146 | 150 |
| Interest Payable & Receivable | 1,798 | 1,798 | 1,798 | 1,798 | 1,498 | 1,498 | 1,228 | 1,228 | 1,228 | 927 | 927 |
| Depreciation | 4,535 | 4,630 | 4,604 | 4,583 | 4,562 | 4,546 | 4,530 | 4,514 | 4,501 | 4,488 | 4,475 |
| Net Operating Income | -348 | -220 | -97 | -208 | -684 | -866 | -1,331 | -1,789 | -1,731 | -2,245 | -2,463 |
| Known variations: | | | | | | | | | | | |
| Reversal of Depreciation | -4,535 | -4,630 | -4,604 | -4,583 | -4,562 | -4,546 | -4,530 | -4,514 | -4,501 | -4,488 | -4,475 |
| Capital Expenditure | 1,543 | 1,888 | 1,935 | 1,683 | 1,470 | 1,433 | 1,477 | 1,516 | 1,547 | 1,182 | 1,261 |
| Disabled Adaptations | 300 | 300 | 300 | 300 | 300 | 300 | 300 | 300 | 300 | 300 | 300 |
| Asbestos and Health & Safety Surveys | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Debt Repayment | 1,992 | 1,742 | 1,669 | 1,900 | 2,092 | 2,413 | 2,053 | 1,998 | 1,954 | 2,306 | 2,214 |
| Major Repairs Reserve | 600 | 600 | 600 | 600 | 600 | 300 | 600 | 600 | 600 | 600 | 600 |
| Asset Replacement Earmarked Reserve | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 45 |
| Apprenticeship Levy | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| Job Evaluation On-going Support Costs | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 6 |
| Incremental Salary Increases | 0 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 7 |
| HRA Surplus (-) / Deficit | -293 | -159 | -35 | -146 | -622 | -804 | -1,268 | -1,726 | -1,668 | -2,181 | -2,400 |

HOUSING REVENUE ACCOUNT FINANCIAL PROJECTION - OCTOBER 2018

| | 2018.19 Approved Budget £'000 | 2019.20 Forecast £'000 | 2020.21 Forecast £'000 | 2021.22 Forecast £'000 | 2022.23 Forecast £'000 | 2023.24 Forecast £'000 | 2024.25 Forecast £'000 | 2025.26 Forecast £'000 | 2026.27 Forecast £'000 | 2027.28 Forecast £'000 | 2028.29 Forecast £'000 |
|--------------------------------------|--|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| HRA General Reserve | | | | | | | | | | | |
| HRA Reserve B/fwd | -5,147 | -5,340 | -5,298 | -5,234 | -3,980 | -2,501 | -1,467 | -1,235 | -1,961 | -2,134 | -4,066 |
| (Surplus) / Deficit for year | -293 | -159 | -35 | -146 | -622 | -804 | -1,268 | -1,726 | -1,668 | -2,181 | -2,400 |
| Earmarked non-traditional properties | 100 | 200 | 100 | 100 | 100 | 0 | 0 | 0 | 0 | 0 | 0 |
| Transfer to Debt Repayment Reserve | 0 | 0 | 0 | 1,300 | 2,000 | 1,838 | 1,500 | 1,000 | 1,495 | 250 | 500 |
| HRA Reserve C/fwd | -5,340 | -5,298 | -5,234 | -3,980 | -2,501 | -1,467 | -1,235 | -1,961 | -2,134 | -4,066 | -5,966 |
| RESERVES | | | | | | | | | | | |
| Debt Repayment Reserve | | | | | | | | | | | |
| Balance B/fwd | -3,054 | -5,046 | -6,788 | -8,457 | -1,657 | -5,749 | 0 | -3,553 | -6,551 | 0 | -2,556 |
| Depreciation balance | -1,992 | -1,742 | -1,669 | -1,900 | -2,092 | -2,413 | -2,053 | -1,998 | -1,954 | -2,306 | -2,214 |
| Transfers to reserve | 0 | 0 | 0 | -1,300 | -2,000 | -1,838 | -1,500 | -1,000 | -1,495 | -250 | -500 |
| Repayment of loan | 0 | 0 | 0 | 10000 | 0 | 10000 | 0 | 0 | 10000 | 0 | 0 |
| Reserve C/fwd | -5,046 | -6,788 | -8,457 | -1,657 | -5,749 | 0 | -3,553 | -6,551 | 0 | -2,556 | -5,270 |
| Earmarked Reserve | | | | | | | | | | | |
| Balance B/fwd | -215 | -10 | -55 | -100 | -145 | -190 | -235 | -10 | -55 | -100 | -145 |
| Transfers to reserve | -45 | -45 | -45 | -45 | -45 | -45 | -45 | -45 | -45 | -45 | -45 |
| Asset Replacement | 250 | 0 | 0 | 0 | 0 | 0 | 270 | 0 | 0 | 0 | 0 |
| Reserve C/fwd | -10 | -55 | -100 | -145 | -190 | -235 | -10 | -55 | -100 | -145 | -190 |
| Major Repairs Reserve | | | | | | | | | | | |
| Balance B/fwd | -1,267 | -1,867 | -2,567 | -3,367 | -4,067 | -4,767 | -5,467 | -5,767 | -6,367 | -6,967 | -7,567 |
| Transfers to reserve | -600 | -600 | -600 | -600 | -600 | -600 | -300 | -600 | -600 | -600 | -600 |
| Earmarked non-traditional properties | 0 | -100 | -200 | -100 | -100 | -100 | 0 | 0 | 0 | 0 | 0 |
| Reserve Drawdown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reserve C/fwd | -1,867 | -2,567 | -3,367 | -4,067 | -4,767 | -5,467 | -5,767 | -6,367 | -6,967 | -7,567 | -8,167 |
| New Build Reserve | | | | | | | | | | | |
| Capital Receipts B/fwd | -393 | -871 | -775 | -1,144 | -1,510 | -1,822 | -2,131 | -2,333 | -2,532 | -2,731 | -2,931 |
| Lullington Rd Phase 2 | 0 | 752 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HCA grant | 0 | -180 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| RTB Receipts in year | -478 | -475 | -369 | -366 | -312 | -309 | -202 | -199 | -199 | -199 | -199 |
| Borrowing in year | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Balance c/fwd | -871 | -775 | -1,144 | -1,510 | -1,822 | -2,131 | -2,333 | -2,532 | -2,731 | -2,931 | -3,130 |

| | | |
|--------------------------------|--|---------------------------------|
| REPORT TO: | FINANCE & MANAGEMENT COMMITTEE | AGENDA ITEM: 11 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: DELEGATED OPEN |
| REPORT FROM: | CHIEF EXECUTIVE | |
| MEMBERS' CONTACT POINT: | LOYD BAKER, SERVICE LEAD HR & TRAINING (ext 8770) loyd.baker@south-derbys.gov.uk | DOC: |
| SUBJECT: | ANNUAL TRAINING REPORT 2017/18 AND PRIORITIES FOR 2018/19 | REF: |
| WARD(S) AFFECTED: | NONE | TERMS OF REFERENCE: FM05 |

1.0 Recommendations

- 1.1 To approve the priority areas for training and development during 2018/19, which are linked to the delivery of the key priorities of the Council's Corporate Plan.
- 1.2 That Members note the range of training activities and actions provided during 2017/18.

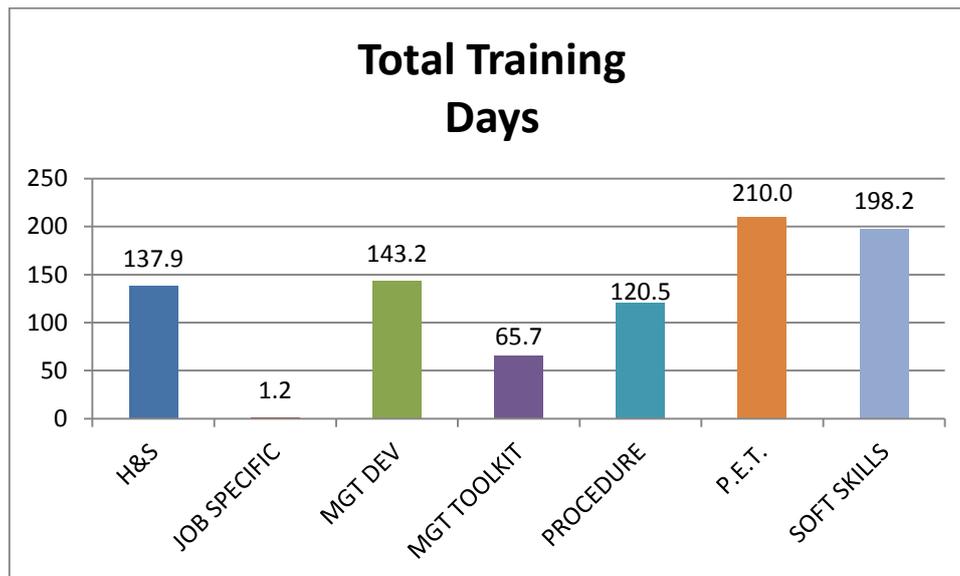
2.0 Purpose of Report

- 2.1 To propose the priority actions for corporate training activities during 2018/19 to support the achievement of the Council's Corporate Plan.
- 2.2 To provide an overview of corporate training, learning and development activities completed during 2017/18 and the outcomes.

3.0 Executive Summary

- 3.1 In line with previous years the assessment of the training priorities for the year 2016/17 were identified from a number of different sources. This includes the Corporate Plan, Service Plans and individual Performance Development Reviews (PDRs). The Organisational Development Team is responsible for resourcing appropriate training interventions to meet the needs identified with employees and Managers responsible for allocating, attending and ensuring that the objectives and benefits of the training are transferred back into the workplace.
- 3.2 A variety of learning activities have been provided. During 2017/18, the focus has been once more on providing mandatory training for staff along with the continuation of the leadership and management development programme delivered in partnership with Penna.
- 3.3 This is the first annual report to include the 53 employees who were TUPE transferred back to the Council from Northgate Public Services on 1st February 2017.

4.0 Detail - Review of 2017/18



* Note that each training category will encompass a range of courses and the number of staff trained takes account of some staff attending different training courses within the same category.

** Soft skills training include course on customer care, time management etc.

- 4.1 Organisational Development delivered and supported 139 different training, learning and development programmes and provided almost 667 days of training, up from 548 days last year.
- 4.2 A further 210 days of learning and development were completed by employees through study on post-entry training programmes. This is a decrease from 302 days of post-entry training on the previous year.
- 4.3 Based on current headcount of employees in the Council (as at 31/03/2018) of 325 this equates to 2.69 training days per employee, in comparison to 1.99 days in 2016/17, 4.1 days in 2015/16, 2.8 days in 2014/15 and 2.05 in 2013/14.
- 4.4 “Technical / Job Specific” training is arranged by service and reported to Organisational Development to record in ResourceLink Aurora which is the Council’s Human Resources / Payroll IT system. This provides a corporate record of all training that has been completed and employees can view their own training records in the self service module, MyView.
- 4.5 Only data that had been received in time to include in this annual report can be included so the overall data may be understated for the year. It is important the Council captures all training data completed across all services as it provides information that can be used for workforce planning, identifying skill gaps or areas of expertise. Also staff in many of these services require continuous professional development (CPD) as a prerequisite for the professional institutes and to keep up with developments in their areas of expertise.
- 4.6 Organisational Development continues to develop and deliver in-house training solutions wherever possible. However, it is also important to provide a range of learning opportunities to ensure a varied provision of high quality learning and development interventions and specialist expertise. External training providers will continue to be used on occasions where specialist / technical expertise is required.

- 4.7 Six scheduled training courses had to be cancelled due to insufficient bookings or late withdrawals. This is a real improvement on previous years. Internal course cancellations have been 7% in 2017/18, 26% in 2016/17, 22.8% in 2015/16 and 33.33% in 2014/15. It is important to keep the number of courses cancelled to a minimum, particularly in respect of mandatory courses and these have been continually promoted throughout the year to ensure they can be run.

Review of training activity 2017/18

- 4.8 Managers have continued to be supported through the provision of leadership and management development programmes that have been provided in partnership with Penna. This has included a number of different modules during the year as part of a three year programme along with a separate course aimed at new or potential managers.
- 4.9 The continued focus on health and safety training as a priority is evident, ensuring safe operating procedures and compliance with legislation. A range of programmes have been rolled out including a combined Health and Safety Awareness, Asbestos, Driver Awareness and a new Dementia Friends course.
- 4.10 The main focus at the start of the year was to ensure the Council met its obligations in respect of mandatory training for its workforce.

Training for front line staff

- 4.11 Organisational Development continued to support and respond positively to training requests for front-line employees in Waste and Transport, Street Scene, Housing DLO, Sports Development and Customer Services.
- 4.12 The development of skills for the Council's front-line workers promotes continuous improvement, as well as demonstrating the Council's commitment to the workforce and reaffirming their value to the Council.
- 4.13 A flexible approach to training delivery is taken to ensure it is arranged to fit in with working patterns and service needs.

Modern Apprenticeships

- 4.14 The Council has continued to support the development and engagement of young people in local government careers, and at the end of 2017/18 employed four apprentices.

Work Experience

- 4.15 The Council continued to support local schools by providing ten work experience placements for pupils from years ten and eleven, university students and the unemployed. Co-ordinated by Organisational Development this provides a valuable opportunity for young people to gain an insight into Local Government, and raises the profile of the Council within the community. These are generally for short periods of up to a week, although longer placements have also been provided when required.

Key Outcomes

Leadership and Management Development

- 4.16 A three-year programme based on the Council's competency framework is now complete, equipping the Council's managers with the necessary skills for them to manage their teams in the current climate and beyond. A review of the success of the programme will be carried out and impact included in next year's report.
- 4.17 Mandatory manager courses on Attendance Management and Performance and Development Reviews were rolled out as part of the "Manager Toolkit" set of training courses.

Mandatory Training

- 4.18 The majority of staff have been trained in mandatory training courses on Data Security, Environmental Awareness, Equalities and Fairness, Health and Safety Awareness, Safeguarding and Stress Awareness. Additionally Dementia Friends briefings were also rolled out across the Council to improve staff understanding.

Health & Safety

- 4.19 In addition to the mandatory health and safety training; Driving and Reversing, Working at Height, Risk Assessment and First Aid courses were delivered this year.

Vocation / professional training

- 4.20 Support has been provided for employees in a number of career-graded posts and apprenticeship positions to progress towards vocational or professional qualifications. This provides opportunities to develop talent within the Council and is a positive approach towards succession planning.

5.0 Priorities for 2018/19

- 5.1 The Council's Workforce Development Strategy aligns the development of people with the improvement of services. The Corporate Training Plan reflects the priorities in the Strategy, in addition to other identified needs arising from the Corporate Plan, Service Plans and individual Personal Development Reviews (PDRs). The following priorities have been identified for inclusion within the Council's Corporate Training Plan for 2018/19.

Apprenticeships

- 5.2 Establish a formal approach to apprenticeships at the Council, to include a new policy / procedure to support the Council in its aims to obtain maximum benefit from the Apprenticeship Levy, and to meet national apprenticeship targets as defined by Government.

Leadership and Management Development

- 5.3 Following completion of three-year leadership and management development programme, work with partner Penna to review and analyse outcomes and future development needs.

Health & Safety

- 5.4 Organisational Development will continue to deliver a rolling programme of Health and Safety training, which includes health and safety awareness, training for risk assessors, and manual handling techniques for designated staff.
- 5.5 Provide training in the “SoloProtect” badge system to enhance safety of staff working either alone or in potentially dangerous situations. Bespoke health and safety training will continue to ensure the needs of individual teams are met to ensure safe working practices for their particular occupation.

Safeguarding and Equalities

- 5.6 Roll out mandatory Safeguarding and Equalities sessions for staff. In addition to consider other training courses that look to promote equality across the workforce and address areas of under representation.

Data Protection

- 5.7 As part of the roll out of the new Data Protection Act 2018 requirements provide a number of sessions to ensure staff are aware of their responsibilities.

Customer Care

- 5.8 A bespoke Customer Care programme is being developed for front-line staff initially in the Service Delivery Directorate and then this will be rolled out across the Council.

Employment Policy

- 5.9 Organisational Development will continue to provide training for employees in employment practices used by the Council. This will include continued training for managers in attendance management, recruitment and selection, performance development reviews and disciplinary processes.

Corporate Induction

- 5.10 Review current induction process, including Manager Checklists, Corporate e-induction, and analyse take-up and relaunch a new induction process to improve compliance levels.

Mandatory Training

- 5.11 In recent years mandatory training has not been attended at the levels required. Organisational Development will schedule sufficient courses for all mandatory training and continue to provide managers with data so that they can identify and take action with their staff that have yet to complete their mandatory training.
- 5.12 Mandatory training consists of four courses and two briefings for all staff, plus a further two courses for managers. They are:

- Equalities and Fairness [Page 81 of 135](#)

- Health and Safety Awareness
- Safeguarding
- Stress Awareness
- Data Security
- Environmental Awareness
- Attendance Management
- How to conduct a PDR

6.0 **Financial Implications**

6.1 The corporate training budget, along with resources within Organisational Development will be allocated to support the priorities identified in the report.

7.0 **Corporate Implications**

7.1 The development of a learning culture within the Council is supported and promoted by Organisational Development who ensure that frameworks are developed and implemented to enable training, learning and development opportunities. However, employees remain ultimately responsible for their learning and development, and line managers maintain a key role in developing and managing talent in their services .

7.2 The Council should also ensure it protects itself by ensuring its mandatory training requirements are met.

8.0 **Community Implications**

8.1 Having a suitably skilled and trained workforce enables the continued improvement of Council services. Workforce development is co-ordinated by Organisational Development based on information from a variety of sources that is then analysed and prioritised in accordance with corporate priorities.

9.0 **Conclusions**

9.1 A range of training interventions have been implemented during the year. It is noted that attendance on mandatory courses has improved and continued focus on this area will ensure that all employees are equipped with knowledge and information in relation to key Council Policies and priorities.

9.2 Time should be taken to reflect on the outcomes from the Leadership and Management Development programme that has now been completed. A range of evaluation techniques will be used with the course provider with feedback given to Senior Leadership Team to analyse the benefits that have accrued and to consider areas for further action.

9.3 The Council should see a rise in post-entry training that leads to vocational and professional qualifications for staff, as it begins to maximise the Apprentice Levy, which provides funding for the Council to pay for apprenticeships, for both new apprenticeship posts and also for existing staff to gain apprenticeships while they work in their current roles. To this end a corporate Apprenticeship Strategy will be researched and introduced.

10.0 **Background Papers**

10.1 Corporate Plan

| | | |
|--------------------------------|--|---------------------------------|
| REPORT TO: | FINANCE AND MANAGEMENT COMMITTEE | AGENDA ITEM: 12 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: DELEGATED |
| REPORT FROM: | CHIEF EXECUTIVE | OPEN |
| MEMBERS' CONTACT POINT: | DAVID CLAMP 01283 575729 david.clamp@south-derbys.gov.uk | DOC: |
| SUBJECT: | POTENTIALLY VIOLENT PERSONS POLICY | REF: |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: FM17 |

1.0 Recommendations

- 1.1 To approve the Potentially Violent Persons Policy (Appendix 1) as part of the Council's Health and Safety Management framework.

2.0 Purpose of Report

- 2.1 That a Policy is adopted to provide a corporate approach for sharing information concerning persons that present a serious risk to the health and safety of employees and others when delivering services to the Community.

3.0 Detail

- 3.1 The Council has statutory responsibilities under the Health and Safety at Work Act 1974 to protect employees at work from the risks associated with their health and safety. Accordingly, the Council is committed to ensuring that the health, safety and welfare requirements of its employees are met and that any risks are appropriately managed.
- 3.2 Whilst measures have been long established to protect employees who undertake lone working, work out-of-hours, visit people in their homes/sites or provide call-out services etc. there has been a requirement to coordinate how information can be safely and securely shared across the Council when incidents of violence or threatening behaviours have been encountered.
- 3.3 The Potentially Violent Persons Policy provides the required framework for this to occur and enables a corporate register of persons and/or properties to be established that can be shared across all services.
- 3.4 The Policy has been reviewed and approved by the Health and Safety Committee and the Joint Negotiating Group that both include Trade Union representatives.

Corporate Risk Register

- 3.5 As part of the new arrangements, a corporate risk register will be held on the Council's IT network. This will be maintained and controlled by the Strategic Director (Corporate Resources). Access to the list will be restricted to nominated officers within each service who will be responsible for ensuring that any information is only shared with other employees or other persons providing services on behalf of the Council where there is a known, serious risk to their health and safety.

Data Protection Act 2018

- 3.6 The requirements of the Data Protection Act 2018 have to be observed with the obtaining, processing and sharing of data. This includes a requirement to inform any person in advance that they will be placed on an internal risk register due to their behaviour and/or actions towards a member of staff or other parties working with or on behalf of the Council.
- 3.7 The Potentially Violent Persons Policy has been reviewed to ensure compliance with the Act and appropriate actions in place to maintain the security of data and arrangements for any data to be reviewed, processed and securely destroyed.

4.0 Financial Implications

- 4.1 None.

5.0 Corporate Implications

- 5.1 The Council has a statutory duty under the Health and Safety at Work Act 1974 to protect the health, safety and welfare of their employees and other people who might be affected by their business. Employers must do whatever is reasonably practicable to achieve this.
- 5.2 This means making sure that workers and others are protected from anything that may cause harm, effectively controlling any risks to injury or health that could arise in the workplace. This Policy, along with the robust health and safety management framework that is already in place, ensures the Council is meeting this duty.
- 5.3 Legal implications – Advice and support has been obtained in the development of the Potentially Violent Persons Policy.
- 5.4 Employment Implications – There are no direct employment implications. If approved, a communication and training plan will be implemented to ensure that all officers, partners and contractors working on behalf of the Council are informed of this Policy and aware of their responsibilities to report incidents and keep secure any data that is provided to them when undertaking their duties.

6.0 **Community Implications**

- 6.1 The Council ensures that services are delivered in a fair, professional and courteous manner. It is, therefore, reasonable to expect that its workforce and others working on behalf of the Council should receive a similar level of behaviour when providing these services. When on the rare occasions there are serious concerns raised over recipients of services, that there is a robust and transparent framework in place to consider how services can be delivered and appropriate actions taken to safeguard employees and others.

7.0 **Conclusions**

- 7.1 The Policy provides a transparent and fair process for the Council to deal with any concerns raised by staff of others working on behalf of the Council who encounter behaviour that present a serious and known risk to their own safety as well as other colleagues.

Potentially Violent Persons Policy

Human Resources Team

March 2018

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Version Control

| Version | Description of version | Effective Date |
|---------|-------------------------------------|----------------|
| 1.0 | Warning Marker Register | |
| 2.0 | Potentially Violent Person Register | April 1, 2018 |

Approvals

| Approved by | Date |
|----------------------------------|-----------------------------|
| Health and Safety Committee | 25 th April 2018 |
| Finance and Management Committee | |

Associated Documentation

| Description of Documentation | |
|------------------------------|--|
| Lone Worker Policy | |

1.0 Introduction

- 1.1 South Derbyshire District Council (“The Council”) is committed to providing customer focussed, value for money services for the Community.
- 1.2 Unfortunately and in a minority of cases, employees and Elected Members may from time to time come into contact with persons that may demonstrate aggressive, potentially violent or unreasonable behaviour. Furthermore hazardous premises or sites may also pose a risk to their health, safety or welfare.
- 1.3 It is recognised that employees who work in direct contact with the public either out on site or in the offices and those who undertake lone working both during and outside normal office hours will be the most at risk.
- 1.4 The Council has a responsibility to protect employees at work from the risks associated with their health and safety. Accordingly, the Council is committed to ensuring that the health, safety and welfare requirements of its employees are fully met and that any risks to them are managed and minimized.
- 1.5 It is also important to recognise that other types of behaviour from members of the public also present a risk to employees. This includes behaviour related to hate crime and sexual abuse and it is intended that this Policy would also include these types of behaviours to afford the necessary risk management actions for Council employees.

2.0 Purpose and Objectives.

- 2.1 The purpose of this Policy is to:
 - Define what the Council considers to be aggressive, potentially violent or unreasonable behaviour and to ensure fairness and consistency when dealing with such behaviour.
 - Provide options that are available to the Council to protect employees from such behaviour.
 - Explain the possible consequences such as being placed on the Potentially Violent Persons List (“PVL”).
 - Ensure that all customers are treated equitably and on an individual basis.
 - Set out the Council’s procedures and provide guidance on the use of information relating to potentially violent persons.
- 2.2 The Policy will provide:
 - Compliance with statutory legislation and guidance in the protection of employees from the risks of lone working and potentially violent behaviour. (**See section 4 - Legal requirements**).
 - So far as reasonably practical, to protect employees from the risks of aggressive and potentially violent persons.
 - For the introduction of a corporate system for listing Potentially Violent Persons (or hazardous premises where risks are known and person(s) either not present or identifiable), that all employees can reference, to enable them to eliminate or significantly reduce the risk of harm or injury.
 - That the corporate system is made available across all Council services and controlled centrally to ensure appropriate levels of governance and security of the information is maintained at all times.
 - For information to be shared across the Council where employees are issued with work tickets or service requests from members of the public and enable electronic and/or

manual documentation to be marked in such a way that it highlights the risk to employees.

- Recognition of the rights of individuals who may appear on the list and to ensure that all necessary steps are complied with in accordance with appropriate legislation governing accessing records and information.
- That appropriate steps are taken to ensure that the corporate system is maintained and updated in a compliant, transparent and timely manner.

3.0 Definitions

- 3.1 Aggressive behaviour and or violent behaviour can cause physical or emotional harm to others. It may range from verbal abuse to physical abuse. It can also involve harming personal property, facilities or work equipment.
- 3.2 'Unreasonable behaviour' - Abusive, persistent or vexatious complaints and customers behaviour whether face-to-face, by telephone, social media, or written that may cause staff to feel intimidated, threatened or abused.
- 3.3 Hate crime - A range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the victim's disability, race, religion, sexual orientation or transgender identity.
- 3.4 Sexual abuse - Sexual abuse is any sort of non-consensual sexual contact either verbal or physical.
- 3.5 'Hazardous premises' - The potential to cause physical harm with the consequences to persons receiving an injury, or contracting ill-health or disease.
- 3.6 The 'Policy' comprises this document and any supporting systems or documentation as referenced in the Policy.
- 3.7 'Personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person as defined in section 3 of the DPA 2018.
- 3.8 Data Protection Legislation means the Data Protection Act 2018; the EU Data Protection Directive 95/46/EC; the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016); the Regulation of Investigatory Powers Act 2000; the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000; the Electronic Communications Data Protection Directive 2002/58/EC; the Privacy and Electronic Communications (EC Directive) Regulations 2003; and all applicable laws and regulations relating to processing of personal data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner.
- 3.9 Data Protection Officer ("DPO") means the role as defined under section 69 of the Data Protection Act 2018
- 3.10 Data Controller means as defined in the Data Protection Act 2018
- 3.11 Data Processor means as defined in the Data Protection Act 2018

3.12 DPA means Data Protection Act 2018

4.0 Legal Requirements

4.1 Health and Safety at Work Act 1974 states that; “It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.”

4.2 Health and Safety at Work Act 1974 & The Management of Health and Safety Regulations 1999 imposes a duty on employees to take reasonable care for their own safety and that of others and to co-operate with the employer with their safe systems of work.

4.3 The Data Protection Act 2018 regulates the processing of personal data. It gives rights to individuals (data subjects) and places obligations on those who control the processing of personal data (data controllers) who must comply with six principles, which form a framework for the proper handling, collection, processing, retention, security, use and destruction of personal data.

4.4 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). The statutory requirement to record and report incidents of work related violence.

5.0 Compliance

5.1 The Data Protection Act 2018 [DPA]. The DPA sets out the data protection responsibilities for organisations. They are based on six principles that form the fundamental conditions which organisations must follow when collecting, processing and managing personal data.

The six principles of the DPA require that personal data shall be:

1. Processed lawfully, fairly and in a transparent manner in relation to individuals.
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the DPA in order to safeguard the rights and freedoms of individuals.
6. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

5.2 The Council has adopted local arrangements to meet its obligations under the DPA and these are available at www.south-derbys.gov.uk

5.3 Services are expected to comply with the DPA at all times and to develop their own local arrangements as required.

6.0 System Administration and training

- 6.1 The corporate system will consist of a separate secure database on a shared area of the Council's main network server that will give restricted view only access to authorised employees across all departments throughout the Council. Direct access will only be given to duly nominated and authorised employees and will be subject to regular review, at least once a year.
- 6.2 Where just cause necessitates an entry onto the database, a marker will be attached to the database to warn an employee of a potential hazard. The marker will identify that a risk is attached to a property, location or person (s).
- 6.3 The system will be maintained by trained staff and only authorised entries will be included on the system. These trained staff will have full editing and control over the information maintained on the system under the supervision of the Potentially Violent Register Co-ordinator and/or nominated Officer(s) in their absence.

7.0 Operating System

- 7.1 The Council will operate a corporate system on a database ("the register") with restricted access upon which persons, property or locations considered to be potentially violent or present a risk to employees are recorded by the Potentially Violent Register Co-ordinator.
- 7.2 This register will replace all individual departmental lists or registers, which are no longer acceptable and have been securely destroyed.
- 7.3 The use of potentially violent markers on existing files is also governed by the data protection compliance issues set out in this Policy.

8.0 Fair & Lawful Processing

- 8.1 The DPA principles as noted in section 5, places a number of obligations on the Council in relation to the collection of personal data, which includes:
- Transparency: Tell the subject what data processing will be done.
 - Fair: What is processed must match up with how it has been described
 - Lawful: Processing must meet the tests described in the DPA
- 8.2 The Council will rely upon the following condition to meet compliance with the DPA;
- The processing is necessary for the purposes of exercising or performing any right or obligation, which is conferred or imposed by law on the data controller in connection with employment as a result of the duties imposed on employers under health and safety legislation.
- 8.3 The Council will in determining the decision to place an individual on the PVL will take into consideration whether the individual has a known or suspected:
- Alcohol or drug abuse
 - Mental illness/disability
 - Serious Illness or disability
 - History of violent behaviour/ criminal convictions
 - Aggressive behaviour

To comply with the DPA and as soon as the decision is made, the Council will inform the individual that they have been identified as being potentially violent and that they will be included on the Council's PVL. This will:

- Detail the action the Council has taken and the reasons.
- Advising them of their right to appeal.
- Explain what it will mean for the individual's future contact with and service from the Council.
- Set out whether there will be restrictions placed on the individual in terms of contacting the Council.
- Advise on how long any restrictions will remain and the date of any reviews.
- Advice on the length of time the individual will be placed on the PVL and the date of review.
- Explain that the decision will be notified to employees, Elected Members and may include other organisations such as the Police, in accordance with clause 11.8 below.

8.4 Only after the individual is notified of the decision and any Appeal periods have expired will they be added to the corporate register. The individual will be entitled to request further information on why their actions have caused them to be included on the register and to challenge the length of time the details will be held on the register within 14 calendar days of being notified of the decision. All decisions will be confirmed in writing.

8.5 In exceptional circumstances, the Council may decide that informing the individual of being placed on the PVL may create a significant risk of harm or a violent reaction thereby placing employees at significant risk. In this circumstance the individual will not be informed, however the decision maker will record evidence as to why this decision has been taken and will be subject to review.

8.6 The individual will have the right to appeal in writing within 14 calendar days of being informed that they are being placed on the PVL. Once an Appeal has been submitted within the 14 calendar days, the Council will review its decision and communicate the final decision within 28 calendar days of receiving the Appeal.

9.0 Decision to Identify Individual's as Potentially Violent.

9.1 The Council has identified the Strategic Director (Corporate Resources) as the officer with corporate responsibility for the system and for making final decisions about the identification of individuals who are potentially violent. This officer is the Potentially Violent Register Coordinator ('the Coordinator)

9.2 In the absence of the Coordinator all final decisions will be made by the Head of Organisational Development ("HOD") and /or Health & Safety Officer ("HSO")

10.0 Duties of the Potentially Violent Register Coordinator.

10.1 The Coordinator will make decisions as to whether an individual should be:

- Entered on the register based on full consideration of the evidence provided.
- Restricted on the number and duration of contact with employees in a given time period.
- Limited to one method of contact.
- Provide a single named point of contact for all communication. This should be a senior manager within the relevant Department.
- Determine if the information should be shared with other parties such as the Police, contractors and/or Elected Members.

- Complete regular reviews of the data held on the PVL
- Authorise and keep under review those employees who maintain the database and those given 'view only' access.

The Coordinator will ensure that the fair processing provisions of the DPA are complied with.

The Coordinator shall ensure that any physical, sexual, hate crime or racial abuse will be reported to the Police.

- 10.2 Individuals who are thought to present a real and significant risk should be identified on the register. Consideration will be given to recording an entry on the register where there has been an actual incident of physical violence, harassment or abuse to an employee, Councillor, contractor or agent of the Council which caused that individual to have a genuine fear for his/her safety. In very limited cases, the Coordinator may include an individual in the register on the basis of intelligence, or factual information received from a credible third party e.g. the Police. In such a case, the Coordinator will review the information and determine whether an entry will be made in the register. If so, the entry will be clearly marked "information received from a third party which is based on a statement of fact."
- 10.3 All decisions will take account of the nature of the incident, the degree of violence used or threatened, and whether or not the incident indicates a credible threat of violence or significant risk of harm to an individual. The information held will be relevant and not excessive in accordance with the principles of the DPA.
- 10.4 The following background information and mitigating factors will also be considered when deciding whether to include an entry on the system and where necessary details will be included within the entry:
- Nature of the incident.
 - Degree of violence used or threatened.
 - Level of injury or harm sustained.
 - Level of impact to the victim.
 - Likelihood that a repeat incident could occur.
 - Previous history of violence, abuse, harassment and likelihood of repetition.
 - Mitigating factors i.e. personal tragedy or illness.
 - Behaviour/conduct of employee involved.
 - Credibility of the information and its source.
 - Reliability (where appropriate) of identification.
 - Corroboration of the incident by other members of staff or other witnesses.
- 10.5 All decisions are fully documented. An entry will comprise of:
- Name and address of the member of the public concerned
 - A brief description of the incident
 - The source of the information
 - Mitigating/background information
 - Date of entry
 - Date of review
- 10.6 Where insufficient information/evidence is provided on the assessment form to enable a decision to be made; the matter will be deferred to enable further information/evidence to be obtained. In certain circumstances, the employee may be interviewed by the Coordinator to ensure sufficient information is provided to enable a decision to be made. In the event that the Coordinator requires further information, which is not forthcoming, no entry will be made on the register.

- 10.7 All entries are reviewed on a six-monthly basis and names removed from the system if appropriate. When entries are removed, the Coordinator will take appropriate action to ensure that;
- The individual is informed
 - All Council services are aware that the person no longer presents a risk
 - All record of the entry is securely destroyed in accordance with the requirements of the DPA
- 10.8 Only those employees and other individuals undertaking work on behalf of the Council with a legitimate reason to be made aware of information held on the system will be given access to it.

11.0 Adding/Altering/Removing Data

- 11.1 All data to be added to the system or alterations or removal to existing data shall be approved by the Coordinator or in their absence by the Health and Safety Officer or Head of Organisational Development.
- 11.2 The Coordinator, Health and Safety Officer or Head of Organisational Development shall ensure that the information posted is concise, legal, accurate and appropriate before approval is given.
- 11.3 The information contained on the system will be reviewed every six months and the Coordinator will approve any necessary alterations and deletions of data.

NOTE: An individual has a legal right of access to receive a copy of the data held about them and a right to compensation if it is inaccurate.

- 11.4 An individual, premise or location will be registered once the assessment form has been completed and a decision is reached to register by the Coordinator or Health and Safety Officer and/or Head of Organisational Development.

NOTE: Whilst the provisions of the DPA do not apply to premises or locations, the principles of the DPA would still be observed to ensure that data is correctly logged and reviewed.

- 11.5 If an individual is not registered on the system then no further action will be taken.
- 11.6 If the decision is taken to register then formal confirmation will be sent out to inform the individual that they are now on the Council's potentially violent person's database – subject to the completion of any Appeal.
- 11.7 If an individual is then identified as presenting an increased risk or has again been involved with an incident with a Council employee or other persons working on behalf of the Council between the date of the first incident and the date of their removal from the database then the date for removal will be increased by a minimum period of 12 months.
- 11.8 The Council reserves the right to share this information with other interested parties such as Councillors, Contractors and other agencies where the law requires it. Information may also be shared where the Council has a legal duty to do so and for the prevention and detection of crime. Information will be shared as and when the need arises.

11.9 The Coordinator will meet with the Health and Safety Officer or Head of Organisational Development every six months to review the database and further improvements or amendments to this Policy. The Policy will be reviewed every two years or when there is new or amended legislation that requires the Council to do so.

13.0 Review of Entries

13.1 The DPA requires that information is accurate and where necessary kept up to date and requires that information shall not be kept for longer than is necessary.

13.2 All entries will be reviewed every six months to ensure that they are accurate and up to date and to ensure that people are not identified as being potentially violent when no threat remains, and entries removed where appropriate. Retention of entries will be for a minimum period of six months and will depend on the level or threat of violence in the original incident, the length of time since the incident, the previous and subsequent behaviour of the individual and any mitigating circumstances.

14.0 Nominated Officers

14.1 Each Service will nominate an Officer with responsibility for coordinating matters relating to the PVL. The Nominated Officer, subject to the approval of the Coordinator, shall:

- Coordinate assessment forms within their service which will be forwarded to the Coordinator.
- Ensure that only those employees who are likely to come into contact with a potentially violent person(s), through visits or by meeting in open plan reception areas, or who can otherwise demonstrate a need to know, will have access to information held on the PVL.
- Keep the information from the database secure, controlled and not included on any other system without the formal permission of the Coordinator.
- Adopt and review local procedures in their own service to ensure that employees and third parties working on behalf of the Council are aware of the PVL and that it is checked before service is provided to a member of the public or visit to a property or location is made.
- Check the register on a regular basis and ensure that any changes to the database are properly communicated.
- Ensure that the stated principles of the DPA are observed at all times when undertaken the role.

15.0 Referrals

15.1 Any employee who genuinely considers that an individual should be entered on the register as potentially violent should complete an assessment form. The form should be authorised by the employee's manager and passed to the Nominated Officer within the service unit. The Nominated Officer will pass it to the Coordinator for a decision on whether it will be included on the register in line with this procedure. The employee may be interviewed by the Coordinator if further information is required to enable a decision to be taken as necessary.

15.2 All information should be completed without undue delay and forwarded on to the appropriate persons on the same or next working day where ever possible.

16.0 Training

16.1 Nominated employees will be trained in the proper use of the system, requirements of the DPA and this policy and the procedures that need to be followed. For example, they should

be aware that they have a duty to report incidents, the type of incidents which should be reported, and the officer to whom they should pass this information.

- 16.2 All employees at the Council are required to attend mandatory training on data security and the requirements of the DPA. In addition, employees, where appropriate, will also be provided with training in avoiding conflict at work and other relevant health and safety training as required.

17.0 Security

- 17.1 The information on the register will be governed by security measures which prohibit unauthorised access, disclosure, alteration, loss and destruction in accordance with the requirements of the DPA.
- 17.2 Only those employees who are likely to come into direct contact with a potentially violent individual, through visits or by meeting in open plan reception areas, site visits or who can otherwise demonstrate a need to know, will have access to information about that individual held on the register. The right to access information will be strictly controlled, reviewed and maintained by the Coordinator.
- 17.3 All records containing an indication that an individual is potentially violent will be retained securely. All necessary steps will be taken to prevent unauthorised access to any manual or electronic information indicating that an individual has been violent. Unlawful disclosure of information is a criminal offence under the DPA.

18.0 Passing the information to other organisations

- 18.1 In accordance with the DPA - Personal data shall not be transferred to a country or territory outside the European Economic Area ("EEA"), unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data. Personal data should not be transferred outside the EEA without authorisation from the Coordinator or the DPO
- 18.2 In some cases the Council may consider that another organisation that is likely to have contact with an individual considered to be potentially violent should be made aware of this fact.
- 18.3 In passing on (or disclosing) such information the Council will ensure it is only completed in accordance with the requirements of the DPA. Advice will be sought from the Data Protection Officer before any information is released and stated examples in the DPA when this may occur include;
- for the exercise of any functions of a public nature exercised in the public interest by any person
 - The processing is necessary for the purposes of exercising or performing any right or obligation which is conferred or imposed by law on the data controller in connection with employment which would otherwise justify the processing of sensitive personal data by the Council. This is because the duties imposed by health and safety legislation on an employer to protect his employees are imposed on that employer only in respect of his employees.
 - The processing is in the substantial public interest; is necessary for the purposes of the prevention or detection of any unlawful act; and must necessarily be carried out without the explicit consent of the data subject being sought so as not to prejudice these purposes.

However, this will only be applied on a case-by-case basis when there is a credible risk that an unlawful act, such as an assault, will occur. The Coordinator should be notified of any proposed disclosure and ensure that it is noted in the register entry. Unlawful disclosure of information is a criminal offence under the Act.

18.7 Whatever the basis of the disclosure being made the Council will inform the individual that their data has been passed on, the stated reason under the DPA that enables data to be shared and to whom.

18.8 It is important that strict compliance with the DPA is observed at all times when data is shared and advice must be sought in advance from the Data Protection Officer.

19.0 Individual rights

19.1 Individuals have the legal right to request access to any information held about them. This will include the fact that an individual may have been recorded as being potentially violent although in line with this Policy, the individual will have been informed of this in advance.

19.2 Individuals who request access to information held will be required to pay a fee and supply proof of identification such as photographic ID, driving licence or passport

19.3 Under the DPA individuals also have the right to require the Council to cease the processing of personal data which is likely to cause them substantial and unwarranted damage or distress. If the individual is not satisfied with the Council's response he/she has the right to make an application to the court and the Council may therefore have to justify the entry on the register. If an entry cannot be justified, is inaccurate or out of date, compensation may be awarded to the individual.

20.0 Data Protection Queries

20.1 The Coordinator should be contacted with regard to any data protection queries in respect of this policy.

20.2 Any matters related to the processing, control, privacy and other matters related to the handling of data should be referred to the Data Protection Officer.

21.0 Review

21.1 This Policy will be reviewed every two years.

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|--------------------------------|--|---|
| REPORT TO: | FINANCE AND MANAGEMENT COMMITTEE | AGENDA ITEM: 13 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: DELEGATED/ RECOMMENDED |
| REPORT FROM: | ALLISON THOMAS – STRATEGIC DIRECTOR – SERVICE DELIVERY | OPEN |
| MEMBERS’ CONTACT POINT: | EILEEN JACKSON – 01283 595763 Eileen.Jackson@south-derbys.gov.uk | DOC: |
| SUBJECT: | UPDATED HOUSING STRATEGY ACTION PLAN 2018/19 | REF: |
| WARD(S) AFFECTED: | ALL WARDS | TERMS OF REFERENCE: ***SEE BELOW |

1.0 Recommendations

- 1.1 That following approval at Housing and Community Services Committee, the Finance and Management Committee approves the 12 month interim Housing Strategy Action Plan and proposed timescales for delivery attached as Appendix 1 to this report.
- 1.2 That the Committee notes that a new three-year Health and Housing Strategy is to be compiled and brought back to Members for approval in Autumn 2019

2.0 Purpose of Report

- 2.1 To gain approval for the delivery of the revised Housing Strategy Action Plan attached as Appendix 1 and the development of a new Housing and Health Strategy in 2019 to replace the existing Housing Strategy 2016 – 2021 in the light of government guidance.

3.0 Detail

- 3.1 The Council’s Housing Strategy was published in 2016 and although the majority of the content is still relevant, there have since been significant changes both locally, in terms of the way housing services are structured and within the national policy context. The actions contained in the 2016 strategy have therefore been reviewed and outstanding tasks have been realigned to reflect these changes.
- 3.2 The key changes in policy which have been introduced since the Council’s Housing Strategy was published that have impacted on the way the Council delivers its Housing Services, the way new builds and acquisitions can be funded, the way housing is subsidised and the planning process are set out below:

- Autumn Statement in November 2016 – (announced additional £1.4billion for affordable homes delivery, changes to Universal Credit and a range of other housing measures)
- Housing White Paper – (*Fixing Our Broken Housing Market – Feb 2017*)
- Homelessness Reduction Act 2017 (and associated Code of Guidance for Local Authorities – October 2017)
- Revised National Planning Policy Framework (NPPF) – July 2018

In addition, there are further proposed policy changes that are currently being consulted upon including:

- Green Paper – (A new deal for social housing – August 2018)
- Use of Right to Buy Receipts – (August 2018)
- Rents for social housing from 2020-21- (September 2018)

Further changes to national guidance are also likely to be announced within the next 12 months relating to private sector regulation and enforcement which will need to be reflected in the Council's strategic thinking.

3.4 The revised Plan is, therefore, a 12-month interim Plan which would lead up to the development of a new Housing and Health Strategy in 2019. Informed by the policy context above and stakeholder consultation, it is likely to include:

- tackling homelessness
- improving housing / health conditions across all housing tenures
- increasing new affordable housing supply to meet identified needs.

3.5 The Action Plan attached at Appendix 1 both reviews the status and progress of the original actions and provides a fresh focus for 2018/19 with new key priorities identified within each of the three objectives taken from the 2016-21 Housing Strategy;

- HS01 – Improving Access to and Supply of Housing
- HS02 – Well maintained, Safer, Greener Homes
- HS03 – Enabling People to Live Independently

3.6 As outline in Section two of the Plan, many of the original actions have either been completed or are currently in progress. Original tasks that are outstanding and are still relevant have been transferred to the new Priorities for 2018/19 within Section 1 of the plan. These actions sit alongside the newly identified actions for the next 12 months.

4.0 Financial Implications

4.1 There are revenue and capital implications associated with the new actions contained within the Plan. Individual actions would be subject to further Committee approval. Where additional funding from the General Fund or the Housing Revenue Account is required these have been highlighted in the Plan.

4.2 The 12month interim Action Plan does not require wider stakeholder consultation as actions identified were all identified as part of the previous consultation exercise which led to the current Housing Strategy being produced. Further consultation with relevant stakeholders will be required in 2019, however, to inform the production of

the new Health and Housing prior to the final version being presented to Committee for approval.

5.0 Corporate Implications

- 5.1 Approval of the recommendations outlined in this report will enable the delivery of the 12-month Action Plan. Delivery of the Action Plan will have positive direct implications on the following actions contained within the Corporate Plan;
- Place – to facilitate and deliver a range of integrated housing and community infrastructure
 - People – to enable people to live independently
- 5.2 Many of the actions within the proposed Plan will have legal implications as they will involve entering into Service Level Agreements, contracts and partnership arrangements with external organisations. Any project with associated legal implications will be delivered in conjunction and consultation with Legal Services

6.0 Employment Implications

- 6.1 There are no employment implications associated with the approval of the recommendations contained in this report
- 6.2 Following the approval of the revised Action Plan, the new priorities will be discussed with the identified lead officers and tasks and target dates will be monitored by the Strategic Housing and the Corporate Performance Teams.

7.0 Community Implications

- 7.1 Implementation of the actions contained within the revised Plan will have a direct positive impact on neighbourhoods and new communities across the District. Delivery of the actions contained within the Plan will reinforce and support the Council's priority for Healthier Communities within the Sustainable Communities Strategy 2009 – 2029.
- 7.2 Equality Impact Assessments - the following actions contained within the revised action plan in Section 1 (New Priorities for 2018/19) will be subject to an individual assessment:
- Production of a Homelessness Review and Strategy
 - Review of the Council's Allocation Policy and associated consultation
 - Review of the Tenancy Strategy
 - Identification of specific needs of Black and Minority Ethnic (BME) households and travelling communities
- 7.3 Armed Forces Community Covenant – the following actions contained within the revised Action Plan will have positive implications for members of the armed forces community;
- Production of a Homelessness Review and Strategy
 - Review of the Council's Allocation Policy and associated consultation
 - Review of the Tenancy Strategy

8.0 Conclusions

- 8.1 Housing has a major role to play in determining wider socio-economic outcomes including health, educational attainment and community engagement and it is, therefore essential that the Housing Service's corporate priorities focus on tackling health, housing and social inequality to improve the life chances and wellbeing of households in the District.
- 8.2 In addition to the social impact of intervention within the housing sector, the Council's services also need to focus on reducing the polarisation between those who can and cannot access the housing market. The Council can do this by utilising its influence and negotiation with housing providers and within the planning process to effectively bridge the gap with intermediate solutions for those who may not be wholly reliant on social housing but cannot yet access market solutions to meet their housing needs. This will ensure the most vulnerable households are housed and supported to sustain independent living and prevent the need for costly, crisis intervention. The new actions contained within the Action Plan provide the necessary strategic steer required to meet the evolving housing needs of the District's population.

9.0 Background Papers

- 9.1 Current Housing Strategy 2016 – 2021

Housing Strategy Action Plan - 2018 Update

The Council's Housing Strategy was published in 2016. Since then, there have since been significant changes both within the Council, locally and to National Housing Policy. It is intended, therefore, that the Strategy will be reviewed in 2019 to ensure legislative changes are reflected within the content and the Council's wider corporate objectives are aligned with the content of the revised Action Plan. The three themes that underpin the current Strategy will also be reviewed, informed by a wider stakeholder consultation event.

The table in section two sets out what actions have been completed within the last two years, what actions are still in progress and what is no longer relevant, against each of the objectives. The objectives sit within one of three identified Strategic Outcomes listed below;

- **HS01 – Improving Access to and Supply of Housing**
- **HS02 – Well Maintained, Safer, Greener Homes**
- **HS03 – Enabling People to Live Independently**

Over the last year there have been many changes to the way the Council's Housing Services are delivered and there have been significant external factors that have influenced decisions relating to the Housing Revenue Account, Planning Policy, the Council's new build programme and the Council's obligations towards homeless households. The Housing Strategy, therefore, requires a fundamental review to ensure holistic solutions are delivered by the Council to address housing need and tackle poor housing conditions across the District.

Since the Strategy was adopted in 2016, there have been many changes in National Policy as well as socio-economic changes as a result of the continued roll-out of welfare reforms. The Homelessness Reduction Act 2017 required the Council to re-shape its front line resources and commit additional funding to increase capacity and resilience by its April 2018 implementation date.

The Housing White Paper published in February 2017 set out plans to 'Fix the Broken Housing Market' and led to concerns over the definition of affordable housing, major changes to planning services and the key message to local authorities was the build more Council Housing. The Neighbourhood Planning Act 2017 and subsequent changes to the National Planning Policy Framework (NPPF) guidance have also impacted on housing delivery and the associated availability of grant funding. It is intended, therefore, that the Council's revised Housing Strategy will, cover a shorter time-span from 2019-2021 and be compiled to reflect and incorporate the revised position of the housing sector.

These legislative changes in conjunction with the socio-economic impact of welfare reform, have left the housing market increasingly polarised between those newly forming households who can access market solutions and those who are wholly reliant on social housing. This has led to a greater need for government intervention within the sector to effectively bridge the widening gap with intermediate solutions that meet both the needs and aspirations of the increasing population.

The following actions have been identified as priorities for the next 12 months until the Council's Housing Strategy is reviewed. The actions will be monitored by Strategic Housing, overseen by the Strategic Director - Service Delivery and through progress reports taken to the Council's Housing and Community Services Committee.

1. New Priorities for 2018/19

| HS01 – Improving Access to and Supply of Housing | | |
|---|---|-------------------------|
| Action | Lead Officer | Target date |
| Deliver six new council homes for affordable rent in Overseal through the Homes England SOAHP programme | Strategic Housing Manager | 31 March 2019 |
| Review the Council's Allocation Policy and undertake associated consultation | Housing Services Manager / Strategic Housing Manager | March 2019 |
| Deliver 150 new affordable homes across the district | Strategic Housing Manager | End March 2019 |
| Bring 10 empty homes back into use during 2018/19 | Environmental Health Manager | March 2019 |
| Identify specific needs of BME households and travelling communities | Strategic Housing Manager and Planning Policy Team Leader | January 2019 |
| Compile disposals policy | Business Support Manager / Strategic Housing Manager | May 2019 |
| Review Tenancy Strategy to incorporate fixed-terms | Housing Services Team Leader | March 2019 |
| Use the feedback from the STAR survey to shape the priorities of the Housing Services | Business Support Manager | Ongoing through 2018/19 |
| Implement a joined up homelessness/allocations procedure to tackle housing need | Business Support Manager | May 2019 |

| HS02 – Well Maintained, Safer, Greener Homes | | |
|--|---|--------------------|
| Action | Lead Officer | Target date |
| Establish enhanced Healthy Homes referral protocol | Strategic Housing Manager / Private Sector Housing & Environmental Team Manager | September 2018 |
| Ensure approved policies are in place and being implemented for Legionella, Gas Safety, Asbestos and Electrical testing | Improvements and Repairs Team Leader | December 2018 |
| Review condition of non-traditional stock in conjunction with new build & regeneration programme | Housing Services Manager / Improvements and Repairs Team Leader | May 2019 |
| Incorporate physical improvements to estates as part of Asset Management Review and in conjunction with Housing Management Team | Housing Services Manager | Throughout 2019/20 |
| Design out crime on Council estates through establishment of Environmental Improvements Budget to fund initiatives and improvements that prevent crime and enhance the estates | Housing Services Manager | April 2019 |
| Compile Asset Management Strategy incorporating findings from the stock condition report | Housing Services Manager | February 2019 |
| Compile strategy to deal with non-traditional housing stock requiring investment | Housing Services Manager | July 2019 |
| Develop and implement a project to reduce excess cold in rural private rented stock | Environmental Health Manager | May 2019 |
| Contact all households identified as living in fuel poverty and provide energy / income advice | Environmental Health Manager | June 2019 |

| HS03 - Enabling People to Live Independently | | |
|---|---|--------------------|
| Action | Lead Officer | Target date |
| Undertake review of sheltered schemes to assess potential to redevelop / change of use / remodelling etc. | Housing Services Manager | September 2019 |
| Produce a Homelessness Review & Strategy | Housing Services Team Leader / Homeless Forum | March 2019 |
| Promote use of telecare and telehealth products and services | Housing Services Team Leader | Throughout 2018/19 |
| Expand the range and uses of telecare and telehealth services and equipment | Housing Services Team Leader | September 2019 |
| Appoint Mental Health Service worker to support people with mental health issues at risk of losing their homes / to access accommodation | Strategic Housing Manager | September 2018 |
| Establish Hospital Avoidance scheme in partnership with NHS England and Adult Care | Strategic Housing Manager | November 2018 |
| Housing Delivery plan to be developed for aging population – following publication of findings from Countywide Older Persons Housing Strategy | Strategic Housing Manager | July 2019 |

2. Updated Action Plan – September 2018

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| Completed | Key |
| Ongoing | |
| Not in progress / moved to New Priorities (above) | |

| Strategic Outcome: HS01 – Improving access to and supply of housing | | | | |
|--|---|---------------------------|--------------------|--|
| Objective | Action/Task | Responsible Officer | Timescale | Update |
| HS Obj 01a - Ensure an increasing supply of good quality new homes of all tenures to contribute to meeting the growing need for housing in South Derbyshire which supports economic growth | Review Affordable housing policy framework | Strategic Housing Manager | 2016/17 | Report taken to Committee on 23.11.17 outlining Council's approach to kick starting the Affordable Housing Delivery Programme (to include new build, acquisitions and procurement of delivery partner) |
| | Review and Publish New Housing Strategy | Strategic Housing Officer | 2021/22 | Review of Action Plan during 2018 – New Strategy to be compiled in 2019 |
| | Commission & publish new Strategic Housing Market Assessment | Strategic Housing Officer | 2016/17 to 2017/18 | Methodology compiled and initial meetings held with consultants undertaking the HMA wide review |
| | Provide or commission services with partners and developers to maximise accommodation for different groups including specialist | Strategic Housing Manager | 2017/18 | SLA agreed with P3 for x six designated units for temporary accommodation — this is ongoing with new |

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| | accommodation | | | sites coming forward |
| | Develop the expertise required to conduct financial viability assessments on new developments and acquisitions | Strategic Housing Manager | 2016/17 | There are many toolkits that can be used for this purpose but where we have HRA land to utilise we undertake our own viability assessments using Pro-val or utilise the Shared Strategic Housing Investment post for this purpose |
| | Review Council Housing New Build Design Standards | Strategic Housing Manager | 2016/17 | This would be incorporated into any Design and Build contracts the Council compiles for the appointed delivery partner – the Council would want all new homes to be built to lifetime homes standard and a % that were fully accessible – in terms of thermal efficiency they would need to reach the equivalent of code three for sustainable homes – sprinkler systems to be installed on all new build council housing |
| | Prepare and publish a 5-year year council new build/acquisition strategy | Strategic Housing Manager | 2016/17 | On hold – the report to Committee gives authority to seek opportunities that represent VFM that arise and cannot always be planned predicted / |

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| | | | | incorporated into a five-year plan |
| | Commission and publish a new private sector housing stock condition survey | Strategic Housing Officer | 2018/19 | Private Sector Stock Modelling being undertaken at County level – research commission and Council contribution paid to Derbyshire County Council (DCC) who is co-ordinating the study – findings due Spring 2019 |
| HS Obj 01b - Increase the supply of affordable homes and ensure the right mix to encourage mixed communities and discourage exclusion | Review approach to delivery of affordable housing with Registered Providers | Strategic Housing Manager | 2018/19 | Initial discussions now take place with Strategic Housing at Outline Planning stage, Council support the Registered Providers (RPs) through bidding process and a Local Lettings Plan is required on 100% affordable sites to ensure sustainability of new communities |
| | Establish a framework for reviewing rural housing need to assess the housing supply against need across all tenures | Strategic Housing Officer | 2016/17 | Initial discussions held with Midlands Rural to address rural housing needs |
| | Identify a rural parish and pilot research to review rural housing needs across all tenures | Strategic Housing Officer | 2017/18 | As above – data from parish needs studies to be utilised to identify rural exception sites that could provide affordable homes |
| | Improve the information sharing between private house builders | Strategic Housing Manager | 2018/19 | Commitment in place to work more closely with |

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| | and the Council to influence the building of new housing | | | Planning Services at initial stage. Strategic Housing to be invited to initial discussions where affordable on site provision is a requirement. Strategic Housing is consulted by Planning Services at each stage of the planning process |
| | Consider the equalities impact of all new policies and strategies and undertake equality impact assessments | Strategic Housing Officer | 2016/17 | All new strategic documents and policy guidance must have an equality impact statement included within the Committee Report so impact can be considered prior to ratification by Committee |
| | Prepare guidance on the use of off-site commuted sum provisions for affordable housing | Strategic Housing Manager | 2016/17 | The use of commuted sums will be outlined within each specific scheme and offset against build costs where possible (future negotiations would ensure sums could be spent outside ward boundary) |
| | Increase supply of affordable housing by an average of 150 per year up to 2021/22 (excluding Council new build) | Strategic Housing Manager | Up to 2021/22 | 176 units delivered during 2017/18 and on track to exceed target for 2018/19 |
| HS Obj 01c - Unlock the potential of empty | Review, develop and rewrite Asset Management Strategy | Improvements and Repairs Team Leader | 201617 | Outstanding – moved to 2018/19 Priorities |

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| homes and minimise voids | Repairs Service Review, including modernising the Direct Labour Organisation (DLO) | Improvements and Repairs Team Leader | 2016/17 | This review is in progress – awaiting final consultant’s report prior to undertaking comprehensive service review to incorporate compliance |
| | Review and publish a New Empty Home Strategy | Strategic Housing Manager | 2017/18 | In progress - meeting arranged with Private Sector Enforcement to gauge level of intervention required & scope of strategy |
| | Establish a scheme to bring together property owners with investors, developers and private agencies to bring empty homes back into use | Private Sector Housing Team and Environmental Health Manager | 2016/17 | The Empty Homes Toolkit was produced and published in 2017 for this purpose |
| | Work with Registered Providers and partners to secure funding and bring empty homes back into use (innovative solutions) | Private Sector Housing Team and Environmental Health Manager | 2016/17 | The Empty Homes grant is actively promoted by the Private Sector Housing Team |
| | Unlock land/properties to develop and convert <ul style="list-style-type: none"> • Create a database of long term empty homes; • Refresh the database every year; • Establish and monitor the delivery of an annual target of long term empty homes to bring back into | Private Sector Housing Team and Environmental Health Manager | 2016/17 | The database is complete and reviewed annually. Bringing empty homes back into use is a Corporate Priority and the Empty Homes Grant is utilised for this purpose and available throughout 2018/19 |

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| | <p>occupation to include as a service plan target from 2016/17;</p> <ul style="list-style-type: none"> • Draft an Empty Homes Intervention Procedure to provide officers with all locally available opinions for empty homes interventions; • Develop and bring to the local market an Empty Homes grant offering | | | |
| HS Obj 01d - Make the best use of existing housing stock | Produce and publish a Housing Revenue Account Business Plan | Strategic Director | 2016/17 | Outstanding - this was reviewed in 2015 and will be updated following the stock condition review and subsequent approval of the Asset Management Strategy |
| | Ensure the Council's housing stock meets the Decent Homes Standard and is fit to let | Improvements and Repairs Team Leader | 2016/17 | According to the Councils asset database 100% of our council housing stock meets the decent homes standard |
| | Work with Registered Providers to deliver consistent standards and tackle housing need | Strategic Housing Manager | 2016/17 | Choice Based Lettings Board established to ensure consistent messages are getting to RP partners and that they are kept informed and engaged particularly in relation to meeting housing need and assisting with our statutory obligations towards homeless |

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| | | | | households |
| | As part of the Asset Management Strategy explore opportunities to demolish and replace properties which are less cost effective due to age and construction type | Improvements and Repairs Team Leader | 2016/17 | Outstanding – this can be done once findings from the stock condition report are published – moved to New Priorities for 2018/19 |
| | Continue to contribute to the County Wide Review of Disabled Facilities Grants (DFG's) and implement all recommendations | Improvements and Repairs Team Leader | 2016/17 | Review completed – DFG Strategy Group attended to ensure recommendations / findings are actioned |
| | Review the DFG process to ensure that DFG's are delivered as effectively and efficiently as possible | Improvements and Repairs Team Leader | 2016/17 | On-going – the procurement process for DFG works is currently under review and the Council Housing Adaptations policy is being revised |

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| Strategic Outcome: HS02 – Well maintained, safer, greener homes | | | | |
| Objective | Action/Task | Responsible Officer | Timescale | Update |
| HS Obj 02a - Ensure decent, safe and healthy homes in the private sector | Review and publish a new Private Sector Renewal Policy | Environmental Health Manager/ Housing Strategy Officer | 2016/17 | New Private Sector Renewal Policy approved by E&DC on 6th Oct 2016 |
| | Review and publish a new Affordable Warmth Strategy | Housing Strategy Officer | 2021/22 | Outstanding – this can be completed once findings from Countywide Stock Modelling report are |

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| | | | | produced |
| | Continue to work with and promote East Midlands Decent And Safer Homes (DASH) | Senior EHO (Private Sector Housing) | 2016/17 | The Private Sector Housing Team are members of DASH and partnership working arrangements are ongoing |
| | Review, consider and implement all relevant recommendations following the HMO Consultation exercise | Senior EHO (Private Sector Housing) | 2016/17 | The compulsory licensing of Houses of Multiple Occupation (HMOs) becomes law on 1.10.2018 – preparations are underway to deal with the related issues arising from the legislative changes |
| | Develop and implement a project to reduce excess cold in rural private rented stock | Senior EHO (Private Sector Housing) | 2017/18 | Outstanding – new schemes being established utilising Better Care Funding (BCF) allocation – transferred to 2018/19 Priorities |
| | Inspect all caravan sites holding a Caravan Site License and develop an Enforcement policy/programme | Senior EHO (Private Sector Housing) | 2016/17 and annually thereafter | There are currently 36 registered sites which are inspected annually by the Private Sector Housing Team |

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| | <p>Promote locally the Government's 'How to Rent Guide' to enable tenants new to the private rented sector to understand their rights and responsibilities:</p> <ul style="list-style-type: none"> • Investigate all complaints of housing defects in the private rented sector. • Rectify all identified Category 1 risks in the private rented sector using appropriate interventions in accordance with the enforcement policy. • Take proportionate action to rectify all Category 2 risks in the private rented sector in accordance with the enforcement policy. • Provide landlords with an information pack made available online to maximise their access to support and funding to maintain the condition of their properties | <p>Private Sector Housing Team/Environmental Health Manager</p> | <p>2016/17</p> | <p>The Private Sector Housing Team carried out 294 investigations over the last 3 years in response to complaints and requests for assistance Empty Homes Information Pack published in 2018 with advice for aspiring landlords</p> |
| | <p>Evaluate the potential benefits of using the British Research Establishment (BRE) Health Calculator to calculate the benefits of our interventions in the private rented sector</p> | <p>Environmental Health Manager</p> | <p>2016/17</p> | <p>Not progressed – Cost benefit analysis of the BRE toolkit (for calculating the benefits of mitigating excess cold from a dwelling) concluded the investment did not represent value for money</p> |

| | | | | / Return on Investment for the Council |
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| | Publish a self-help DVD for owner occupiers and tenants to reduce internal condensation and mould | Senior Environmental Health Officer (EHO) (Private Sector Housing) | 2016/17 | Animation produced called 'Mouldy Matters' – this is promoted on you tube and had over 1000 views |
| HS Obj 02b - Support the growing private rented sector | Deliver an a Landlords' Forum annually | Senior EHO (Private Sector Housing) | 2016/17 onwards | Action complete – landlord forums ongoing |
| | Develop a new 'landlords information' pack to help Buy-To-Let landlords to fully understand their duties and responsibilities and to signpost them to services to support them | Environmental Health Manager | 2016/17 | New 'Empty Homes Information Pack' published with advice for aspiring landlords – completed 2018 |
| HS Obj 02c - Reduce fuel poverty | Continually review potential carbon and fuel poverty reduction funding streams and develop programmes that provide maximum impact in reducing fuel poverty: <ul style="list-style-type: none"> • Remain an active member of the Local Authority Energy Partnership (LAEP) by attending all Partnership meetings • Incorporate appropriate LAEP projects and work streams into annual service plan project commitments • Produce a GIS database of households believed to be in fuel poverty. The database will be revised | Improvements and Repairs Team Leader/Private Sector Housing Team/Environmental Health Manager | 2016/17 | The Council is an active member of the LAEP .The Private Sector Housing Team has fuel poverty information detailed on GIS mapping, promote the Healthy Homes County-wide scheme managed by the LAEP to improve homes occupied by people with long-term health conditions. The Team also carries out 'works by agreement' under the 2004 Housing Act when required to improve conditions in the private sector. Households affected by fuel poverty have not yet been contacted and this |

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| | <p>every two years</p> <ul style="list-style-type: none"> All households identified as being in fuel poverty will be contacted (letter, text or email) with advice on switching providers or tariffs | | | has been transferred to 2018/19 Priorities |
| | The viability of a 'collective community renewable energy scheme' will be assessed and a report produced for the Strategic Director – Service Delivery | Private Sector Housing Team/ Environmental Health Manager | 2017/18 | The bid to British Gas in 2017 was not successful – the bid can be adapted if future opportunities arise |
| | Instruct all private landlords of their duty to ensure that all private rented properties must have an energy rating of at least E. Information will be issued via email, text, social media and website | Private Sector Housing Team/ Environmental Health Manager | 2017/18 | The Private Sector Housing Team uses Facebook to raise awareness of Energy Performance Certificate requirements with both landlords and tenants, the EPC requirement will also be promoted on the Council's website and at future meetings of the Private Sector Landlord Forum |
| HS Obj 02d - Improve the condition and energy efficiency of the Council's housing stock | Update stock condition survey and implement recommendations within the new Housing Asset Management Strategy | Improvements and Repairs Team Leader | 2016/17 | This is in progress and consultants have been appointed to carry out the stock condition survey – this will inform the Asset Management Strategy |
| | Review and monitor decent homes standard and lettings standard and develop as part of the Asset | Improvements and Repairs Team Leader | 2016/17 | This action is in progress – following Stock Condition report the decent homes |

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| | Management Strategy | | | standard will be reviewed. The revised lettings standard will be set out within the new major works contract from 1.4.2019 |
| | Review condition of non-traditional stock in conjunction with new build and regeneration programme | Improvements and Repairs Team Leader | 2016/17 | Not in progress - This action has been transferred to New Priorities for 2018/19 |
| | Update private sector stock condition survey | Housing Strategy Officer | 2018/19 | This is now underway – the Council has contributed to a County-wide research study. Findings due Spring 2019 |
| HS Obj 02e - Tackle crime and anti-social behaviour on Council estates | Design out crime on Council estates through improvements to security | Improvements and Repairs Team Leader | 2016/17 | A new 'Environmental Improvement' budget to be made available from April 2019 for this purpose – moved to New Priorities for 2018/19 |
| | Continue to carry out monthly inspections on estates | Housing Operations Manager | 2016/17 | This action is in progress - Inspection schedule for flats to be implemented October 2018 in conjunction with environmental works |
| | Incorporate physical improvements to estates as part of Asset Management Review and in conjunction with Housing Management Team | Improvements and Repairs Team Leader | 2016/17 | Action delayed – transferred to New Priorities for 2018/19 |

| Strategic Outcome: HS03 – Enabling people to live independently | | | | |
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| Objective | Action/Task | Responsible Officer | Timescale | Update |
| HS Obj 03a - Protect and support vulnerable individuals to improve their quality of life and decrease exclusion | Ensure that the review of the DFG process maximises targeted support for customers most in need | Improvements and Repairs Team Leader | 2016/17 | Procurement review now underway and new Technical Officer appointed to reduce waiting times and increase capacity in the Team |
| | Carry out and publish a Homelessness Review | Housing Strategy Officer | 2016/17 | Homeless Strategy review underway. Further discussion at next Homeless Forum as may commission a joint study across the County with separate Local Authority Action Plans. Transferred to 2018/19 Priorities |
| | Prepare and publish a New Homelessness Prevention Strategy | Housing Strategy Officer | 2017/18 | As above – this action has been transferred to New Priorities for 2018/19 |
| | Implement a 'care leavers' protocol to ensure young people leaving care are given the best opportunities to sustain their tenancy | Housing Services Team Leader | 2017/18 | Joint working arrangements are in place to assist care leavers who are now given Band 1 status. Due to further legislative changes these arrangements will need to be reviewed again and incorporated into the new Allocations Policy (Allocation Policy Review |

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| | | | | within New Priorities for 2018/19) |
| | Establish procedures to identify vulnerable applicants before allocating accommodation | Housing Services Team Leader | 2017/18 | Action in progress – IT options under review to ensure potentially vulnerable service users are identified at all points of contact throughout the Council. The housing application form and pre-tenancy process will also be reviewed |
| | Develop process for identifying and visiting vulnerable / excluded tenants | Housing Services Team Leader | 2016/17 | Action in progress – tenancy audits are on target, data collation and recording methods are under review |
| | Liaise with Clinical Commissioning Groups (CCG's) to meet the health and well-being needs of communities | Strategic Housing Manager /Health Partnership Manager | 2016/17 | Completed and ongoing. The Council is working in partnership with the County Council, and Health colleagues at strategic level to improve health / housing outcomes |
| | Identify barriers to older social housing tenants downsizing from under-occupied family homes | Housing Services Team Leader | 2016/17 | Work has started in this area. Local Lettings Plans include % of new builds for downsizing social housing tenants. Incentive schemes to be explored further – ongoing |
| | Design and deliver 'pre-tenancy' training to new tenants | Housing Services Team Leader | 2017/18 | Pre-tenancy workshops are now delivered at application and offer stage to ensure new tenants are |

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| | | | | fully aware of their rights and responsibilities as a tenant |
| HS Obj 03b - Realise the potential of the homes we already have to provide solutions for people with complex needs | Better use of previously adapted dwellings | Improvements and Repairs Team Leader | 2016/17 | Action completed – this is a Corporate Performance Indicator and will be monitored going forward to ensure adapted homes are being allocated to those who need them |
| | Ensure specialist accommodation responds to changing needs and makes best use of resources | Strategic Housing Manager /Housing Operations Manager | 2016/17 | A Sheltered Courts review is required. This will be undertaken following the publication of the stock condition report – action transferred to 2018/19 Priorities |
| | Undertake a review of sheltered housing schemes and the potential to redevelop | Strategic Housing Manager /Housing Services Manager | 2016/17 | On hold pending stock condition survey findings – to be transferred to 2018/19 Priorities |
| HS Obj 03c - Provide excellent advice, information and access to services | Private Adaptations – review and update information available to inform residents of the DFG grant process as well as other funding options | Repairs & Improvements Team Leader | 2017/18 | Publicity / leaflets to be produced once policy reviewed – transferred to 2018/19 Priorities |
| | Review information to inform residents of up and coming new affordable housing opportunities | Strategic Housing Manager | 2017/18 | Initial discussion with County Council about cross-boundary working and reciprocal arrangements to ensure best use / allocation of new build housing particularly on Derby City |

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| | | | | Council border Marketing to be produced on site-by-site basis as required |
| | Create further opportunities for residents to be able to influence the delivery of housing services | Housing Services Team Leader /Business Support Manager | 2016/17 | Residents are actively involved in Housing Services and the Resident Scrutiny Panel is currently undertaking a review of the Housing Complaints process. During 2018 the Council is also undertaking the STAR (Survey of Tenants And Residents) survey of all tenants about levels of satisfaction across a range of Council housing services. The results will inform the creation of an Action Plan to drive further improvement across Housing Services |
| | Identify and respond to the housing needs of BME groups and other groups such as Gypsy & Travellers | Strategic Housing Manager | 2016/17 | Discussion with Planning Policy required. Transferred to 2018/19 Priorities |
| | Annual review of the Tenancy Strategy | Housing Services Team Leader | 2016/17 | Needs to be updated following publication of guidance on fixed-term tenancies so this is currently pending. To be transferred to 2018/19 Priorities |
| | Review and update the Allocations Policy | Housing Services Team Leader | 2016/17 | Delayed due to implementation of |

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| | | | | Homelessness Reduction Act. Transferred to New Priorities for 2018/19 |
| HS Obj 03d - Prevent homelessness through high quality advice and assistance | Review delivery of Supported Housing Service | Housing Services Team Leader /Housing Services Supervisor | 2016/17 | This action is in progress – an external review has been carried out and the associated action plan is to be implemented during 2019 |
| | Apply for 'Bronze Standard' in homelessness | Housing Services Team Leader / Senior Housing Options Officer | 2017/18 | No longer relevant – preparation was completed but gold standard no longer exists |
| | Develop an Action Plan for the Council's Homelessness Forum | Housing Services Team Leader / Senior Housing Options Officer | 2016/17 | This was compiled and actioned following the Annual Homelessness Conference in October 2017 |
| | Ensure sustainable housing choices for homelessness groups | Housing Services Team Leader / Senior Housing Options Officer | 2016/17 | Dedicated Prevention Officer now in post to advise all applicants irrespective of priority need status |
| HS Obj 03e - Ensure that accommodation and services provided for elderly people remains relevant and responsive to their needs | Develop and Publish an Older Persons Housing Strategy | Housing Strategy Officer | 2019/20 | The Council are working with the County Council to produce an Older Persons' Housing Strategy. Consultants commissioned and baseline data sent to County Council. |
| | Promote use of telecare and telehealth products and services | Housing Services Team Leader /Housing Services Supervisor | 2016/17 | This action has been delayed – transferred to New Priorities for 2018/19 |

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| | Expand the range and uses of telecare and telehealth services and equipment | Housing Services Team Leader /Housing Services Supervisor | 2016/17 | Service due to be reviewed during 2018/19 – Moved to New Priorities for 2018/19 |
| HS Obj 03f - Work with those most affected by welfare reform | Work with CAB / DHA and other third sector partners to ensure provision of high quality advice and support | Housing Services Team Leader | 2016/17 | Action complete – Welfare Reform Group established to develop consistency in terms of access and advice across a shared customer base. The group also identifies opportunities for partnership working |
| | Review all income collection policies and procedures to ensure capability to manage those affected by welfare reform | Housing Services Team Leader | 2016/17 | Work is underway to look at income processes and procedures in line with improvements to the Orchard Housing Management System. The Housing Service Chairs the district-wide Welfare Reform Group, which is co-ordinating the approach cross-authority, Voluntary Sector providers and the Department of Work and Pensions (DWP) to support tenants and residents affected by these changes |
| | Tackle tenancy fraud in social housing | Housing Services Team Leader | 2016/17 | Working with the Council's shared service fraud team and front-line officers and supported by IT solutions, the Housing |

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| | | | | Service actively monitors suspicious activity across its stock. Over the past 18 months this has prevented Right to Buy (RTB) fraud and has identified potential incidences of tenancy fraud, and to date has identified around 20 cases which have been passed to Derby City Council for further investigation |
| | Utilise existing IT to identify vulnerable applicants and existing tenants experiencing financial distress | Housing Services Team Leader | 2017/18 | Using Housing Partners software solution Insight the Council is able to filter existing information to highlight those tenants in potential high financial distress. This information not only identifies those tenants at high risk of defaulting on their rent payments, but also assists in the delivery of proactive assistance and support. This has been crucial in targeting officer support at these cases and will be increasingly important during the full roll out of Universal Credit in November 2018 |
| | Implement Experian 'Rental Exchange' to ensure tenants have access to fair credit products | Housing Services Team Leader /Business Support Manager | 2016/17 | The Council committed to the Experian Rental Exchange scheme in |

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| | | | | <p>October 2015, this is a 'ring-fenced' secure database which holds rental payment information. The information will allow tenants with a 'thin file' - a history of little or no credit to build a credit score. Over the last three years the Council has supported tenants to improve their credit score, access better credit and improve their ability to pay rent. The Insight system currently provides data to Experian to support this scheme</p> |
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3. Review and Future Monitoring

The New Priorities identified in the Action Plan will be monitored over the next 12 months prior to the Housing Strategy being revised, and progress reported through the Strategic Director – Service Delivery. Progress on individual corporate projects will be reported through the Council’s Performance Board, and to the Housing and Community Services Committee when required.

A revised Housing Strategy 2019-21 will be produced with a strong focus on the links between health and housing and new ways of delivering affordable housing to meet the needs of the increasing population in the District.

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| REPORT TO: | FINANCE AND MANAGEMENT COMMITTEE | AGENDA ITEM: 14 |
| DATE OF MEETING: | 11th OCTOBER 2018 | CATEGORY: DELEGATED |
| REPORT FROM: | STRATEGIC DIRECTOR (CORPORATE RESOURCES) | OPEN |
| MEMBERS' CONTACT POINT: | KEVIN STACKHOUSE (EXT 5811) | DOC: |
| SUBJECT: | COMMITTEE WORK PROGRAMME | REF: |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: G |

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

**Finance and Management Committee – 30th August 2018
Work Programme**

| Work Programme Area | Date of Committee meetings | Contact Officer (Contact details) |
|---|-----------------------------------|---|
| Reports Previously Considered By Last 3 Committees | | |
| Corporate Plan 2016-21: Performance Report (1 January – 31 March 2018) | 14 th June 2018 | Keith Bull Head of Communications (01283) 598705 |
| Service Plans | 14 th June 2018 | Keith Bull Head of Communications (01283) 598705 |
| Annual Equalities and Safeguarding Report 2017/18 | 14 th June 2018 | Keith Bull Head of Communications (01283) 598705 |
| Annual Health and Safety Report 2017/18 | 14 th June 2018 | Tony Guest Health and Safety Officer (01283) 595872 |
| Sickness Absence 2017/18 | 14 th June 2018 | David Clamp Head of Organisational Development (01283) 595729 |
| Annual Consultation Report 2017/18 | 14 th June 2018 | Keith Bull Head of Communications (01283) 598705 |

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| Annual Communications Report 2017/18 | 14 th June 2018 | Keith Bull Head of Communications (01283) 598705 |
| Compliments, Complaints and Freedom of Information Requests October 2017 to March 2018 | 14 th June 2018 | Kevin Stackhouse Strategic Director Corporate Resources (01283) 595811 |
| Budget Out-Turn and Final Accounts 2017/18 | 26 th July 2018 | Kevin Stackhouse Strategic Director Corporate Resources (01283) 595811 |
| Treasury Management Annual Report 2017/18 | 26 th July 2018 | Kevin Stackhouse Strategic Director Corporate Resources (01283) 595811 |
| Annual Accounts and Financial Statements 2017/18 | 26 th July 2018 | Kevin Stackhouse Strategic Director Corporate Resources (01283) 595811 |
| Better Care Funding Allocation 2018-19 | 26 th July 2018 | Eileen Jackson Housing Strategy Manager (01283) 595763 |
| The Local Authorities' Property Fund | 26 th July 2018 | Kevin Stackhouse Strategic Director Corporate Resources (01283) 595811 |
| Planning & Land Charges Software | 26 th July 2018 | Tony Sylvester Planning Services Manager (01283) 595743 |

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| Corporate Plan 2016-21: Performance Report (1 April 2018 – 30 June 2018) | 30 th August 2018 | Keith Bull Head of Communications (01283) 598705 |
| Budget and Financial Monitoring 2018/19 | 30 th August 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Proposed Capital Investment Strategy and Policy Framework | 30 th August 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Updated Treasury Management Investment Strategy and Counterparty List | 30 th August 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Toyota City | 30 th August 2018 | Mike Roylance Economic Development Manager (01283) 595725 |
| Provisional Programme of Reports to be considered by Committee | | |
| Modern Slavery Statement And Procedure Document | 11 th October 2018 | Chris Smith Communities Manager (01283) 595787 |
| Updated Financial Strategy | 11 th October 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |

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| A Review of Earmarked Reserves | 11 th October 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Updated Medium-Term Financial Plan to 2024 | 11 th October 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Annual Training and Development Report 2017/18 | 11 th October 2018 | Loyd Baker Service Lead HR and Training (01283) 228770 |
| Potentially Violent Persons' Policy | 11 th October 2018 | David Clamp Head of Organisational Development (01283) 595729 |
| Corporate Plan 2016-21: Performance Report (1 April 2018 – 30 June 2018) | 29 th November 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Budget and Financial Monitoring 2018/19 | 29 th November 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Treasury Management Quarterly Report 2018/19 | 29 th November 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Discretionary Business Rates Relief Schemes | 29 th November 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |

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| Council Tax Premiums on Empty Properties | 29 th November 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Compliments, Comments, Complaints and FOI Requests 1 st April to 30 th September 2018 | 29 th November 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Proposed Service Budgets 2019/20 | 10 th January 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Consolidated Budget Proposals 2019/20 and Medium-Term Financial Plan to 2023/24 | 10 th January 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Business Rates payable on Public Conveniences | 10 th January 2018 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Proposed Treasury Management Strategy 2019/20 | 14 th February 2019 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Proposed Local Council Tax Support Scheme 2019/20 | 14 th February 2019 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Final Consolidated Budget Proposals 2019/20 and Medium-Term Financial Plan to 2023/24 | 14 th February 2019 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |

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| Corporate Plan 2016-21: Performance Report (1 April 2018 – 30 June 2018) | 14 th March 2019 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Budget and Financial Monitoring 2018/19 | 14 th March 2019 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |
| Treasury Management Quarterly Report 2018/19 | 14 th March 2019 | Kevin Stackhouse Strategic Director (Corporate Resources) (01283) 595811 |