

27th February 2014

Dear Councillor

CABINET

You are requested to attend a **Cabinet** meeting to be held at **The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA on Wednesday, 5th March 2014, at 2.00 p.m.**

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Consideration of reports from Select Committees (none)
4. To consider the following reports (copies attached):

(i) **WELSH CHURCH FUND WORKING GROUP**

Division/Wards Affected: All

Purpose: The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2013/14, meeting 5.

Author: David Jarrett – Central Management Accountant

Contact Details: davejarrett@monmouthshire.gov.uk

(ii) **ADOPTION OF CHILDREN MISSING EDUCATION POLICY**

Division/Wards Affected: **Countywide**

Purpose: To agree the adoption of the Children Missing in Education Policy

Authors: Richard Austin

Contact Details: Richardaustin@monmouthshire.gov.uk

- (iii) **REDUCTION OF POSTS IN PUBLIC PROTECTION DIVISION**
Division/Wards Affected: All Wards
Purpose: To consider the deletion of posts within the Public Protection division
Author: Graham Perry, Public Protection Manager / David H Jones, Head of Regulatory Services
Contact Details: grahamperry@monmouthshire.gov.uk / davidhjones@monmouthshire.gov.uk
- (iv) **REVIEW OF POLICIES**
Division/Wards Affected: N/A
Purpose: To approve new policies and amendments to existing policies of the council to keep up to date with legislation and employment best practices.
Author: Sian Hayward
Contact Details: sianhayward@monmouthshire.gov.uk
- (v) **CEO RESTRUCTURE**
Division/Wards Affected: None.
Purpose: To seek approval to the proposed restructure of the elections and democratic services functions currently operating in the council as outlined in diagram 2 in the attached report.
Author: Tracey Harry, Head of Democracy and Regulatory Services
Contact Details: Traceyharry@monmouthshire.gov.uk
- (vi) **2014/15 EDUCATION AND WELSH CHURCH TRUST FUNDS INVESTMENT AND FUND STRATEGIES**
Division/Wards Affected: All Authority
Purpose: The purpose of this report is to present to Cabinet for approval the 2014/15 Investment and Fund strategy for Trust Funds for which the Authority acts as sole or custodian trustee for adoption and to approve the 2014/15 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.
Author: Joy Robson - Head of Finance
Contact Details: joyrobson@monmouthshire.gov.uk
- (vii) **REVENUE BUDGET FORECAST STATEMENT 2013/14 MONTH 9**
Division/Wards Affected: All Authority
Purpose: The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at the end of month 9 for the 2013/14 financial year.
Author: Joy Robson – Head of Finance / Mark Howcroft – Assistant Head of Finance
Contact Details: joyrobson@monmouthshire.gov.uk

(viii) **CORPORATE PARENTING – IMPROVING OPPORTUNITIES FOR LOOKED AFTER CHILDREN AND CARE LEAVERS**

Division/Wards Affected: All

Purpose: To seek agreement to implement several new initiatives to improve the employment opportunities for looked after children and care leavers. To seek agreement to form a Children in Care Council to enable the participation of looked after children and care leavers in service development and improvements.

Author: Gill Cox

Contact Details: gilliancox@monmouthshire.gov.uk

(ix) **CALDICOT CASTLE COUNTRY PARK RESTRUCTURE**

Division/Wards Affected: Caldicot Castle

Purpose: To outline proposed changes to the staffing structure at Caldicot Castle Country Park required to achieve a sustainable long term business footing, as set out in the detailed business case as considered by Economy & Development Select and approved by Cabinet on 12 February 2014.

Author: Matthew Lewis, Countryside Manager

Contact Details: matthewlewis@monmouthshire.gov.uk

(x) **CMC²- APPOINTMENT OF NEW NON-EXECUTIVE DIRECTORS TO THE BOARD**

Division/Wards Affected: All

Purpose: To report the appointment of three new Non-Executive Directors to the CMC² Board.

Author: Peter Davies, Head of Commercial and People Development / Cath Fallon, Deputy CEO, CMC²

Contact Details: peterdavies@monmouthshire.gov.uk / cath@communitymc2.org.uk

(xi) **CHARGING FOR PRE-APPLICATION PLANNING ADVICE**

Division/Wards Affected: All

Purpose: To provide Cabinet with details of the proposal to initiate a formal Pre-Application Planning Advice service for which there will be a charge to customers to enable the costs incurred in providing this service to be recovered.

Author: George Ashworth, Head of Planning

Contact Details: georgeashworth@monmouthshire.gov.uk

(xii) **PROTECTION OF EMPLOYMENT POLICY FOR SCHOOL BASED EMPLOYEES**

Division/Wards Affected: All

Purpose: The purpose of this report is to introduce the revised Protection of Employment Policy for schools based employees. The Policy offers revised and up to date guidance on the application of redundancy procedures in schools and provides specifically a revised template and guidance document in relation to the criteria for selection of teachers for redundancy.

Author: Sally Thomas HR Lead for education

Contact Details: sallythomas@monmouthshire.gov.uk

5. To consider whether to exclude the press and public from the meeting during consideration of the following item of business in accordance with Section 100A of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.

(i) **STAFFING MATTER**

Division/Wards Affected: N/A

Purpose: To agree the payment of redundancy to a Monmouthshire employee

Author: Joy Robson, Head of Finance.

Contact Details: joyrobson@monmouthshire.gov.uk

Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS 2013

County Councillor	Area of Responsibility	Partnership and External Working	Ward
P.A. Fox (Leader)	Organisational Development Whole Council Performance, Whole Council Strategy Development, Corporate Services, Democracy.	WLGA Council WLGA Coordinating Board Local Service Board	Portskewett
R.J.W. Greenland (Deputy Leader)	Innovation, Enterprise & Leisure Innovation Agenda, Economic Development, Tourism, Social Enterprise, Leisure, Libraries & Culture, Information Technology, Information Systems.	WLGA Council Capital Region Tourism	Devauden
P.A.D. Hobson (Deputy Leader)	Community Development Community Planning/Total Place, Equalities, Area Working, Citizen Engagement, Public Relations, Sustainability, Parks & Open Spaces, Community Safety.	Community Safety Partnership Equalities and Diversity Group	Larkfield
E.J. Hackett Pain	Schools and Learning School Improvement, Pre-School Learning, Additional Learning Needs, Children's Disabilities, Families First, Youth Service, Adult Education.	Joint Education Group (EAS) WJEC	Wyesham
G. Howard	Environment, Public Services & Housing Development Control, Building Control, Housing Service, Trading Standards, Public Protection, Environment & Countryside.	SEWTA SEWSPG	Llanelly Hill
G. Burrows	Social Care & Health Adult Social Services including Integrated services, Learning disabilities, Mental Health. Children's Services including Safeguarding, Looked after Children, Youth Offending, Health and Wellbeing.	Gwent Frailty Board Older Persons Strategy Partnership Group	Mitchel Troy
P. Murphy	Resources Accountancy, Internal Audit, Estates & Property Services, Procurement, Human Resources & Training, Health & Safety.	Prosiect Gwrydd Wales Purchasing Consortium	Caerwent
S.B. Jones	County Operations Highways, Transport, Traffic & Network Management, Waste & Recycling, Engineering, Landscapes, Flood Risk.	SEWTA Prosiect Gwrydd	Goytre Fawr

Our outcomes

The Council has agreed five whole population outcomes. These are *People in Monmouthshire will:*

- Live safely and are protected from harm
- Live healthy and fulfilled lives
- Benefit from education, training and skills development
- Benefit from an economy which is prosperous and supports enterprise and sustainable growth
- Benefit from an environment that is diverse, vibrant and sustainable

Our priorities

- Schools
- Protection of vulnerable people
- Supporting enterprise, job creation and entrepreneurship

Values

- * **Openness:** we aspire to be open and honest to develop trusting relationships.
- * **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- * **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- * **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

SUBJECT:	WELSH CHURCH FUND WORKING GROUP
MEETING:	Cabinet
DATE:	05 March 2014
DIVISIONS/WARD AFFECTED:	All

1. PURPOSE:

1.1 The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2013/14, meeting 5.

2. RECOMMENDATION:

2.1 That the following grants are awarded to:

Caldicot Heart to Heart & the Heartbeat Club: request £500 for Cardiac rehabilitation exercise equipment

Recommendation - £500 awarded as club supports self help in the community

The Tintern Group: request £1000 for contribution towards a Church and Community Music Festival as part of a sacred site celebration

Recommendation – £500 awarded to support celebratory music festival

Christchurch Church and Community Hall, Cantref: request £890 as assist in the replacement of the rotten church entrance door

Recommendation – £500 awarded as part of essential security and maintenance work

2.2 Deferred application(s):

Mr Robin Francis Watts: request £823 for the replacement of old leaking lead pipes in his property, request via the charity Care & Repair Monmouthshire

Recommendation - £500 awarded for essential health and safety work

The Church of Love and Light: request £500 for hall hire and ancillary expenses

Application deleted – no response by correspondence in request for further information

Paula Major: request £500 for a 3 day Project Management Course

Applicant has withdrawn the request as now moved to Australia

St Cybi's Church: request £500 for essential maintenance on structure of a dangerous tree within church courtyard

Recommendation - £500 was awarded after consultation with Monmouthshire Tree Officer as to the suitability of remedial work suggested

2.4 KEY ISSUES

The nature of the request in each case is set out in the attached schedule.

3. REASONS

A meeting took place on Thursday, 16th January 2014 of the Welsh Church Fund Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

D.L. Edwards, D. J Evans, B. Strong and A. E. Webb

Officers in attendance:

Mr D. Jarrett and Mrs E.M. Tapper

Declarations of Interest:

County Councillor A. E. Webb declared an interest pursuant to the Members Code of Conduct, Local Government Act 200, within the capacity of signatory of application from the Tintern Group

4. RESOURCE IMPLICATIONS

As set out in the recommendations. .

5. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

There are no equality or sustainable development implications directly arising from this report. The assessment is contained in the attached appendix.

6. CONSULTEES:

Senior Leadership Team

All Cabinet Members

Head of Legal Services

Head of Finance

Central Management Accountant

7. BACKGROUND PAPERS:

Appendix 1: Welsh Church Fund Working Group EIQ

Appendix 2: Welsh Church Fund Schedule of Applications 2013/14 – Meeting 5

8. AUTHOR:

David Jarrett – Central Management Accountant

9. CONTACT DETAILS

Tel. 01633 644657

e-mail: DaveJarrett@monmouthshire.gov.uk

Appendix B

The “Equality Challenge” (Screening document)

Name of the Office Dave Jarrett”		To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 16th January 2014.	
Name Central Finance		Date 16/01/2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age			positive
Disability			positive
Marriage + Civil Partnership		Neutral	
Pregnancy and maternity		Neutral	
Race		Neutral	
Religion or Belief			Positive
Sex (was Gender)		Neutral	
Sexual Orientation		Neutral	
Transgender		Neutral	
Welsh Language		Neutral	

What are the potential negative Impacts. NONE	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

There are positive outcomes in relation to age (mainly as most organisations that apply seem to contain a higher majority of older retired people). Also disabled people have a positive outcome as the Welsh Church Fund indicates that applications are looked upon favourable for this area. The churches and applications with religious protected characteristics have the most positive outcome as the applications from this area tend to receive the highest awards as the fund was initially set up to support churches by charitable donations. The grant aid supports and highlights the positive effect that future decisions have on the Religious, Age and Disability characteristics, with particular emphasis on helping religious organisation applicants.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

No adverse effects can be detected in regard to who can apply for budgeted funding based upon any of the characteristics.

Signed D Jarrett **Designation** Central Finance Management Accountant **Dated** 16/01/2014



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Welsh Church Fund Working Group Meeting 5 2013/14	CEO	Central Finance
Policy author / service lead	Name of assessor	Date of assessment:
Joy Robson	Dave Jarrett	05/03/2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

YES

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 16th January 2014

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

No Negative consequences towards any groups with protected characteristics

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Applications to Welsh Church Fund Working group

6. As a result did you take any actions to mitigate your proposal? Please give details below.

N/A

7. Final stage – What was decided?

• **No change made to proposal/s – please give details**

N/A

• **Slight changes made to proposal/s – please give details**

N/A

• **Major changes made to the proposal/s to mitigate any significant negative impact – please give details**

N/A

Signed...Joy Robson

Designation...Head of Finance.....**Dated**.....05/03/2014.....

Appendix A

The “Sustainability Challenge”

Name of the Officer Dave Jarrett		The Purpose of the Working Group is to assess and consider applications and grant aid from the Welsh Church Fund in line with the Charitable Objectives of the Trust.	
Name Central Finance		Date 16/01/2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		No effect at this meeting	
Improve housing quality and provision			Grant for Housing quality Improvement
Reduce ill health and improve healthcare provision			Grants for Sport Clubs and self help Health Groups
Promote independence			Grant for Housing quality Improvement to enable resident to remain in own home
Encourage community participation/action and			Grants for Community Projects

voluntary work			
Targets socially excluded		No effect at this meeting	
Help reduce crime and fear of crime			Provided funds to assist in securing Premises of Sports and social Clubs
Improve access to education and training			Grant for Educational and Community work in Dev world
Have a positive impact on people and places in other countries			Grant for Educational and Community work in Dev world
PLANET			
Reduce, reuse and recycle waste and water		No effect at this meeting	
Reduce carbon dioxide emissions		No effect at this meeting	
Prevent or reduce pollution of the air, land and water			Grants for environmental projects
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			Grants for environmental projects
Protect or enhance visual appearance of environment			Grants for environmental projects
PROFIT			
Protect local shops and		Not Applicable to this working Group	

services			
Link local production with local consumption		Not Applicable to this working Group	
Improve environmental awareness of local businesses			Grants for Community Projects
Increase employment for local people		Not Applicable to this working Group	
Preserve and enhance local identity and culture			Grants for Community Projects
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		Not Applicable to this working Group	
Increase and improve access to leisure, recreation or cultural facilities			Grants for Sport Clubs, Self help Health Groups and Community Grops

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
None, as grants for benefit of Applicants	
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

There are positive outcomes in relation to age (mainly as most organisations that apply seem to contain a higher majority of older retired people). Also disabled people have a positive outcome as the Welsh Church Fund indicates that applications are looked upon favourable for this area. The churches and applications with religious protected characteristics have the most positive outcome as the applications from this area tend to receive the highest awards as the fund was initially set up to support churches by charitable donations. The grant aid supports and highlights the positive effect that future decisions have on the Religious, Age and Disability characteristics, with particular emphasis on helping religious organisation applicants.

The Grant Allocation Policy is set in accordance with the charitable objects of the Trust.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

No adverse effects can be detected in regard to who can apply for budgeted funding based upon any of the characteristics.

Signed D Jarrett

Dated 16/01/2014

**WELSH CHURCH FUND - APPLICATIONS 2013/14
MEETING 5 -**

APPENDIX 2

<u>ORGANISATION</u>	<u>ELECTORAL DIVISION</u>	<u>Signed by Councillor</u>	<u>REQUEST</u>	<u>DECISION</u>	<u>NATURE OF REQUEST</u>	<u>APPROX COST</u>	<u>DATE Received</u>	<u>D of I*</u>	<u>Comments</u>
NEW APPLICATIONS AWAITING DECISION						£			
Caldicot Heart to Heart & the Heartbeat Club	Severn	R J Higginson	£500	500	The aim of both clubs is to provide a meeting place where members who have undergone heart surgery or medical treatment can participate in regular Cardiac Rehabilitation Exercise. This is supervised by a NHS registered trainer. The current equipment was donated to the groups over 15 years ago and needs to be replaced to comply with insurance requirements.	not declared	06/12/2013	No	
The Tintern Group	St Arvans	Ann Webb	£1,000	500	To support a concert in St Michael's Parish Church Tintern, as part of sacred site and sound festival.	£2,300	02/01/2014	Yes	
Christchurch Church & Community Hall	Cantref	Paul Jordan	£890	500	Replacement of Rotten Church Windows	£890	07/01/2014	NO	
Late Applications									
Deferred Applications									
Mr Robin Francis Watts	Chepstow	Phil Hobson	£823	500	It is a request on behalf of Mr Robin Francis Watts from Care & Repair Monmouthshire. The client is 72 years old, has a heart condition, diabetes, high blood pressure and is registered disabled. He needs financial assistance to fund work to replace old leaking lead pipes in his property and connect to the external stopcock. He has no savings of his own. Been established that Care & repair will hold the funds and contract an engineer	£823	31/10/2013	No	
The Church of Love & Light	Severn	R J Higginson	£500	nil	Hiring a hall, paperwork, raffle prizes, refreshments for congregation. No response to correspondence (delete application)	310 per month	31/10/2013	No	
Paula Major	Llangibby Fawr	Peter Clarke	£500	nil	A 3 day course (Agile for Project Management) with SCRUM. Paula cares for her father who has advanced dementia and her mother who is partially sighted with progressive macular degeneration. She has had a very difficult year and financially has almost no money coming in. She wants to attend this course to upgrade her core skills to make herself more employable. The Applicant has withdrawn the request	£500	20/11/2013	No	
St. Cybi's Church Llangybi	Llangibby Fawr	Peter Clarke	£500	£500	Maintenance of trees within the churchyard. It has been established that the agreed quote is from a suitably qualified tree surgeon (Tree Officer)	£1,254	20/11/2013	No	
SUB TOTAL Meeting 5			£4,713	£2,500					
Meeting 1 Award				5,942					
Meeting 2 Award				3,350					
Meeting 3 Award				3,650					
Meeting 4 Award				1,985					
Meeting 5 Award				2,500					
TOTAL AWARDED FOR 2013/14 TO DATE				19,927					
BUDGET 2013/14				20,401					
BALANCE B/F TO 2013/14				£5,585					
Monmouthshire's Allocation for 2013/14				£25,986					
BALANCE AVAILABLE IN 2013/14			£6,059						

SUBJECT: Adoption of Children Missing Education Policy

DIRECTORATE: CHILDREN AND YOUNG PEOPLE

MEETING: FULL CABINET DECISION

DATE: 05.03.14

DIVISION/WARDS AFFECTED: Countywide

1. PURPOSE:

1.1 To agree the adoption of the Children Missing in Education Policy.

2. RECOMMENDATIONS:

2.1 It is recommended that the Children Missing in Education Policy is adopted by the Local Authority.

3. KEY ISSUES:

3.1 In September 2009, the Welsh Assembly Government Section 436A of the Education and Inspections Act 2006 came into force which required that Local Authorities to ensure that arrangements are in place to enable them to establish the identities of children residing in their area who are not receiving a 'suitable education'.

3.2 The aim of this guidance is to inform all Schools and Stakeholder agencies about the protocols and processes to be followed in order that the Local Authority (LA):

- Ensures that all Monmouthshire's Children and Young People have access to appropriate educational provision and are on the educational roll, or are at risk of missing education.
- Identifies, maintains contact and re-engages children living in Monmouthshire who are missing education (or are at risk of missing education).
- Tracks children that move out of Monmouthshire until such a time as they are in a known destination and are being monitored and supported by another LA.

4. REASONS:

- 4.1 If a child or young person is receiving an education, they have the opportunity to fulfil their educational potential, but they are also in an environment which enables local agencies to safeguard and promote their welfare and emotional 'Well Being' in accordance with Local and National Child Protection Policies and Procedures.
- 4.2 The aim of this guidance is to ensure that the Local Authority meets its statutory duties relating to the provision of education and safeguarding and promoting the welfare of Children and Young People in Monmouthshire. **If a child goes missing from education, they could be at risk of significant harm.**
- 4.3 The Children Act 2004 and Welsh Assembly Government's Safeguarding Children : Working Together under the Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and to share information. Consequently, there is an expectation on all agencies that they will adhere to the protocol and procedures in order to ensure children are safely receiving a 'suitable education'.

5. RESOURCE IMPLICATIONS:

- 5.1 This policy will be implemented within existing resources of the Education Welfare Service, Access Unit, Safeguarding Unit and School based staff engaged in Attendance and safeguarding related areas

6. CONSULTEES:

Cabinet
 Directorate Management Team
 All Monmouthshire schools

Social Service Safeguarding Unit
Access Unit
Education Welfare Service
Youth Offending Service

7. BACKGROUND PAPERS:

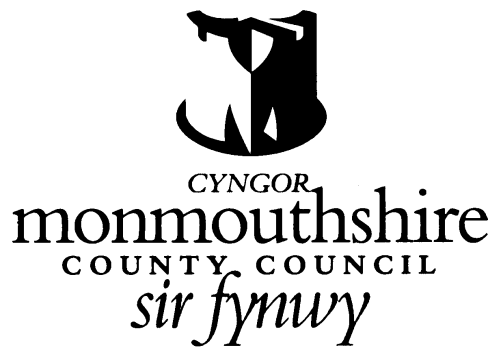
Children Missing Education guidance
Local Authority Children Missing Education Guidance

8. AUTHOR:

Richard Austin

9. CONTACT DETAILS:

Tel: **01633 644559** E-mail: Richardaustin@monmouthshire.gov.uk



CHILDREN MISSING EDUCATION IN MONMOUTHSHIRE

GUIDANCE FOR SCHOOLS AND STAKEHOLDERS

Introduction

From 1st September 2009, the Welsh Assembly Government Section 436A of the Education and Inspections Act 2006 came into force which requires that Local Authorities must ensure that arrangements are in place to enable them to establish the identities of children residing in their area who are not receiving a 'suitable education'.

The aim of this guidance is to inform all Schools and Stakeholder agencies about the protocols and processes to be followed in order that the Local Authority (LA):

- Ensures that all Monmouthshire's Children and Young People have access to appropriate educational provision and are on the educational roll, or are at risk of missing education.
- Identifies, maintains contact and re-engages children living in Monmouthshire who are missing education (or are at risk of missing education).
- Tracks children that move out of Monmouthshire until such a time as they are in a known destination and are being monitored and supported by another LA.

If a child or young person is receiving an education, they have the opportunity to fulfil their educational potential, but they are also in an environment which enables local agencies to safeguard and promote their welfare and emotional 'Well Being' in accordance with Local and National Child Protection Policies and Procedures.

The aim of this guidance is to ensure that the LA meets its statutory duties relating to the provision of education and safeguarding and promoting the welfare of Children and Young People in Monmouthshire. **If a child goes missing from education, they could be at risk of significant harm.**

The Children Act 2004 and Welsh Assembly Government's Safeguarding Children : Working Together under the Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and to share information. Consequently, there is an expectation on all agencies that they will adhere to the protocol and procedures in order to ensure children are safely receiving a 'suitable education'.

Why do children go missing from education?

Children 'missing from education' in this document, refers to all Children or Young People of compulsory school age who are 'not on a school roll', 'nor being educated otherwise' (e.g. privately or in alternative provision) and 'who have been out of any educational provision for a substantial period of time. (usually agreed as four weeks or more).

Children and Young People go missing from education for a wide variety of reasons. WAG circular Educational Records, School Reports and the Common Transfer System (18/2006) identifies that some of the factors could be due to pupils who:

- **never enter the education system because they fail to start appropriate provision at the start of compulsory school age;**
- **stop going to school at some time during their school career, perhaps because they have been excluded or withdrawn;**
- **are 'excluded' on an unofficial basis and are particularly vulnerable to dropping out of education permanently;**
- **fail to complete a transition between providers, for example from primary to secondary school or from a school to alternative provision;**
- **move into a local-authority area and do not register with a local school, or inform the LA they have moved;**
- **are children of parents who elect to educate at home and cease any contact with the LA;**
- **are fleeing domestic violence;**
- **are excluded or withdrawn from independent schools; or**
- **enter the country and do not register with a school.**

There are also groups of Vulnerable Children and Young People who are more likely to be affected by the factors listed above and who have experienced certain life events that make them more at risk of going missing from education:

- Young people within the criminal justice system;
- Children living in women's refuges;

- Children of homeless families, perhaps living in temporary accommodation;
- Young runaways;
- Children with long-term medical or emotional problems;
- Looked After Children;
- Children from Gypsy/Traveller communities;
- Young carers;
- Children from transient families;
- Children who are taken on extended holidays or heritage visits by their family;
- Teenage mothers;
- Children who are permanently excluded from school;
- Migrant children whether in families seeking asylum or economic migrants.

It is often the case that another agency is aware of the arrival or existence of a family living in the Authority, but not in education before the Local Authority becomes aware of them. The establishment of regular weekly meetings between Officers from the Access Unit, SEN , Inclusion and Lead Officer for Safeguarding in Education has ensured that pupils can be brought to the attention of the Local Authority by the appropriate agency quickly and promptly and that wherever required appropriate provision is put in place.

This protocol identifies the practical steps to be taken by all stakeholder agencies to locate, register, monitor and track children and young people missing from education, to assess their needs and allocate appropriate provision; and then to monitor and track their progress.

The Local Authority will ensure that all agencies are properly supported to meet their responsibilities, by the publication of this document, and offering advice and guidance from the Education Welfare Service.

Common Transfer System (CTS)

The system that enables schools and LAs to exchange pupil level information electronically when a pupil changes school. CTS incorporates school MIS software and the secure transfer site, offering a full transfer system.

Common Transfer File (CTF)

This is the electronic data file, containing pupil data that moves from school to school via the CTS.

School2School (s2s)

This is the school to school secure transfer site. It is used by schools and Local Authorities to exchange pupil and other specified files. The site has a searchable area called the 'Lost Pupil Database' where CTF files for pupils without a known destination are securely stored.

Reducing the Risk of Children Missing Education

Local Responsibilities

Schools

Schools have a vital role to play when children go missing from the education system. The Education Welfare Service works closely with schools to address attendance and related welfare issues. Schools should undertake immediate actions to try and identify the whereabouts of the child/children by utilising existing contact information for the family, siblings or extended family.

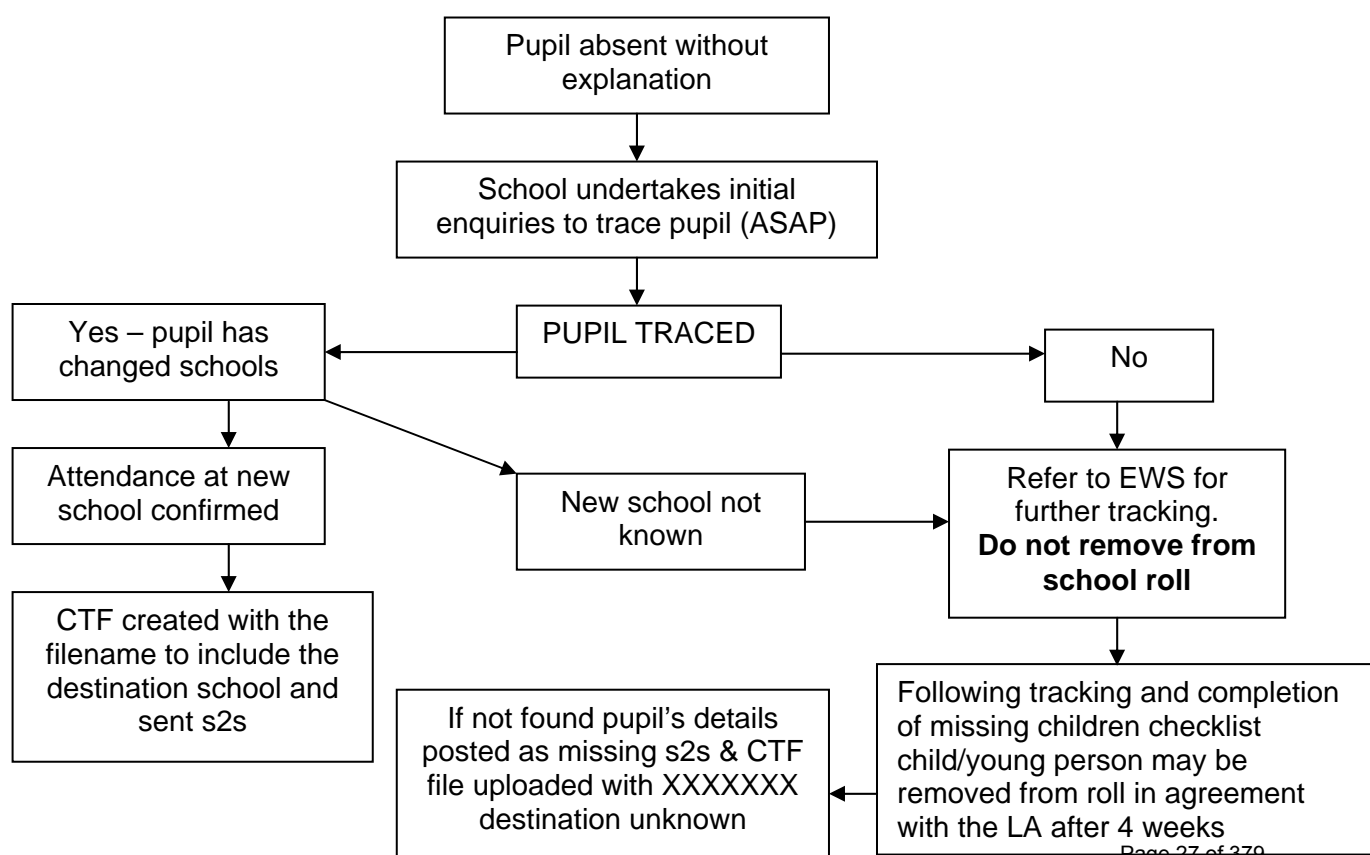
If the initial school enquiries fail to establish the whereabouts of the child/children, a prompt referral (same day) should be made to the Education Welfare Service (EWS) to undertake further enquiries and if they cannot locate the whereabouts of child within 24 hours they will inform the police.

If the school has existing concerns of a child protection nature, they should refer the matter immediately to the Local Authority's Child Protection Officer via the duty Social Worker or Child's Social worker if case is open and also to the Lead Officer Safeguarding in education (LOSIE) and also to the Police.

The child or young person should be maintained on the school roll until all avenues have been exhausted and the Local Authority has advised that it is appropriate to remove the pupil from roll.

The Statutory Instrument, the Education (Pupil Registration) Regulations 1995 No. 2089 Section 9 lists the grounds on which the name of a pupil of compulsory school age shall be deleted from the admissions register:

'the pupil has been continuously absent from school for a period of not less than four weeks and both the proprietor of the school and the Local Authority have failed, after reasonable enquiry, to locate the pupil.'



Education Welfare Service

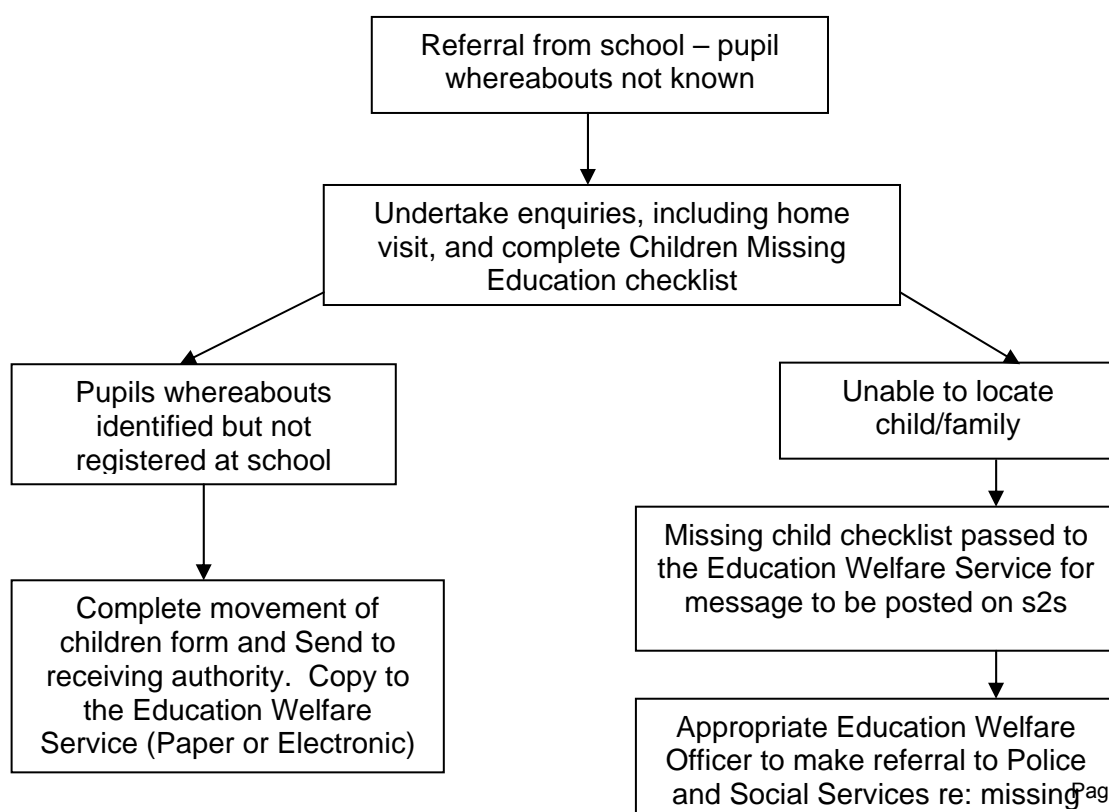
When a child or young person is suspected of being missing, they should be referred to the Education Welfare Service, officers should then utilise the **'Children Missing Education'** checklist (Appendix 1). Checking should include home visiting, approaching neighbours and contacting other agencies to try to establish the whereabouts of the child/children.

If the Education Welfare Service receives information that establishes where the child(ren) or young person(s) has (have) moved to, but there is no clear information about whether they have registered at new schools, staff should complete the **'Movement of Children'** form (Appendix 2), and Send it to the receiving authority so that contact can be made to ensure a fast and smooth transition into local schools. (A copy of the form should be placed on the individual child's file as well as a copy to the relevant Education Welfare Officer as the Education Welfare Service is responsible for Children Missing Education).

If all attempts to trace a child/young person fail, then the **'Children Missing Education'** checklist should be completed and passed to the Education Welfare Service who are responsible for Children Missing Education. The school will be advised to remove the child from roll (after 4 weeks) and Send a CTF to the Lost Pupil Database with the destination as XXXXXXX. The Education Welfare Service will post a message on the lost pupil database (s2s).

The Education Welfare Service will ensure that colleagues in Social Services (Social Services Safeguarding Manager and the Lead Officer for Safeguarding in Education, Officer within the Gwent Missing Children Project and the Police are made aware that attempts to trace the child/children have been unsuccessful and they are considered missing from education.

If at any point during the checking process staff become aware of issues that may indicate issues of a safeguarding/child protection nature, the Child Protection Officer and the Police should be notified immediately.



Role of Other Agencies, to include the following:

Social Services Departments, Housing Departments, Accident and Emergency, NHS Walk-in Services, Police, Health Visitors, Careers Wales, Voluntary Agencies, Youth Service, Youth Offending Service, Housing Departments, Homeless Hostels, Women's Refuges, ALN Caseworkers.

It is necessary to raise awareness amongst stakeholders about how to inform the LA about children or young people missing from education, in order to ensure that agencies employ this route consistently and whenever necessary. It will often be the case that another agency is aware of the arrival or existence of a child, living in a LA, but not in education, before the LA is aware of them.

In paragraph 17.97 of the Victoria Climbié Inquiry Report, Lord Lamming recommended that:

'Front line staff in each of the agencies which regularly come into contact with families with children must ensure that in each new contact, basic information about the child is recorded. This must include the child's name, address, age, the name of the child's primary carer, the child's GP, **and the name of the child's school if the child is of school age.** Gaps in this information should be passed on to the relevant authority in accordance with local arrangements'.

Note: the relevant authority in Monmouthshire is the Education Welfare Service.

It is the responsibility of all agencies to report to the Education Welfare Service where they believe a child or young person appears not to be on roll at a school, or is not attending school on a regular basis.

A member of staff should complete the:

Notification to the Local Authority of a Child Missing Education form (Appendix 3).

This should be sent to the Education Welfare Service, Monmouthshire County Council, Directorate for Children and Young People, Monmouthshire Local Authority @Innovation House, Wales 1, Magor NP26 3 DG

Checks will be made on the Central Pupil Database (ONE) for any details held about the child or evidence of siblings at other schools. Checks will also be made on the school appeals list and the Elective Home Education Register held by the Pupil Referral Service Coordinator and Elective Home education Teacher. If there is no evidence of the education being provided, the parents will then be contacted by letter requesting that they contact the Education Welfare Service regarding their intentions.

If there is no response with 10 working days, an Education Welfare Officer will visit the parents at home to check circumstances and assess need if required.

LAs can intervene if they have reason to believe that parents are not providing a suitable education and may issue a School Attendance Order (SAO) (under Section 437(1) of the Education Act 1996). Further, LAs may apply to court for a child assessment order under Section 43 of the Children Act 1989 if they have reasonable cause to do so (which will only be where there is a risk of significant harm to the child).

The appropriate Education Welfare Officer will notify the referrer of the outcome of the enquiry.

The use of School to School Data Transfer Website (s2s)

Currently in Wales there is a requirement under the Education (Pupil Information) Wales Regulations 2004 and the Education (School Records) Regulations 1989 for schools to maintain data on pupils who are on their roll and to pass that data to the receiving school when a child leaves which aims to minimise the chances of pupils falling into the category of being missing from education.

All maintained schools in Wales have a statutory responsibility to use the Common Transfer System (CTS) for England and Wales to transfer specific information electronically, via the 'school2school – s2s' website when a pupil joins or leaves a school.

Procedures for Monmouthshire Schools

- If a school knows the school which a pupil is moving to, it **must** ensure that an electronic Common Transfer File (CTF) is sent to the receiving school via s2s as quickly as possible; within fifteen school days of the pupil ceasing to be registered at the previous school. Similarly, if the Headteacher of the previous school received a request from the Headteacher of the receiving school where the pupil is newly registered, the information must be sent within **fifteen days** of receiving the request.
- When a child leaves a Monmouthshire school without notice being given by the parent or without the school being advised by the parent which new school the child is to attend – that is, should the child go 'missing' or become 'lost' – the school should promptly notify the Education Welfare Service. Should the child be on the Child Protection Register or should the school have particular child protection concerns about the child the school should immediately notify the contact the Child's Social Worker, Social Services Safeguarding Manager and the Lead Officer for Safeguarding in Education and the Social Service duty office if this is out of hours. In addition, the school should also notify the Education Welfare Service.
- The Education Welfare Service will then work with the school and make reasonable efforts to try and identify the child's current whereabouts/destination. This will include completion of checks detailed in the **Children Missing Education** checklist, (Appendix 1).

- After four weeks should such efforts prove unsuccessful then the school, in consultation with the LA, should remove the child's name from its roll and create a 'lost pupil' common transfer file (CTF) with XXXXXXXX as the destination. The lost CTF should be immediately uploaded onto the s2s secure site where it will be held in the Lost Pupils Database.
- When a pupil joins a Monmouthshire school without that school receiving a CTF from the pupil's previous school, and all enquiries have been exhausted, then the receiving school should contact the Education Welfare Service, and request that a search be made of the Lost Pupils Database for a matching record using names or former names, date of birth or gender.
- Should a Monmouthshire school which has previously sent a lost child CTF to the Lost Pupils Database be contacted by the school at which the lost child has subsequently registered, they should direct them to the Lost Pupil area where their LA can download the original CTF from the Lost Pupils Database. They **should not** create a new CTF and send it directly to the new school.
- When a Monmouthshire pupil leaves a school and it is confirmed as being in the independent sector, elective home education or at a destination incapable of receiving a CTF then the school should place on the s2s website with the code MMMMMMMM as the destination.
- Where it is known, the actual destination (school) must also be recorded on the school's SIMS database when a pupil leaves a school. Schools should not record pupil movements as 'moved house' or 'gone out of area'. If the destination is unknown, it should be recorded as 'unknown'. **Under no circumstances should this field ever be left blank.** This will ensure more efficient central tracking of pupil movement.
- **Monmouthshire LA recognises that these procedures will only function effectively if ALL Monmouthshire Schools are committed to adhering to the principle that:**
 - **Whenever a pupil joins or leaves a school, then a common transfer file must accompany him/her**
- **The LA will:**
 - **Ensure that all Monmouthshire schools are properly supported to meet these responsibilities**
 - **Closely monitor the operation of its missing/lost children procedures in order to ensure best practice with regard to child protection**

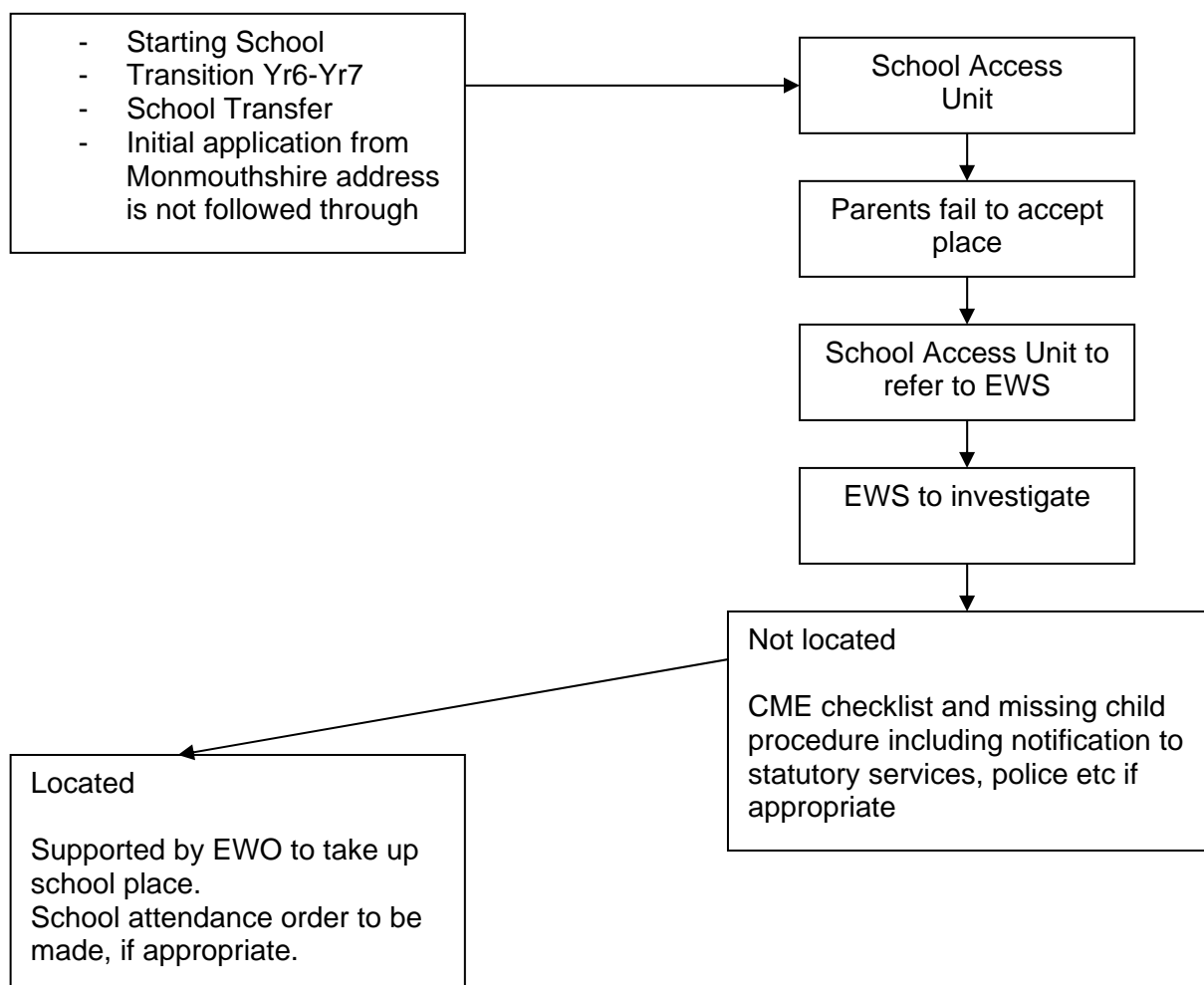
The Role of the School Access Unit

The School Access Unit has an important contribution to make in ensuring all pupils are on a school roll and attending school.

Children may not be on a school roll where a parent has not accepted a school place at phase transfer or failed to follow up an application after moving into the LA or unable to secure a place in their preferred school and fails to take up another offer. When this occurs the School Access Unit will inform the Education Welfare Service who will then follow the checking process detailed above.

The School Access Unit will work with the appropriate Education Welfare Service (EWS) and Principal Inclusion Officer to ensure that advice about admissions and support with the application procedure is readily available for families recently arrived from abroad.

Children Missing Education at Start of Education/School Transfer/Transition KS2 to KS3



Elective Home Education

Parents have a duty to ensure that their children receive a suitable full time education either by regular attendance at school or otherwise (under Section 7 of the Education Act 1996). Some parents decide, as they are entitled, to provide suitable education by educating their children at home.

When parents withdraw their child from school to do this, and the child is of compulsory school age, the name of the child can only be deleted from the admissions register of the school where the parents inform the school in writing as provided by the Education (Pupil Registration) Regulations 1995 under Regulation 9(1)(c): 'that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school'. It is then the duty of school to inform the LA (Pupil Referral Service Coordinator) giving the full name and address of that pupil within the ten school days immediately following the date on which the pupil's name was so deleted. **Notification of pupils withdrawn from school to be educated at home** form (Appendix 4), should be completed, signed by the Headteacher and sent together with a copy of the parents' letter to:

The Chief Officer, Children and Young People's Service, Monmouthshire County Council, Directorate for Children and Young People, Monmouthshire Local Authority @Innovation House, Wales 1, Magor NP26 3 DG

The child's name should then be removed from the school roll and recorded as home educated. A CTF should be created by the school using code MMMMMMMM, so that the CTF goes into the database of children and young people who have gone outside of the maintained system. If the parent informs the LA in writing, they will then notify the school.

The school must record on their electronic database when a pupil leaves a school to be elective home educated and should confirm in the information field that the 'School Access Unit' and the Coordinator of the Pupil Referral Service has been notified. This will ensure more efficient central tracking of pupil movement.

All pupils are registered to the Elective Home Education base on the Central Pupil Database (ONE) and the Education Welfare Service will be notified as soon as the School Access Unit and Pupil Referral Service Coordinator are informed, when a pupil becomes elective home educated.

Pupils with Additional Learning Needs (ALN)

Children and young people with statements of additional learning needs can be home educated and the LA remains responsible for ensuring that the education the child receives is suitable. If the parent wishes to home educated a pupil with a statement who is on roll of special school then consent is required from the LA (Sect 7 Education Act 1996). The statement must stay in force and the LA must ensure that parents can and do make suitable provision, including providing for their child's additional learning needs. If the parents' arrangements are suitable, the LA is relieved of their duty to arrange the provision directly, but it still remains the LA's duty to ensure the child's needs are met.

The ALN Casework Team will invite families of elective home educated children with statements of additional learning needs to attend an annual review.

Overview

The LA accepts its responsibility to locate, assess, monitor and track Children Missing Education in order for them to reach their true potential and is committed to providing an education of the highest quality for all children and young people. The Elective Home Education Teacher will visit families on a termly basis.

Summary of Actions

The LA will:

- Raise awareness of the Children Missing Education protocols and processes by:
 - contacting Senior Managers in all agencies, to explain roles and responsibilities
 - provide support to teams on referral routes
 - ensure that all Monmouthshire schools are aware of the guidance
 - implement a range of preventative measures to ensure the reduction of the likelihood of children and young people missing their education which will also support the National Behaviour and Attendance Review recommendations regarding early intervention and appropriate support
- The LA's Management Information System (MIS) Support Manager will remind schools annually about the Education (Pupil Information) Wales Regulations 2004 and the Education (School Records) Regulations 1989 on the removal of children from a school roll and create a common transfer file (CTF) and upload on the s2s website where a child has left with an unknown destination.
- The Management Information Systems (MIS) Manager, will also provide support to ensure schools meet their statutory responsibilities.

Schools will:

- Ensure that they are meeting their statutory responsibilities by using the Common Transfer System to transfer specific information electronically, via the 'school2school – s2s' website when a pupil joins or leaves a school.
- Ensure that when a pupil moves that destinations are recorded on their electronic database and if unknown, confirm that the Education Welfare Service has been notified.
- Work with the Education Welfare Service to ensure more consistent referral processes for those children missing education and those at risk through their non-attendance.

Regulations about when a school may delete a pupil's name from its Admissions Register:

The Education (Pupil Registration) (Wales) Regulations 1995, regulation 11 gives the Education Welfare Service (or any officer of the LA authorised for the purpose) a statutory duty to inspect school registers and ensure that they are being kept in accordance with regulations. This should include **regular monitoring of pupils who have been removed from roll** to ensure that no child or young person is allowed to disappear from a school roll (unless it follows normal transfer from KS2 to KS3 or at the end of compulsory education). Schools should act responsibly in this matter in terms of the safeguarding agenda and their duty to ensure that the whereabouts of all children are known.

Schools are provided with clear guidance as to when they can delete pupils from their admissions register. The circumstances are outlined in Regulation 9 of the Education (Pupil Registration) Regulations 1995 and the Education (Pupil Registration) (Amendment) (Wales) Regulations 2001. The Regulations list the following as the prescribed grounds on which the name of a pupil of compulsory school age shall be deleted from the Admission Register (and therefore from the Attendance Register).

- i. the pupil is registered at the school in accordance with the requirements of a School Attendance Order and another school is substituted by the LA for that named in the Order, or the Order is revoked;
- ii. the pupil has been registered at another school;
- iii. the school has received written notification from the parent that the pupil is receiving education otherwise than at school;
- iv. the pupil has ceased to attend the school and no longer resides within a reasonable distance from the school; each case should be referred to the Education Welfare Service/Officer for investigation before removal from the school roll;
- v. the pupil has been granted leave of absence exceeding 10 days for the purpose of a holiday and fails to attend school within 10 days immediately following, and the school is not satisfied that the absence is caused by sickness or any unavoidable cause;
- vi. the pupil is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age;
- vii. the pupil has been continuously absent from the school for a period of not less than four weeks and both the proprietor of the school and the LA Officer have failed, after reasonable enquiry, to locate the pupil;
- viii. the pupil has died;
- ix. the pupil will cease to be of compulsory school age before the school next meets and does not intend to continue at school;
- x. in the case of a pupil at a school other than a maintained school, that they have ceased to be a pupil at that school;

- xi. where the pupil is registered at a maintained school, that they have been permanently excluded from and the permanent exclusion of a pupil does not take effect until the governing body have discharged their duties under section 66 of the 1998 Act, and:
 - a. The relevant person has stated in writing that he or she does not intend to appeal under Section 67 of the 1998 Act;
 - b. The time for bringing an appeal has expired and no appeal has been brought forward within that time; or
 - c. An appeal brought within that time has been determined;
- xii where the pupil has been admitted to the school to receive nursery education and has not, on completing such education, transferred to a reception class at the school.

Removal from roll for any reason other than those specified above is unlawful.

Although the Education (Pupil Registration) Regulations 1995 states that a child may be deleted from roll after 20 school days of continuous absence without good reason (10 school days if returning from holiday late) there is a clear responsibility to ensure that the correct procedures of investigating this absence has been followed as any child missing from education may raise potential child protection issues.

If schools believe a child or family to have gone missing they should NOT remove any child from their roll without following the checklist procedures (Appendix 1) and referring to the Education Welfare Service.

The pupil should remain on the school register until all reasonable enquiries are completed even if this means that the pupil will amass more than 20 days absence. The outcome of the school and LA's attempt to trace the pupil will dictate the next steps and whether it is appropriate for the child to be removed from the roll of the school. If they are unable to find the pupil they must refer the case to the appropriate agencies. It is important that all of the steps outlined above are clearly documented to ensure that there is a clear audit trail of the steps which have been taken to locate the child. Only once the Education Welfare Service has completed their enquiries and advised the school in writing should the school remove a pupil from the roll.

When a pupil's name is deleted from the Admission Register the school should clearly indicate the date and the reason for the removal from roll. In the event of a pupil moving to another school, the name of the school should be indicated and the pupil's records must be sent to the new school within 15 school days.

When a pupil's name has been deleted from the register, the school must create a CTF and follow the procedures outlined herein.

Appendix 1

CHILDREN MISSING EDUCATION CHECKLIST

Actions to be taken by LA to locate the child/young person

Name of Pupil(s): _____

D.O.B: _____ NCY: _____

Address: _____

Name of Parents _____

Address: _____

_____ Tel: _____

	Action Taken	Who & When	Outcome
1	Check internal school records and with member of staff i.e. form teacher, YT, HoY		
2	Home Visit		
3	Neighbourhood Enquiries		
4	Check with friends, siblings and other relatives of the child		
5	Telephone calls made/letters sent		
6	Enquiries made with School Access Unit		
7	Enquiry made with Social Services (Intake and Assessment)		
8	Enquiry made with POI responsible for LAC pupils		
9	Enquiries made with YOS, and/or any agencies with known involvement (inc. Child Health if there are any children in the family under the age of 4)		
10	Enquiry made with housing		
11	If point 7 is unsuccessful, enquiries with Housing Benefit via named Officer		
In cases where instances of domestic abuse are known, the following enquiries should be made:			
1	Women's Aid/other		

N.B. If, after completing the above checklist and concluding all enquiries, the child remains missing, discuss the removal of the child from the school register with your Line Manager. If agreed and removal complies with National Assembly Guidelines and Local arrangements, follow this procedure:

1. Attach this checklist and any evidence e.g. letters sent/response received etc., to your referral sheet.
2. Send a copy of this completed checklist, with a copy of the child's Attendance Certificate to the named officer who will keep a record of all missing children.

Name of School _____

Date Removed (from school roll) _____

Authorised by _____ Designation _____

Name of EWO _____ Date _____

Appendix 2

My Ref: EWO/EWS

Your Ref:

Date:

Dear Sir/Madam

Movement of Children

Child1

Name:D.O.B:.....

Previous Address

Previous School

Child 2

Name:D.O.B:.....

Previous Address

Previous School

I have been advised that the above-named child(ren) has/have recently moved into your Authority. We are not aware of the school that the child(ren) has enrolled at. The information I have been given is detailed below:

Child's Home Address

Name of School

Admission Date

Would you kindly make enquiries as to whether this information is correct and return this letter to me as soon as possible.

Comments

.....

Yours faithfully

Education Welfare Officer

For the Chief Officer, Children and Young People's Service.

Please reply to: Education Welfare Service Monmouthshire County Council, Directorate for Children and Young People, Monmouthshire Local Authority @Innovation House, Wales 1, Magor NP26 3 DG

Appendix 3

Notification to the Local Authority of a Child Missing Education

This form should be completed by any professional or agency undertaking an assessment or being aware of a child of compulsory school age who does not appear to be attending a school.

PART 1 CHILD'S DETAILS	
Child's Name:	D.O.B.
Gender: Male/Female	Ethnicity
Address:	Tel No(s).
Parent(s) Carer(s) Details:	
Relationship to Child:	
Previous Address if new to the area:	
To the best of your knowledge is the child:	
On the Child Protection Register:	Yes/No
Refugee/Asylum Seeker	Yes/No
In Public Care	Yes/No
Reason for Referral:	
Child is not registered at a school	<input type="checkbox"/>
Not known if child is registered at a school	<input type="checkbox"/>
Child is registered atschool but is failing to attend	<input type="checkbox"/>
Any additional information about the child's previous educational provision (past or present:: e.g. date of last education provision, known attendance difficulties etc)	
Are any other agencies known to be involved with the child concerned? Please give details:	
Details of Agency Making the Referral:	
Referrer's Name:	
Designation:	
Address:	
Tel. No:	Email:
Reason for involvement of professional making the referral and any other relevant information:	
Date that child became known to agency as missing education:	

Please post/email this form to the Education Welfare Service Monmouthshire County Council, Directorate for Children and Young People, Monmouthshire Local Authority @Innovation House, Wales 1, Magor NP26 3 DG

Date Received:

Appendix 4

MONMOUTHSHIRE COUNTY COUNCIL

NOTIFICATION OF PUPILS WITHDRAWN FROM SCHOOL TO BE EDUCATED AT HOME

(Under the Education Pupil Registration Regulations 1995, parents are required to inform schools, in writing, that they are educating their children at home. Immediately after a school receives a letter from the parent, the name of the child must be removed from the school roll. The school must make a return to the Council within 10 school days of removal).

Pupil Name: _____

Date of Birth: _____

Address: _____

_____ Post Code: _____

Is the pupil subject to a Statement of Additional Learning Needs: Please tick

Has the pupil been permanently excluded? Please tick

Please give details of discussions with the parents prior to notification of decision to educate at home:

Please give details of the involvement of the Education Welfare Service

Please outline reasons that parents have given in Electing to Home Educate their child

Please confirm date the pupil was taken off the school roll:

Please attach a copy of the letter from the parents informing you of the decision to home educate.

Signed: _____ (Headteacher) Date::.....

Return to: School Access Unit, Monmouthshire County Council, Monmouthshire County Council, Directorate for Children and Young People, Monmouthshire Local Authority @Innovation House, Wales 1, Magor NP26 3 DG

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Richard Austin		Please give a brief description of the aims proposed policy or service reconfiguration To ensure that schools and other agencies are aware of the potential risks to vulnerable groups if they go missing and also processes that should be followed to reduce that risk	
Name of the Division or service area Directorate for Children and Young People		Date “Challenge” form completed 17.02.14	
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age			Focuses upon school aged pupils
Disability		Addresses all pupils	
Marriage + Civil Partnership			Provides guidance for schools and this can be used to support some vulnerable pupils; e.g. arranged marriages
Pregnancy and maternity		Addresses all pupils	
Race			Yes- some ethnic groups are vulnerable to going missing and this policy ensures that pupils who are at risk of going missing are closely monitored by schools, Education Welfare Service and other agencies
Religion or Belief			Yes- some ethnic groups are vulnerable to going missing and this policy ensures that pupils who are

			at risk of going missing are closely monitored by schools, Education Welfare Service and other agencies
Sex (was Gender)		Address all pupils	
Sexual Orientation		Address all pupils	
Transgender		Address all pupils	
Welsh Language		Address all pupils	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

Policy- Written in response to Welsh Government Guidance for School pupils who go missing from Education

Policy- Provides a framework and heightens awareness of vulnerable groups who can go missing due to race/religion issues; e.g. forced marriage; Female Genital Mutilation

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Richard Austin **Designation** Principal Officer Inclusion **Dated** 17.02.14



Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Children Missing Education Policy	Children and Young People	Inclusion
Policy author / service lead	Name of assessor	Date of assessment:
Richard Austin/Sharon Randall smith	Richard Austin	17.02.14

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

YES

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To ensure that schools and other agencies are aware of the potential risks to vulnerable groups if they go missing and also processes that should be followed to reduce that risk

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

Consultation with Directorate Management Team, All Schools, Social Housing Services Safeguarding Team, Youth Offending Service, Access unit

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Education Welfare Service records of pupils who move schools

6. As a result did you take any actions to mitigate your proposal? Please give details below.

No

7. Final stage – What was decided?

•No change made to proposal/s – please give details

Existing processes are robust, individuals ensure that they track vulnerable young people and secure destinations if individuals leave Monmouthshire area. Children Missing Education Policy endorses current practice.

•Slight changes made to proposal/s – please give details

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed Richard Austin **Designation** Principal Officer Inclusion **Dated** 17.02.14

The “Sustainability Challenge”

<p>Name of the Officer completing “the Sustainability challenge”</p> <p>Richard Austin</p>	<p>Please give a brief description of the aims proposed policy or service reconfiguration</p> <p>To ensure that schools and other agencies are aware of the potential risks to vulnerable groups if they go missing and also processes that should be followed to reduce that risk</p>		
<p>Name of the Division or service area</p> <p>Directorates for Children and Young People</p>	<p>Date “Challenge” form completed</p> <p>17.02.13</p>		
<p>Aspect of sustainability affected</p>	<p>Negative impact</p> <p>Please give details</p>	<p>Neutral impact</p> <p>Please give details</p>	<p>Positive Impact</p> <p>Please give details</p>
PEOPLE			
Ensure that more people have access to healthy food		N/A	
Improve housing quality and provision		N/A	
Reduce ill health and improve healthcare provision		N/A	
Promote independence		N/A	
Encourage community participation/action and		N/A	

voluntary work			
Targets socially excluded			Yes- ensures that young people are at risk of being socially excluded are tracked and engaged in education
Help reduce crime and fear of crime		N/A	
Improve access to education and training			Yes- ensures that young people are at risk of being socially excluded are tracked and engaged in education
Have a positive impact on people and places in other countries		N/A	
PLANET			
Reduce, reuse and recycle waste and water		N/A	
Reduce carbon dioxide emissions		N/A	
Prevent or reduce pollution of the air, land and water		N/A	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		N/A	
Protect or enhance visual appearance of environment		N/A	
PROFIT			

Protect local shops and services		N/A	
Link local production with local consumption		N/A	
Improve environmental awareness of local businesses		N/A	
Increase employment for local people			Potentially – if young people engaged in educational provision they have a greater chance of securing employment
Preserve and enhance local identity and culture		N/A	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		N/A	
Increase and improve access to leisure, recreation or cultural facilities		N/A	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Policy targets and ensures tracking of vulnerable pupils who move out of area; it ensures that Local Authority complies with safeguarding protocols

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

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Signed Richard Austin

Dated 17.02.14

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

Agenda Item 4(iii)

SUBJECT:	Reduction of posts in Public Protection division
DIRECTORATE:	Chief Executive's
MEETING:	Cabinet
Date to be considered:	5th March 2014
DIVISION/WARDS AFFECTED:	All Wards

1. PURPOSE:

- 1.1 To consider the deletion of posts within the Public Protection division.

2. RECOMMENDATION:

- 2.1 To agree the deletion of the following posts as set out in the accompanying report, entitled *Business Case: Service Reductions in Public Protection Division*, provided in Appendix A:-
- 1.5 Full-Time Equivalent (FTE) Support Officer posts
 - 0.4 FTE Technical Officer (Environmental Health) post
 - 0.6 FTE Commercial Services / EHO Post
 - 0.6 FTE Temporary Animal Health Officer post
 - 0.5 FTE Fair Trading Officer (animal health) post
 - 0.5 FTE Trading Standards Officer post

3. KEY ISSUES

- 3.1 As part of service reconfiguration in response to the Authority's financial pressures for 2014-15 and beyond, the business case attached, (entitled *Service Reductions in Public Protection Division*) was developed setting out proposals.
- 3.2 This business case was considered and accepted by Cabinet on 12th February 2014. The purpose of this report is to seek Cabinet's agreement on the staffing changes necessary to implement the proposals set out in the business case/ mandate.
- 3.3 Every effort has been made to secure efficiency savings, generate new income, reconfigure services and seek voluntary reduction of hours within the division. The 0.4 FTE Technical officer post will be vacated voluntarily (request for part –time working), as will the 0.5

FTE Animal Health Officer post (request for part-time working) and the 0.5 FTE Trading Standards Officer post (retirement). The 0.6 FTE Commercial Services Officer/EHO post is currently vacant having been frozen for 13/14 to meet current budget pressures.

- 3.4 The 0.6 FTE temporary Animal Health Officer post is a contract arrangement terminating on 31.3.14. However, to cover imminent maternity leave, the current post-holder will continue to be employed to 31.12.14.
- 3.5 The 1.5FTE (circa) Support Officer posts will be achieved through forced redeployment or redundancy.
- 3.6 The risks associated with the deletion of these posts and the potential impact on service delivery have been summarised in the attached report. Actions will be taken to mitigate these risks. An increasingly risk-based approach will be a key theme going forward and a review of service delivery across public protection is planned to ensure that there is evidence-based, risk-based and proportionate prioritisation of staff resources. The service will continue to respond effectively to statutory duties in relation to intelligence / service requests. Some matters will, by necessity, have less priority attached to them, be dealt with in new ways or not at all. It is intended to bring a report before members for consideration in the early part of 14-15 to seek agreement on any significant proposals. To that end, the Licensing & Regulatory Committee can provide an effective first stage of member engagement.
- 3.7 Officer consultation has taken place with all staff in the Public Protection division, together with Employee Services and Union. This process has identified concern in the teams in relation to reduced capacity and potential impacts, including service quality and increased workloads.
- 3.8 The overall reduction in staff resource equates to a 7.2% reduction in Public Protection posts from the 13/14 position.
- 3.9 As stated in the attached report, a fundamental review of priorities will be undertaken in 2014/15 to ensure Public Protection services focus on the most important elements of delivery, with maximum benefits to residents, businesses and visitors.

4 REASONS

The deletion of posts is necessary to deliver the budget savings identified in the attached mandate.

5. RESOURCE IMPLICATIONS

- 5.1 The proposed staffing changes are estimated to deliver recurring budget savings of £140,671.
- 5.2 Of the 4.1 FTE total, 2.6 FTE's are deleted via voluntary reduction in hours, and deletion of one temporary and one vacant post. The remaining 1.5 FTE's would be redeployed or, where opportunities are not available, made redundant. The costs of any potential redundancies are not known at this stage but, if incurred, such costs would be met by the service if achievable.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPACT IMPLICATIONS

- 6.1** Sustainability and Equality challenges have been undertaken, as provided in Appendix B. Potential negative impacts have been identified in relation to 'age' and 'disability' protected characteristics, but it is proposed to mitigate these by prioritising services to more vulnerable members of society through the service review in 2014/15.

7. CONSULTEES:

SLT
Cabinet Members
Chairs of Select Committee
Head of Legal Services

Initial staff consultation ran from 22nd January to 19th February 2014, and comments made have been incorporated into the report provided in Appendix A.

Observations resulting from consultation have been incorporated into this report.

8. BACKGROUND PAPERS:

Business Case: Service Reductions in Public Protection Division.

9. AUTHORS -

Graham Perry, Public Protection Manager
David H Jones, Head of Regulatory Services

10. CONTACT DETAILS:

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davidhones@monmouthshire.gov.uk

BUSINESS CASE – Service reductions in Public Protection division

Document Control –

Draft 2: Following circulation to all Public Protection staff, Personnel & Union 22nd January, 2014; comments received during officer consultation period – to 19th February – incorporated. Cabinet Member also consulted on initial draft report.

Authors: Graham Perry, David Jones

- 1 In response to the Authority's significant financial challenges from 14/15 and beyond, many services have been asked to reconfigure service delivery to help meet the projected resource shortfall moving forward.
- 2 The Public Protection division comprises the Environmental Health, Licensing and Trading Standards teams and delivers a broad range of statutory services, most of which are under significant pressure in terms of both workload and resources. For 2014-15, the Department faces a budget cut of just over £98,000. Additional budget pressures for 14-15 include a shortfall between budgeted departmental income and projected income out-turn for 13-14 of £35,000, a reduction in UK Government (DEFRA) grant for animal health work of £21,411, plus some added cost to cover maternity leave at £3,500.
3. In total these give rise to a projected shortfall of circa £158,000 against 13-14 service levels as summarised below:

a. Departmental budget reductions corporately imposed	£89,000
b. Departmental budget reductions (mandate 32)	£4,483
c. Unfunded salary increments	£4,686
d. Departmental gap between budgeted income and projected income out-turn for 13-14	£35,000
e. Trading standards: Reduction in DEFRA grant for animal health work	£21,411
f. Additional cost to cover Animal Health maternity, April to December 2014	£3,500
TOTAL	£158,080

4. Significant efforts have already been made to ensure efficiency and effectiveness in service delivery and to meet on-going resource pressures. These include:
 - a) reducing direct costs wherever possible
 - b) maximising productivity through service redesign
 - c) prioritising resources according to risk with a focus on delivering outcomes
 - d) maximising income generation opportunities (although these are limited in a regulatory environment) and it is considered that the Environmental Health team leads the way in Wales in some areas in that regard. This has involved developing a significantly different (business-oriented) approach.
5. For 13-14 an imposed budget measure of “additional” income of £60,000 was introduced. It is anticipated that around £25,000 of “additional” income will be generated in 13-14, leaving an anticipated pressure on expenditure budget going forward of £35,000. This shortfall has been partly met in 13-14 by success in gaining government grants and MTFP investment. It is clear that for 14-15, further measures will be required to meet this pressure on expenditure budget. Whilst proposals summarised in paragraph 2 above include additional income-generation measures in 14-15, these carry associated risks. These risks include a failure to deliver increased fee income (subject also to member’s approval) and failure to continue to grow income generating consultancy work. An added risk associated with that discretionary (income generating consultancy) work is that it risks taking staff resource away from mandatory work. However, this remains in our view an essential area of growth and fundamental part of our strategic direction. Further measures include diminishing service levels, through a risk-based approach, with associated deletion of posts from the service. This will inevitably have certain negative impacts upon service delivery and these likely impacts are identified in this report.
6. The level of discretionary work undertaken by the department is now all but lost and, evidenced by 13-14 work programmes, is confined to business-successful, income generation opportunities and a very limited number of functions of high public service value (such as pursuing fly-tipping investigations). The implications of further service reductions detailed in this report include an inevitable depletion or deletion of that work.
7. The following proposals will deliver the necessary budget savings:

Measure	Saving	Note
Deletion of 1.5 FTE Support Officer posts	36,075	Through redeployment /redundancy process
Deletion of 0.4 FTE Technical Officer (Env Health) post	12,328	Through voluntary change in hours
Deletion of 0.6 FTE Commercial Services / EHO Post	27,254	Through deletion of vacant post
Deletion of 0.6 FTE Temporary Animal Health Officer post	21,840	Deletion of temporary post funded by DEFRA grant. Saving approximates to grant reduction.
Deletion of 0.5 FTE Fair Trading Officer (animal health) post	18,200	Through voluntary change in hours
Deletion of 0.5 FTE Trading Standards Officer post	24,974	Through deletion of vacant post
Additional income generation and efficiency measures	17,500	Subject to risk
TOTAL	158,171	

8. There are potential risks of failure to meet statutory obligations moving forward. There are already shortcomings in the Authority's ability to meet its duties although these are subject to on-going efforts to manage the risks. This report summarises the existing performance of the Authority against statutory duties and also describes the potential impact of proposals on those service levels. It is acknowledged that a further stage will be needed during 2014 to fundamentally review the Authority's service priorities for the Public Protection division. This process, in consultation with members, will focus on priorities across all Public Protection to ensure the resources available are targeted at the most appropriate areas, in readiness for 2015/16 and beyond, recognising the future financial pressures on the Authority.
9. As per the budget savings outlined above, the approach for 14/15 has focussed on deletion of vacated posts and voluntary changes to hours worked, to reduce potential impact on existing staff. To achieve the required 14/15 savings, however, it has been necessary to reduce the support officer pool by 1.5 FTE's, reducing from 6.3 FTE's to 4.8 FTE's. Both factors together equate to a 7.2% reduction in Public Protection posts from the 13/14 position. As a split across the 4 main service headings, including administrative support, this (as a percentage of total expenditure), means a 4.9% reduction in Public Health, 6.9% Commercial Environmental Health, 12.1% Trading Standards/Animal Health and 3.6% Licensing.
10. The proposals set out represent a risk-based approach to delivering statutory services with fewer resources.

Purpose

11. To determine how best to configure and deliver the service in order to meet projected budget pressures.

Vision

12. To deliver the best possible public protection services within available resources.

Outcomes

13. Public Protection services that are delivered through a managed approach and are:

evidence-based

risk-based

efficient

effective

customer-focused

outcome driven

prioritised (primarily on the basis of public health) and

affordable.

14. By reducing existing expenditure budget by £158,000 in 2014/15, this will contribute to the Authority's Medium Term Financial Plan (MTFP).

Blue Print

15. a) Where possible, elimination of all non-statutory work unless income generating or delivering convincing public benefit.
- b) Maximising income opportunities through an enhanced business-minded approach including invest to save (or income generate).
- c) Managed approach based upon the principles set out above:
 - evidence-based
 - risk-based
 - efficient
 - effective
 - customer-focused
 - outcome driven
 - prioritised (primarily on the basis of public health) and
 - affordable.

Current State and gap analysis

16. The projected resource shortfall arises primarily from cuts to budget as follows: Departmental budget reductions corporately imposed £89,000, departmental budget reductions (mandate 32) of £4,483, unfunded salary increments - £4,686, shortfall in achieving income generation target of around £35,000, a reduction in DEFRA grant funding of £21,411 and an added maternity cover cost of £3,500. These total £158,080 of pressure for 2014-15. Potential redundancy costs have not been included, noting the preference would be to redeploy (and costs unknown at this stage), but, if incurred, such costs would come from the service if achievable.
17. The division is a regulatory service and therefore income generation opportunities are constrained by the regulatory framework. Some functions cannot be charged for, whilst others (such as licensing fees under the Licensing Act) are set by Government. However, there are some areas of opportunity for income generation and the current approach to service

delivery is very much about trying to maximise these. It is projected that during 2014-15 an additional income of £12,500 can be generated.

18. An addition to the pressures outlined above, it is important to point out that the currently projected out-turn for 2013-14 is a balanced budget. However, this has been achieved, in part, through holding open vacant posts amounting to a total salary and on-costs saving of £45,455. Whilst some costs have been incurred through 13-14 that are not anticipated to recur on an on-going basis, there is potential risk that the above savings outlined above will not be sufficient to manage the on-going resource pressures.
19. The existing services are all under pressure and there is already some shortfall in meeting full statutory obligations. Any deterioration in service will further impact upon the ability of the Authority to meet these duties. A brief summary of existing performance against statutory obligations is given in Annex One below. It is clear that a full review of service delivery will be needed during 2014, informed by anticipated audit reports from the Food Standards Agency and the Wales Audit Office.

Proposals

20. The following proposals have been worked up with a view to addressing the financial gap projected for 2014-15:
 - a) Reduction in Technical Officers from 2 FTE to 1.6 FTE, within the Environmental health (public health) team resulting in loss of ability to deal with discretionary elements of service, in particular fly-tipping and dog-fouling. In addition there will be less capacity to respond as readily to complaints of statutory nuisances such as noise complaints.
 - b) Deletion of a 0.6 FTE post in the food team within Environmental Health (Commercial) which will impact upon the ability of the team to meet inspection targets for programmed inspections under the Food Law Code of Practice. Additionally this will further limit proactive in both health and safety and food safety interventions and on-going inability to deliver proactive work to tackle communicable disease concerns.
 - c) Deletion of circa 1.5 FTE Support Officer posts (generic to the Public Protection department). This is in recognition of the shift of working practices, particularly in relation to reduced paper and agile working environments. There is a risk that further administrative burden might subsequently fall to officers on higher pay grades.
 - d) Deletion of a 0.5 FTE Trading Standards Officer post with a consequent decrease in ability to deliver proactive interventions, programmed inspections and ability to respond to complaints / intelligence.

- e) The loss of a 0.6 FTE Animal Health Officer is in response to the Government's (DEFRA) reduction of grant funding to the Authority, to support animal health-related work in line with national priorities. NOTE: existing post-holder to be retained to cover maternity leave of animal health colleague, which is likely to be for a 9 month period to 31.12.14.
- f) The loss of a further 0.5 FTE Fair Trading post (currently vacated). e) and f) together will impact upon team's ability to implement effective controls and potentially impact upon the effectiveness of the entire system of animal health control.
- g) Maximise income generation opportunities across the division.

Potential negative impacts

21. Potential negative impacts are an exacerbation of the issues identified in Annexe one, plus specifically in relation to the proposals:

- Reduce the ability to deliver a range of discretionary services e.g. to deal with dog fouling and littering
- Back log of complaints and deterioration in response times in relation to a range of issues, most notably in responding to statutory nuisances (such as noise), particularly at peak times and staff holiday periods
- Reduction in quality of investigative services across all teams
- Earlier escalation of formal action – resulting in increased statutory action
- Increased complaints against service for perceived lack of responsiveness or quality of service
- Potential failure to meet the programme of food inspections required by the Food Law Code of Practice.
- Lack of ability to deliver proactive public health work such as communicable disease campaigns / sampling for food safety and fraud and business improvement schemes such as Healthy Options Award.
- Elevation of licensing fees with associated backlash from businesses.
- Reduction in ability to respond proactively or reactively to trading standards matters; these frequently impact upon the most vulnerable in society.
- Potential negative impacts upon: public health, animal health & welfare, businesses and the local economy.

Key Risks and Issues

22. The key risks are reputational, legal and financial associated the distinct potential for:
- A perceived poor public service
 - A failure to meet statutory obligations
 - Action against the authority for failure to meet its duties or deliver adequate levels of response in relation to complaints.
23. These risks will need to be ameliorated by taking a managed approach adopting the principles as set out in para 14. The need for enhanced management time is a risk in itself because services which perform less well and are less responsive, etc, require considerably more management time than those that perform well. Working with the community to achieve different desired outcomes in new and innovative ways will also need to be a continuing feature moving forward.
24. Risks associated with a failure to deliver the perceived savings include:
- a) A failure to raise projected income.
 - b) A need to backfill posts caused by illness, maternity, etc.

Risks – anticipated threats to the benefits						
Description	Likelihood	Impact	Proximity (when it is likely to occur)	Risk Owner	Mitigating Action	Action Owner
Failure to meet income targets;	Medium	High	2014	PP	Ongoing monitoring of income through 14-15; Invest to save (13-14) through	PP

					mobile applications and business opportunities in partnership with the private sector. A sound case to the Licensing Committee regarding fee setting.	
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Constraints

25. Political decision needed regarding the setting of fees for licensing matters.

Recommendation

26. To adopt the proposals set out in this report.

Delivery

27. To implement the proposed arrangements for deletion of posts through the Authority’s Protection of Employment Policies and Procedures without delay.

Summary Assessment of current performance against Statutory Duties.

A Environmental Health (Public Health Team)

1. The team delivers a broad range of statutory duties covering housing standards, pollution control, environmental protection, private water supplies, statutory nuisances, general public health. The team is delivering to capacity and is routinely under high pressure in a challenging field. Although generally working solely in a reactive capacity in relation to statutory duties for housing matters, essential proactive work, such as inspection of fire-risk accommodation for vulnerable people is not being progressed as it ought.
2. Essential work in relation to private water supplies has fallen behind and is unlikely to be delivered in line with statutory requirements on the Authority to risk assess all supplies by next February. A small grant of £5,000 is currently insufficient to fund this work.
3. The team continues to meet the authority's obligations for Permitted Processes under pollution control duties (and for petroleum licensing) however potential burdens associated with further air quality management requirements are unlikely to be fundable within existing resources.
4. There are approximately 2,500 potentially contaminated land sites in Monmouthshire which have been identified, mapped and risk-assessed. There is a duty for the Authority to act in accordance with statutory guidance which calls for an inspection strategy to be developed. Progress in the implementation of the strategy has halted because of a lack of funding.
5. Proactive work in the area of environmental protection has been all-but suspended in response to increasing resource pressures and reviews of the efficiency and effectiveness of interventions. However, although enforcement and education/awareness raising work is discretionary, public and member demand for action in relation to such issues is greater than ever. The investigation of Fly-tipping offences remains one of the few remaining discretionary activities. There remains an understandable expectation from elected members and the public in this discretionary area of enforcement responsibility, currently under a political spotlight because of changes to waste collection. There is little time for proactive work in this area. Dog fouling and littering are similarly placed.

6. Responding to statutory nuisances remains a major responsibility and demand is increasing. Noise nuisance remains a significant element of this.
7. The team is failing to meet its SIP targets for response time targets in each area where set (Housing 85% Target 90%; Pollution 76% Target 90%; Env Protection 88% Target 90% ; Noise 79% Target 93% ; Statutory nuisance 88% Target 90%) – first 6 mths of 13/14 analysis.
8. The potential impact of Cleansing Dept Mandate to cease delivery of a ‘free pest control service’ provided by the Authority is expected to result in a substantial increase in workload for the public health team which may not be met within the £10,000 resources proposed to be vired across as a consequence of the mandate.

B ENVIRONMENTAL HEALTH (COMMERCIAL) TEAM.

9. The team covers a range of statutory duties including food safety, food standards, health & safety at work, smoking legislation and communicable disease control.
10. Whilst largely meeting the Authority’s inspection programme for food law enforcement the resource pressures in the current financial year have given rise to a failure to meet targets for inspecting within 28 days of the scheduled date. This is being monitored carefully. Low risk premises are not currently inspected. Whilst sampling is becoming a high priority for both Europe and central government, there is an inability to keep up current sampling programme.
11. The pressure to generate income to make up shortfalls in budget impacts, in the short-term at least, on the team’s ability to meet other delivery targets. However, the ability to support businesses and improve compliance is a very positive outcome of work in this area.
12. A recent audit by the Food Standards Agency highlighted a failure to fully meet the requirements of the Food Law Code of Practice and the department awaits a final report before reporting its findings to members. In particular, the draft report identifies shortcomings in areas of supervisory/management activities, monitoring, supervision which is considered (in the view of the authors of this report) to be a direct consequence of current pressures on time and repeated cuts at management levels.

13. Health and safety at work activity has been cut-back to the point of now being an almost totally re-active service. Opportunities to impact positively on a range of occupationally related issues of ill health has been largely lost in recent years due to year on year resource cuts and workload pressures in other areas of responsibility, such as food safety.
14. The team's performance in relation to small-scale outbreaks and sporadic cases of communicable diseases is generally meeting the requirements of codes of practice. Although the workload remains quite significant, this is an area that is prioritised. However, there is already very little scope for proactive work in relation to communicable diseases. Health issues of national significance, which could be the subject of proactive campaigns / awareness raising are therefore not being delivered. This includes ++valuable infection control work with children and young people.

C LICENSING TEAM

15. Each year the team deals with in excess of 2,000 applications per year for various licences, 300+ inspections.
16. Alcohol, Entertainment and late night refreshment licensing: Currently compliance checks of licence conditions are largely restricted to responding to complaints. There are no compliance checks in relation to Temporary Event Notices.
17. Taxi Licensing: Enforcement of the night-time trade to prevent unlicensed operators who have not had criminal checks, vehicle checks etc, is not carried out on a regular basis. Vehicle checks are not done on a regular basis and reliance is on test garages.
18. Gambling Licensing: We do not undertake proactive visits regarding enforcement of gambling in pubs and clubs, or lottery returns, to ensure fraudulently activities are not being conducted. No checks undertaken to ensure racecourse do not allow betting to be conducted by persons who are either vulnerable through drink, mentally unstable or have a gambling addiction.
19. House to House and Street Collections: No enforcement is carried out, so reliance on the information an applicant provides. There is large monetary gain in this activity and no checks are made if the money actually goes to the charity they are collecting for. There are no checks on unlicensed traders who may be dishonestly receiving good and money for private gain. However, Licensing always follow up on any complaints, ie. priority is given to the reactive element of the service.

D TRADING STANDARDS AND ANIMAL HEALTH TEAM

20. Many areas of Trading Standards work are prescribed by a general duty, however that duty is now being discharged almost solely through reactive, intelligence-led or complaint led activity. These include important areas of consumer & product safety, fair trading and much weights and measures work.
22. Lack of capacity results in challenges to the level of responsiveness to door-step crime.
22. Current limited capacity has impacted on the team's ability to deliver official feed controls and the team is falling short of the requirements of the Feed Law Code of Practice.
23. In relation to animal welfare, complaints have to be prioritised and are responded to as resources allow. There is difficulty in meeting risk-based inspection levels.
24. The Authority has duties in relation to animal disease controls, which are of national significance, but with reducing external funding the team is unable to meet the requirements of a risk assessed inspection programme and this work is now delivered on the basis of priority assessment.
25. Work undertaken in relation to underage sales has moved to an intelligence based approach and proactive work in this area has fallen away.
26. Civil advice is key to ensuring people and business know their rights, 1st tier advice in the main is provided via a SLA by the CACS (Citizens Advice Consumer Service) helpline. Criminal and 2nd tier advice enquiries are referred through to be dealt with. Whilst non-statutory it provides key intelligence for directing resources effectively and efficiently as possible ensuring that rogue traders are identified and dealt with and business are advised and educated where necessary.

General.

- 27 The four teams work under significant pressure. The management and supervisory structure is very flat and lean. This has led to a reduction of safeguards in terms of supervision, monitoring, mentoring, performance management, financial audit, professional development, welfare support etc. The impact of high-pressured workload on staff has been significant. Opportunities for professional development along with the opportunity to engage in wider corporate roles, responsibilities or opportunities have been extremely restricted.

14.2.14

The “Equality Challenge” (Screening document)

Appendix B

Name of the Officer completing “the Equality challenge” David H Jones, Graham Perry		Please give a brief description of the aims proposed policy or service reconfiguration The report seeks consent to proceed with a reduced staff resource to meet projected budget pressures. Focus to be on a risk-based approach for all Public Protection services, to deliver a range of statutory services, (including Environmental Health, Trading Standards and Licensing), with less resources.	
Name of the Division or service area Public Protection, (within Regulatory Services)		Date “Challenge” form completed 22/1/14	
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age	Reduction in ability to respond fully to trading standards, general nuisance complaints, etc. can potentially impact on the more vulnerable, eg. older people.		
Disability	As above, potential negative impact on disabled persons, if less capacity to deal with complaints and requests for service.		
Marriage + Civil Partnership		Any service reduction would not impact on this protected characteristic any more than general public.	

Pregnancy and maternity		As above	
Race		As above	
Religion or Belief		As above	
Sex (was Gender)		As above	
Sexual Orientation		As above	
Transgender		As above	
Welsh Language		Any service user or business wishing to communicate through medium of Welsh – written or verbal – will continue to be offered such a service.	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ Age – as above.	➤ Services to have a fundamental review of their priorities in 2014, which will be informed by audits by both Wales Audit Office and Food Standards Agency. Re consumer complaints, for example, Trading Standards could prioritise more vulnerable groups, eg older people. So an estate with a high elderly population could be prioritised for a 'No cold calling zone', where resources are limited.
➤ Disability – as above	As above – services can look to prioritise more vulnerable groups, including disabled persons.
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Services will be undertaking a fundamental review of their priorities in 2014, which will be informed by audits by both Wales Audit Office and the Food Standards Agency. Re consumer complaints, for example, Trading Standards could prioritise more vulnerable groups, eg older people. So an estate with a high elderly population could be prioritised for a 'No cold calling zone', where resources are limited. Services can also consider how to prioritise our response to complaints, with potentially a more detailed response for more vulnerable members of society.

Signed

Designation

Dated



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
The report seeks consent to proceed with a reduced staff resource to meet projected budget pressures. Focus to be on a risk-based approach for all Public Protection services, to deliver a range of statutory services, (including Environmental Health, Trading Standards and Licensing), with less resources.	Regulatory Services, within Legal, Democratic & Regulatory Services department	Public Protection division
Policy author / service lead	Name of assessor	Date of assessment:
Graham Perry, David H Jones	David H Jones	22/1/2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To seek approval to implement the recommendations contained in the 'Service reductions in Public Protection division' report. Proposed change is to deliver the best possible public protection services within a reduced resource, (reducing the budget by a total of £158,080 in 14/15).

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age	x	Race	
Disability	x	Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4.

Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

The Public Protection Manager has engaged the teams to consider ideas to ‘bridge the gap’ in relation to the on-going budget shortfall for these services. This has resulted, for example, in new income generation opportunities. Although limited in a regulatory environment - for example many fees for particular services are set by Government, not MCC – there has been success in setting up ‘primary authority’ arrangements with private businesses on a rechargeable basis, together with other initiatives.

All service lead officers, for Trading Standards/Animal Health, Environmental Health (Commercial), Environmental Health (Public Health) and Licensing, have been consulted and their thoughts and ideas included in the development of the stated proposals.

The report has been circulated to all Public Protection staff, on 22nd January 2014, plus HR and Unison, inviting comments by 19th February 2014. Relevant comments can be incorporated into the final report before seeking decision.

4. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Annexe One uses service data from the respective teams, to provide a picture of the level of activity in each section. This could include data from specific service plans, eg MCC food safety and animal health plans. Finance data has been used to determine staff costs, the impact of departmental budget reductions, etc.

6. As a result did you take any actions to mitigate your proposal? Please give details below.

Services will be undertaking a fundamental review of their priorities in 2014, based on service and financial data and priorities. Future work will also be informed by audits by both Wales Audit Office and the Food Standards Agency this year.

7. Final stage – What was decided?

•No change made to proposal/s – please give details

To be determined after staff consultation, running to 19th February 2014.

•Slight changes made to proposal/s – please give details

As above.

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed...David H Jones.....**Designation** Head of regulatory services.....**Dated**...22.1.14

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” David H Jones		Please give a brief description of the aims proposed policy or service reconfiguration The report seeks consent to proceed with a reduced staff resource to meet projected budget pressures. Focus to be on a risk-based approach for all Public Protection services, to deliver a range of statutory services, (including Environmental Health, Trading Standards and Licensing), with less resources.	
Name of the Division or service area Public Protection division, within Regulatory Services		Date “Challenge” form completed 22/1/2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		No impact on access to healthy food, (though a small decrease in EH capacity to deal with ‘safe’ food, and less Animal Health resource at the start of the food production chain).	
Improve housing quality and provision		No impact on current private housing enforcement resource	
Reduce ill health and improve healthcare	Some (@ 0.6 FTE of an EHO) reduced capacity to deal with food poisoning		

provision	incidents and inspection of food premises.		
Promote independence	Less trading standards capacity could reduce schemes such as 'no cold calling zones' that do ensure residents feel safer in their homes		
Encourage community participation/action and voluntary work			Potentially services will need to look at local communities to undertake certain aspects of PP work, eg. environmental crime such as dog fouling and littering. Could be a benefit in local communities taking responsibility and pride in their local environments, parks, play areas, etc.
Targets socially excluded		No impact	
Help reduce crime and fear of crime	0.4 FTE less capacity to deal with certain 'enviro-crimes, such as dog fouling and littering.		
Improve access to education and training		No impact	
Have a positive impact on people and places in other countries		No impact	
PLANET			

Reduce, reuse and recycle waste and water		No impact either way	
Reduce carbon dioxide emissions			Officers will endeavour to reduce work related mileage, (continuing to group together visits, work agilely, etc.)
Prevent or reduce pollution of the air, land and water	As above, reduction on capacity to deal with certain land pollution, eg. Littering.		
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		No impact	
Protect or enhance visual appearance of environment	As above, should there be a decline in environmental enforcement and education		
PROFIT			
Protect local shops and services		No impact	
Link local production with local consumption		No impact	
Improve environmental awareness of local businesses		No impact	
Increase employment for local people	Potential redundancies to 1.5 FTE support staff		

Preserve and enhance local identity and culture		No impact	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No impact	
Increase and improve access to leisure, recreation or cultural facilities		No impact	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ As above	<ul style="list-style-type: none"> ➤ Services will need to consider their priorities going forward, eg. What do they do less of to ensure priority services, (inc. vulnerable people), are sustained. Fundamental review (plus 2 external audits) will provide some answers ➤ Giving responsibility, eg. Low level environmental crime, to others, eg. Community councils and PCSO's ➤ Re potential redundancies, look to redeploy as per MCC policy

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Community participation to be actively encouraged, eg maintaining and monitoring local parks. There will be a further drive to reduce work related mileage wherever possible.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Services will need to consider their priorities going forward, eg. what do they do less of to ensure priority services, (inc. vulnerable people), are sustained. Fundamental review (plus 2 external audits in 2014) will assist services find answers.

Giving responsibility, eg. low level environmental crime, to others, eg. Community councils and PCSO's.

Re potential redundancies, look to redeploy as per MCC policy.

SUBJECT: REVIEW OF POLICIES
MEETING: CABINET
DATE: 5th March 2014
DIVISION/WARDS AFFECTED:

1. PURPOSE:

To approve new policies and amendments to existing policies of the council to keep up to date with legislation and employment best practices.

2. RECOMMENDATIONS:

That cabinet approve the policies in this report.

3. KEY ISSUES:

In order to deliver the cultural and economic changes facing Monmouthshire, and to comply with legislation we have to ensure we have effective employment policies. Monmouthshire's people strategy includes an action to review our policy suite to ensure they are fit for purpose. This is an on-going process and will include the introduction of new policies, minor revisions to simplify and reflect legislation changes and the complete re-write and amalgamation of some policies.

This report covers the following policies -

Agency and Self Employed workers – New Policy – The appointment of Agency and Self Employed workers is sometimes a contentious issue with regard to legislation, and can lead to unnecessary expense for the council if we fail to optimise the use of our own employees over the use of Agency and Temporary appointments. This policy aims to assist managers understand their legal obligations under the Agency Workers Regulations when engaging agency staff, and to ensure compliance with HMRC regulations for self-employed workers as well as the associated risks in using such arrangements.

Whistleblowing Policy – Minor amendments and update to an existing policy – This policy enables employees to raise concerns about malpractice, negligence or wrongdoing at an early stage and in the correct way.

Code of Conduct Policy– Minor revisions to an existing policy – This policy is in a standard format used by all Local Authorities. It can contain local amendments to reflect our own values and culture. This policy has some amendments for e.g. the use of social media

Market Forces policy – This policy relates to the payment of market forces supplements. It is an existing policy but has been revised to reflect current economic conditions and to ensure equity and fairness when applying market forces supplements.

4. REASONS:

The review and update of the council's policies is essential in order to ensure continued compliance with legislation and to assist the council and its employees to work efficiently and effectively.

All of the policies set out have been consulted upon with staff representatives from the Trades Unions at the Councils Joint Consultative Committee.

5. RESOURCE IMPLICATIONS:

None arising from the introduction of the policies identified in this report.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The equality impacts have been assessed and are attached. There are no negative effects and all policies will have a positive effect on the protected characteristics as they seek to ensure compliance with the Equalities Act

7. CONSULTEES: JAG SLT

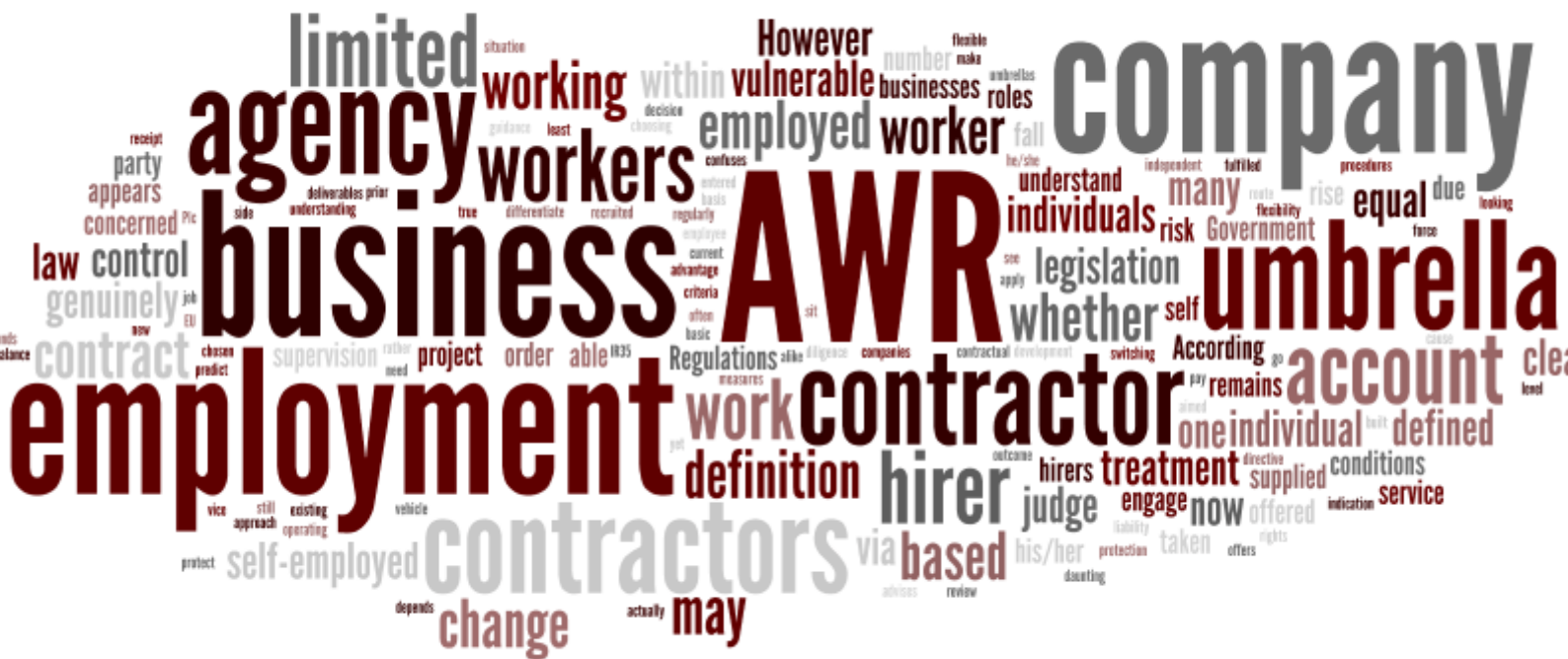
8. **BACKGROUND PAPERS:** POLICIES AS FOLLOWS – Agency and Self Employed Workers, Whistle blowing policy, Equal Pay Policy

9. **AUTHOR:** SIAN HAYWARD

10. **CONTACT DETAILS:**

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Agency and Self Employed Workers

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Purpose

This policy and procedure provides a framework for managers to use when they are considering the use of external agency workers or self-employed workers.

The council wants to limit the use of agency workers in order to save costs and to protect the employment of existing staff. We know that there will be occasions when it is quicker or more cost-effective to use agency workers for short-term assignments or where it isn't practical to undertake a recruitment exercise. This policy helps managers understand their legal obligations under the Agency Workers Regulations 2010 when engaging agency workers.

A worker's employment status i.e. whether they are employed or self-employed is not a matter of choice. We categorise people into employed or self-employed status according to the terms of engagement. HMRC have strict conditions for determining whether someone is employed or self-employed and MCC has to comply with these. All workers - whether they are employees, agency or self-employed are covered by the Equality Act 2010 and the Employment Rights Act 1996.

Definitions

The Agency worker's regulations state that they should have the right to equal basic employment conditions with comparable employees, and establishes the principle of 'equal treatment' between temporary agency workers and employees. It requires that the agency worker be given the same entitlement as employees to basic working conditions such as pay, working hours and holidays. Certain conditions apply after a 12 week qualifying period and are explained below.

Employee

An "employee" is defined in the Employment Rights Act 1996 as "an individual who has entered into or works under (or, where the employment has ceased, worked under) a contract of employment". Relevant characteristics which tend to suggest an employer-employee relationship include:

- Where an individual works under the control of the employer
- Where an employer is obliged to offer the individual some work and the individual is obliged to accept it
- Where tax and National Insurance contributions are deducted through PAYE
- Where an individual is expected to carry out his or her work themselves and not send a substitute.

Worker

This is a broader category than 'employee' but normally excludes those who are self-employed. A worker is any individual who works for an employer, whether under a contract of employment or any other contract where an individual undertakes to personally do any work or service. Workers are entitled to core employment rights and protections. The following groups of people are likely to be workers but not employees:

- Most agency workers
- Short-term casual workers
- Some freelance workers.

Agency Workers

External agency staff **must** be obtained via the nominated provider. Other providers may be used for teachers sourced directly by individual schools.

Managers should consider carefully the suitability of using agency workers, particularly if the placement is expected to be on a long-term basis. It may be more appropriate to appoint a fixed term employee through the normal recruitment process.

A pro forma can be found at Appendix 1 to complete when arranging for an agency worker placement.

Our responsibilities

The provisions apply to all agency workers but **do not apply** to the following:

- Those who are genuinely self-employed (e.g. sole traders). To qualify for this an individual will have to satisfy HMRC guidelines
- Those who work through their own service company who are genuinely in business of their own account (e.g. limited companies)
- Those employed under managed-service contracts (e.g. a service contracted out by the council e.g. a cleaning company for office/school cleaning)
- Staff appointed through in-house temporary staffing banks (e.g. social care bank staff).

Agency worker's rights

Agency workers have the right to the same access to certain facilities as comparable employees where provided e.g.

- Toilets/shower facilities
- Staff rooms (e.g. common room, mother and baby room, prayer room)
- Food and drinks machines.

Agency workers also have the right to information relating to vacancies. This excludes situations where posts are ring-fenced for redeployment purposes or the prevention of a redundancy situation.

After **12 weeks** service in the same job, agency workers have a right to equal treatment with a comparable worker or employee in terms of:

- Basic pay
- Overtime
- Bonus and commission related to individual productivity
- Paid holiday entitlement
- Hours of work
- Vouchers with a monetary value
- Paid time off to attend ante-natal appointments for pregnant workers

Agency workers are **not** privy to equal treatment in respect of:

- Access to the Local Government Pension Scheme
- Occupational sick pay (but may be entitled to SSP from the agency)
- Redundancy pay
- Maternity/paternity rights (but may be entitled to SMP/maternity allowance from the agency)
- Bonus
- Non-cash awards
- Advances in pay or loans
- Additional discretionary and non-contractual payments (e.g. honorarium payments)

Self-employed workers

To meet the requirements of employment and tax law, as well as safeguard Monmouthshire's position as an employer, we expect most individuals to be employed as 'employees' on a contract of employment and paid via our payroll systems with tax and National Insurance deducted at source.

In some circumstances MCC may need to engage self-employed workers for specific pieces of work e.g. an independent review. This relationship between MCC and the individual will not be an employment relationship but will be a 'contract for services' (i.e. a self-employed worker).

The law on self-employment is complex and the consequences of wrongly treating someone as self-employed when they should be employees can be significant. HM Revenue and Customs (HMRC) may reclaim tax and national insurance contributions together with interest and penalties from the employer and there are a wide range of employment rights which may need to be compensated (including the right to paid holidays, notice, redundancy payments and not to be unfairly dismissed).

Anyone who engages self-employed workers are required to:-

- Consider why all alternatives to using self-employed workers are not available or appropriate.
- Check that the status should be 'self-employed' via the HMRC website www.hmrc.gov.uk/calcs/esi.htm using the tool to establish the employment relationship.
- Record the reference number supplied if the relationship is confirmed as self-employed.
- Consider the scope, the requirements and the duration of the work to be done.
- Identify and agree the appropriate rates to be paid
- Ensure that the relevant chief officer has been informed and agreement is confirmed before proceeding.
- Ensure all necessary self-employed status is obtained and held on file
- Ensure that all necessary checks associated with the work are processed and evidenced e.g. Identity, Right to Work in the UK, Professional Registration, DBS, Health.
- Ensure a signed agreement is in place that details all agreed terms (see Employee Services for a template agreement to ensure it is correct)
- Complete the agency worker pro-forma on Appendix 2.
- If not self-employed consult with Employee Services to ensure the correct employment status is applied

Appendix 3 has a useful series of Questions and Answers which will help you to establish if someone is self-employed or employed.

Conduct

All agency workers have to abide by the Council's Policies and should be directed to the Employee Services page on the intranet in order for them to read them. However, if policies need to be invoked e.g. disciplinary, the individual would be subject to the nominated agency staff supplier's procedures.

For certain posts there may be qualifying conditions e.g. Disclosure and Barring check or a driving licence requirement. It is for the nominated supplier of agency staff to ensure that background checks or conditions are carried out.

It is the appointing line manager's responsibility to ensure that the agency worker meets all qualifying conditions and that the worker has access to all policies and procedures of MCC.

Appendix 1

Pro forma for the Appointment of Agency Staff

The line manager must complete the attached and forward with all relevant documents to Employee Services before the agency worker starts work for MCC.

Team Manager making the engagement:	
Team:	
Name of agency:	
Name of agency worker appointed:	
Title of post being covered (post number):	
CCW registration number (if needed)	
DBS certificate number: (if needed)	
DBS issue date: (if needed)	
Hourly/weekly fees agreed:	
Start date:	
Projected end date:	
Photocopy the <u>original</u> documents of the following and forward to Employee Services before the agency worker starts:	
Right-to-work checks:	
Qualification certificate:	
Birth certificate:	
Passport / Driving license (photograph):	
Employment history:	
References:	

(The Line Manager must collect this information from the employing agency / self-employed agency worker and keep Employee Services fully up to date.

Retention – Employment records must be retained for 6 years if the worker has worked with adults. If the worker has worked with children their employment records must be kept for 80 years after they leave our employment. Records are kept with all other employee records within Employee Services.

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Appendix 2

Pro forma for the Engagement of a Self Employed Worker

The line manager to complete the attached and forward with all relevant documents to Employee Services before the self-employed worker starts work for MCC.

Team Manager making the appointment:	
Team:	
Name of self-employed worker:	
Name of company under which self-employed worker operates:	
Title of post being covered (post number):	
CCW Registration No: (if needed)	
DBS certificate number: (if needed)	
DBS issue date: (if needed)	
Hourly/Weekly fees agreed:	
Start date:	
Projected end date:	
HMRC tool ref number:	
Photocopy the <u>original</u> documents of the following and forward to Employee Services before the commencement of agreement:	
Chief officer approval signature	
Qualification certificates: (if applicable)	
VAT registration:	
Certificate of Incorporation:	
Passport / Driving license (photograph):	
Employment history:	
Relevant references:	

Copy of assignment agreement: (signed by head of service)	
Right-to-work checks :	

The line manager must collect this information from the self-employed worker and keep Employee Services fully up to date.

Retention – records must be kept for 6 years after the worker has left if they have worked in adult services. If they have worked in children’s services they must be kept for 80 years after they have left. Records are kept with all other employee records within the Employee Services document location.

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Appendix 3

Q & A

How to establish Employed or Self-Employed?

HMRC publish guidance to assist in determining whether the nature of the engagement is a contract of service (worker) or under a contract for services (self-employed, independent contractor). It is necessary to examine the real nature of the relationship before agreeing to the engagement.

<http://www.hmrc.gov.uk/calcs/esi.htm>

Please save a copy of this once you have completed it in order to prove engagement status. If it is established that they are self-employed then there will be a reference. Record the reference on the pro-forma.

Can someone who is already employed by Monmouthshire have a contract to offer services under the self-employed status?

It is highly unlikely that HMRC will accept that an individual who is employed by Monmouthshire can also act as a self-employed consultant supplying services to Monmouthshire. In most cases, where such additional work is approved any additional payment will be paid through the payroll system and be subject to statutory deductions. Managers should seek advice from Employee Services Team before offering additional work to full-time staff.

What documentation is required for Self-Employed Consultants?

When the Head of Service is satisfied that the nature of the engagement is one of a contract for services and where the supplier is registered with HMRC as self-employed, there should be a written agreement between Monmouthshire (signed by the Head of Service) and the self-employed supplier, specifying the service to be provided and the fee. (See model contract, which has been worded to minimise the possibility that HMRC or a Tribunal/Court may construe it as a contract of employment).

Why do we have to keep the paperwork described above?

HMRC can inspect Monmouthshire's records of payments to self-employed providers to ensure that they are genuinely contracts for services. Services should retain records of all such engagements as HMRC may request to see these. Where the arrangement is with a company, the same standard contract for services should be used.

How do we pay for the services of a self-employed worker?

The self-employed worker will have to submit itemised invoices for payment on completion of the work and payment will only be made to the account of the supplier named on the contract. Payments will be made through the Agresso system. Invoices should be submitted each month. All procurement rules will apply. Members of staff should not be directly involved in decision-making in cases where work is offered to their former colleagues, close friends or family of staff. Where this is not possible,

because they have lead responsibility for the service/ project, they should ensure that a Chief Officer is involved in the decision-making progress.

What records should be kept?

The employee services team should keep a record of all relevant documentation. (see Appendix 1 and 2) that the manager is responsible for providing.

Why do we have to carry out a Right to Work Checks for self-employed?

The UK Border Agency suggests that employers might wish to consider undertaking right to work checks for individuals engaged on a self-employed basis. To minimise risk, Managers must undertake Right to Work checks on self-employed consultants as well as all other employees.

DRAFT

Version Control

Title	Agency and Self Employed Workers
Purpose	
Owner	Employee Services
Approved by	JAG, Cabinet
Date	November 2013
Version Number	1.0
Status	Draft
Review Frequency	Bi-Annual
Next review date	1 st April 2015
Consultation	SLT, Employee Services, Trades Unions

Appendix A

Name of the Officer completing “the Equality challenge” Sian Hayward		Please give a brief description of the aims proposed policy or service reconfiguration Agency and Self Employed Workers	
Name of the Division or service area Chief Executives		Date “Challenge” form completed 10/02/2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age			This policy ensures that our code of conduct as employees of Monmouthshire County council is in line with accepted best practice and legislation. It will cover all protected characteristics.
Disability		y	
Marriage + Civil Partnership		y	
Pregnancy and maternity		y	

Race		y	
Religion or Belief		y	
Sex (was Gender)		y	
Sexual Orientation		y	
Transgender		y	
Welsh Language		y	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

This Policy sets out the code of conduct for all Local Authority employees, ensuring they act with the highest standards, comply with legislations and don't bring the reputation of the Council into disrepute.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Sian Hayward Employee Services Lead 10th February 2014

Signed

Designation

Dated



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Agency and self employed workers	Enterprise	
Policy author / service lead	Name of assessor	Date of assessment:
Sian Hayward		

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To ensure that MCC complies with legislation and best practice with the appointment of agency and self employed staff

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

Consulted with People Management team and HMRC

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Personnel

6. As a result did you take any actions to mitigate your proposal? Please give details below.

None needed

7. Final stage – What was decided?

•No change made to proposal/s – please give details

No change

•Slight changes made to proposal/s – please give details

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed...sian hayward.....Designation.....Employee Service
Lead.....Dated.....

Encourage community participation/action and voluntary work		Y	
Targets socially excluded		Y	
Help reduce crime and fear of crime		Y	
Improve access to education and training		Y	
Have a positive impact on people and places in other countries		Y	
PLANET		Y	
Reduce, reuse and recycle waste and water		Y	
Reduce carbon dioxide emissions		Y	
Prevent or reduce pollution of the air, land and water		Y	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		Y	
Protect or enhance visual appearance of environment		Y	
PROFIT			

Protect local shops and services		Y	
Link local production with local consumption		Y	
Improve environmental awareness of local businesses		Y	
Increase employment for local people		Y	
Preserve and enhance local identity and culture		Y	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		Y	
Increase and improve access to leisure, recreation or cultural facilities		Y	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ <i>NONE</i>	➤
➤	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed

Sian Hayward

Dated 10th feb 2014

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DRAFT

Purpose

The Council and the citizens of Monmouthshire expect the highest standards of conduct from all employees, therefore we encourage employees and others with serious concerns about any aspect of the Council's work to come forward and voice them in a safe environment.

The Council recognises that employees are in an ideal position to be aware when malpractice, negligence or wrongdoing occurs. However, they may not express their concerns due to fear of harassment or victimisation.

This policy enables employees to raise concerns at an early stage and in the correct way.

Any serious concerns employees have about the conduct of members or officers of the Council, or agents or contractors of the Council, or about service provision, should be reported under this policy. This policy doesn't cover grievances relating to an employee's employment contract and formal complaints about the Council. Separate policies exist for those, and this Whistleblowing Policy is intended to cover concerns that fall outside the scope of those other procedures.

Aims and Scope

This policy aims to:

- Inform employees of how to raise concerns which they reasonably believe are in the public interest
- Provide a procedure for employees to raise concerns
- Ensure confidentiality is maintained
- Ensure that employees who raise a concern are protected from recrimination and fear of harassment or victimisation.

This policy applies to employees, volunteers, workers and agency workers, contractors or partners working for or on behalf of the Council. A separate policy applies for school based staff.

It is appreciated that it's sometimes difficult to report malpractice or wrongdoing, but failing to report it is serious and can in itself result in disciplinary action against you.

If an allegation is made which it is believed to be in the public interest but is not confirmed by an investigation, no action will be taken against the person who raised the initial concern. However, if the allegation is malicious, vexatious or for personal gain disciplinary action may be taken against the person making those claims.

Sometimes the investigation process may have to reveal the source of the information and a statement by you may be required as part of the evidence. The Council will do its best to protect your identity when you raise a concern and do not want your name to be disclosed, but this can't be guaranteed if it means we can't take action against the wrongdoer.

Areas covered by this policy include:

- a criminal offence

- the breach of a legal obligation
- a miscarriage of justice
- health or safety risks
- damage to the environment
- deliberate covering up of information tending to show any of the above five matters
- A breach of any statutory code of practice including the Council's Standing Orders
- Unethical conduct
- Abuse of power for any unauthorised purpose or for personal gain
- Unfair discrimination in the provision of services
- Fraud, corruption and bribery
- Racial harassment, sexual or physical abuse of clients
- Vulnerable adult or child safeguarding concerns
- Showing undue favour over a contractual matter or to a job applicant

Relevant Legislation and Council polices

The Council recognises its responsibilities under the following legislation;

- The Public Interest Disclosure Act 1998
- The Enterprise and Regulatory Reform Act 2013
- Employment Rights Act 1999
- The Equality Act 2010
- The Bribery Act 2010
- The Trade Union and Labour Relations (Consolidation)Act 1992

This Policy should be read in conjunction with the Councils;

- Code of Conduct
- Disciplinary Policy
- Equality Policy
- Grievance Policy

If an employee is the subject of disciplinary or redundancy procedures they won't be halted as a result of the whistleblowing.

In order to be protected the disclosure must be made in the public interest and not for personal gain. You must reasonably believe that the information, and any allegation contained in it, is substantially true.

How to raise a concern

Employees should normally raise any concern they may have with their immediate line manager. However, if employees feel unable to raise a concern through this route for whatever reason, they should write to the Chief Executive, County Hall, Rhadyr, Usk, Monmouthshire, NP15 1GA and mark it confidential.

This depends on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

If you feel that your line manager is involved, the concern should be raised with the relevant Chief Officer or the Chief Executive. If the concern is about the Chief Executive it should be raised with the Leader of the Council, if the concern relates to an Elected Member, it should be raised with the Chief Executive.

Concerns are better raised in writing. Employees who wish to raise a concern in writing should:

- Set out the background and history of the concern, giving names, dates and places, where possible
- Give the reason why they are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate officer.

The earlier a concern is raised the easier it is to take effective action. We appreciate that it can be difficult to know what to do when the concern feels serious because it relates to service user welfare, malpractice, health and safety or a possible fraud that might affect others or the organisation itself. You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next. If you are at all worried please speak to someone rather than leave it. You may of course invite your Trade Union to assist you to raise the matter or speak to a member of the Employee Services Team.

The person with whom you raise the concern becomes the Designated Officer responsible for investigating the matter and for keeping you informed on the outcome.

If in doubt – please raise it!

How the Council will respond

The action taken by the Council will depend on the nature of the concern. The matters raised may:

- be investigated internally
- be referred to the Police
- be referred to the external Auditor
- form the subject of an independent inquiry

In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved without the need for investigation.

Within 10 working days of a concern being received, the Designated Officer will write:

- acknowledging that the concern has been received
- indicating how it proposes to deal with the matter

- giving an estimate of how long it will take to provide a final response
- indicating whether any initial enquiries have been made, and
- indicating whether further investigations will take place, and if not, why not
- indicating support mechanisms available

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised. If necessary, further information may be requested from the employee.

The Employee Services team can offer further advice and support.

Safeguarding Whistleblowers - Our Assurances to You

Your safety

The Chief Executive is committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffer any form of retribution, victimisation or detriment as a result. It won't matter if you are mistaken provided you genuinely believe that you are acting in the public interest. Of course we cannot extend this assurance to someone who maliciously raises a matter they know is untrue.

Your confidence

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example, where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

Please remember that if you do not tell us who you are it will be much more difficult for us to look into the matter. We will not be able to protect your position or to give you feedback. Accordingly, you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.

The Council accepts that employees need to be assured that the matter has been properly addressed. Subject to legal constraints, the employee who raised the concern will receive information about the outcomes of any investigations.

How the matter can be taken further

This policy is intended to provide employees with a logical route to raise concerns they may have within the Council. However, if employees do not wish to raise concerns internally or if the concern has not been dealt with satisfactorily, the following are possible contact points:

- Your local councillor (if you live in the area of the Council)
- Welsh Audit Office – the council's external auditors
- An organisation which is [prescribed](#) with the Public Interest Disclosure Act
- Solicitors
- The Police
- Trade Unions
- Professional Bodies
- Public Concern at work – an independent authority which seeks to ensure that concerns about malpractice are raised and addressed in the workplace.

If employees take matters outside the council, it will be necessary to ensure that no confidential or legally privileged information is disclosed.

However, if the allegation is malicious or vexatious or for personal gain disciplinary action may be taken.

Records

The Chief Executive has overall responsibility for the maintenance and operation of this policy and will maintain a record of concerns raised and the outcomes (but in a form which does not compromise confidentiality) and will report as necessary to the council.

Version Control

Title	Whistle Blowing
Purpose	To outline the requirement by which employees of Monmouthshire conduct themselves both internally and externally to the organisation.
Owner	Employee Services db
Approved by	JAG, Cabinet
Date	August 2004, revised November 2013
Version Number	2.0 revision
Status	Draft
Review Frequency	Bi-Annual
Next review date	2015
Consultation	SLT, Employee Services, Trades Unions

Appendix A

Name of the Officer completing “the Equality challenge” Sian Hayward		Please give a brief description of the aims proposed policy or service reconfiguration Whistle Blowing Policy	
Name of the Division or service area Chief Executives		Date “Challenge” form completed 10/02/2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age			This policy will enable people to report malpractice in any of the protected characteristics, so has a positive impact on all.
Disability			Ditto
Marriage + Civil Partnership			Ditto
Pregnancy and maternity			Ditto
Race			Ditto

Religion or Belief			Ditto
Sex (was Gender)			Ditto
Sexual Orientation			Ditto
Transgender			Ditto
Welsh Language			Ditto

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ <i>NONE</i>	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

<ul style="list-style-type: none"> • This policy will enable people to report malpractice in any of the protected characteristics. It also ensures that employees who raise a concern are protected from recrimination and without fear of harassment or victimisation.
--

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Sian Hayward Employee Services Lead 10th February 2014

Signed

Designation

Dated



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
WHISTLE BLOWING	ENTERPRISE	
Policy author / service lead	Name of assessor	Date of assessment:
S HAYWARD		

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

YES

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

TO AID PEOPLE TO COME FRWARD WHEN THEY HAVE INFO ON WRONG DOING

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

NONE NEEDED

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

HR ADVICE

6. As a result did you take any actions to mitigate your proposal? Please give details below.

NINE NEEDED

7. Final stage – What was decided?

•No change made to proposal/s – please give details

NO CHANGE

•Slight changes made to proposal/s – please give details

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed.....S HAYWARD.....Designation.....EMPLOYEE SERVICE
LEAD.....Dated.....10/02/14....

Encourage community participation/action and voluntary work		Y	
Targets socially excluded		Y	
Help reduce crime and fear of crime		Y	
Improve access to education and training		Y	
Have a positive impact on people and places in other countries		Y	
PLANET			
Reduce, reuse and recycle waste and water		Y	
Reduce carbon dioxide emissions		Y	
Prevent or reduce pollution of the air, land and water		Y	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		Y	
Protect or enhance visual appearance of environment		Y	
PROFIT		Y	

Protect local shops and services		Y	
Link local production with local consumption		Y	
Improve environmental awareness of local businesses		Y	
Increase employment for local people		Y	
Preserve and enhance local identity and culture		Y	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		Y	
Increase and improve access to leisure, recreation or cultural facilities		Y	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ <i>NONE</i>	➤
➤	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed

S HAYWARD

Dated 10/02/14

If you would like to discuss the completion of this form or any issues arising out of its completion please contact:

Name: Hazel Clatworthy, Sustainability Community Officer, Tel: 01633 644843



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DRAFT

Introduction

The public is entitled to expect the highest standards of conduct from all employees who work for local government. This Code of Conduct is based on the recommendations of the Committee on the Standards of Conduct in Public Life. It applies to employees' conduct both within the council and when dealing with other organisations as a representative of the council. The principles detailed below are the basic ones governing all council employees.

The Code does not affect an employee's rights and responsibilities under the law; its purpose is to provide clear and helpful advice but all employees must comply with the Code.

This Policy should be read in conjunction with the council's Whistle Blowing procedure, the Dignity at Work policy and the Social Media Policy. This allows employees to disclose any wrong doing on the part of any employee or Councillor under The Public Interest Disclosure Act 1998. A breach of this Code may give rise to disciplinary action, which will be taken in accordance with the Council's Disciplinary Procedure.

The Code incorporates "The Seven Principles of Public Life"

Selflessness

Employees shouldn't take decisions which will result in any financial or other benefit to themselves, their family, or their friends. Decisions should be based solely on the Council's best interests.

Integrity

Employees shouldn't place themselves under any financial or other obligation to an individual or an organisation which might influence them in their work with the Council.

Objectivity

Any decisions that employees take in the course of their work, including making appointments, awarding contracts, or recommending individuals for rewards or benefits must be based solely on merit.

Accountability

Employees are accountable to the council as their employer. The council, in turn, is accountable to the public.

Openness

Employees should be as open as possible in all the decisions and actions that they take. They should give reasons for their decisions and shouldn't restrict information unless this is clearly required by council policy or by the law.

Honesty

Employees have a duty to declare any private interests, which might affect their work with the council.

Leadership

Employees in a leadership or managerial position should promote and support these principles by their leadership and example.

Standards

The aim of this code is to apply standards for all Monmouthshire County Council employees on the understanding that the citizens of Monmouthshire are entitled to expect the highest standards of conduct and where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality.

Employees will be expected to bring any deficiency in the provision of service or any impropriety or breach of procedure which would have a detrimental impact on the Council to the attention of the appropriate level of management.

The standards laid down in this Code are considered to be fundamental to the reputation of the Council. Any uncertainty about the meaning of this code is not accepted as a reason for failing to comply with it. If employees are in doubt they should seek advice from a Chief Officer.

Social Media

It's your own personal choice whether or not you participate in any kind of social media activity in your own time – the views and opinions that you express are your own. However, as a council employee you should be aware that any information which you post about Monmouthshire County Council cannot be kept entirely separate from your working life.

What you say openly online can be accessed around the world within seconds, it might be shared or re-published elsewhere (online or in print) and it will continue to be available for all to see in the future. You must be willing to take personal responsibility for anything that you say online.

The council would expect staff to make a distinction between their own views and those where they represent their employer. It may be appropriate to add a disclaimer to your personal blog or social media profile to make it clear that your personal accounts are your own – for example: "These views are my own not my employers".

Think about what capacity you're speaking in, particularly if you are commenting about Monmouthshire County Council. Make sure you avoid misunderstandings about whether you're speaking as part of your work or not. Seek further advice if you're unsure.

Check your online privacy settings so that you understand who can see the information you publish and who can view your personal information.

Respect privacy and confidentiality – make sure you don't publish any information that should be kept private.

Stay safe – don't give out personal details such as your address or phone number.

Make sure that you're familiar with the council's policy about personal use of electronic communications in the workplace.

Relationships

The Local Community and Service Users

Employees should always remember the responsibilities to the citizens they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community.

Councillors

Employees are responsible to the Council through its senior managers and leaders. For some, their role is to give advice to councillors and senior managers and all are there to carry out the Council's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be treated with caution.

Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by competition against other tenders, and no favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against. At all times the requirements of the Council's Contract Standing Orders must be applied.

Employees should let their Chief Officer know if they appoint or supervise contractors with whom they have a current or previous relationship in a private or domestic capacity.

All members of the public, citizens, customers, colleagues and Elected Members should be dealt with fairly, equitably, with dignity and respect in line with the principles of the Equality Act 2010 and the policies of the Council.

Appointment and Employment

All appointments will be made on merit. It is unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post.

In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

Similarly, employees should not be involved in decisions relating to discipline promotion or pay for any employee who is a relative, partner, etc.

Canvassing of members or Employees of the Council

Candidates will be disqualified if they canvass members or employees of the council directly or indirectly in connection with any appointment within the Council. Employees can give a written reference of a candidate's suitability for appointment, but they can't solicit for them or recommend them for appointment or promotion.

Politically Restricted Posts (PoRPs)

The effect of including a local authority employee on the list of 'politically restricted posts' is to prevent that individual from having any active political role either in or outside the workplace. Politically restricted post holders will automatically be disqualified from

- Standing for or holding elected office
- Acting as an election agent or sub agent
- Being an officer of a political party or of any branch of such a party or a member of any committee or sub-committee of such a party
- Canvassing on behalf of a political party or on behalf of a person who is, or proposes to be, a candidate for election
- Speaking to the public at large or to a section of the public with the apparent intention of affecting public support for a political party.

•

These restrictions are incorporated as terms in the employee's contract of employment.

Politically restricted posts fall into two broad categories: specified posts and sensitive posts.

Specified posts:

- Head of the Paid Service (Chief Executive)
- Statutory Chief Officers, Chief Finance officer (section 151 officer)
- Non-statutory Chief Officers (officers reporting to the Chief Executive)
- Deputy Chief Officers (officers reporting to a Chief Officer)
- The Monitoring Officer
- Officers exercising delegated powers, i.e. persons whose posts are for the time being specified by the authority.

Sensitive posts:

A sensitive post is one which meets one or both of the following duties-related criteria:

- Giving advice on a regular basis to the Council, to any committee or sub-committee of the Council or to any joint committee on which the Council is represented; or where the Council operates executive arrangements, to the executive of the authority; to any committee of that executive; or to any member of that executive who is also a member of the authority
- Speaking on behalf of the authority on a regular basis to journalists or broadcasters.

Teachers and Head Teachers are exempt from political restrictions and are not regarded as holding 'PoRPs' whatever their role.

Political Neutrality

Employees work for the Council as a whole, including Elected Members and must ensure that the individual rights of all members are respected.

If employees are required to advise political groups, they must do so in a way which does not compromise their political neutrality.

Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

Outside Commitments

Employees on Band G and above will need to obtain written consent from their Chief Officer prior to taking on any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which could conflict with the authority's interests or use Council premises or equipment for other than Council business.

Personal interests

Employees must declare in writing to their Chief Officer any financial or non-financial interests which could conflict with the Council's interests. A copy of this declaration should be sent to the Chief Executive.

Employees should tell their Chief Officer if they are a member of any organisation that isn't open to the public without formal membership and commitment or allegiance and which has secrecy about rules or membership or conduct.

Disclosure of Information

The Council's decision making process must be transparent and open. The Council must provide the public with clear and accessible information about how it operates. It must also ensure that there is an effective complaints procedure in place for the public to use when things go wrong.

The Council is committed to ensuring that all data collected, held or obtained under its control is dealt with in an ethical and legally responsible manner. Failure to do so would jeopardise the credibility of the council and may cause the council to breach disclosure legislation.

The Council's policy is that information will be made open and available. There are exceptions to this principle of openness where confidentiality is involved. Information may be withheld if, for example, it would compromise a right of personal or commercial confidentiality. This doesn't apply where there is a legal duty to provide information. Employees must not break the law in this area.

In particular, information mustn't be supplied about employees to any person outside the Council unless the consent of the employee is obtained first. This won't apply where there is a statutory duty to provide information, e.g. HMRC, DWP etc. or in the process of prevention or detection of fraud, as detailed below. If there is any doubt employees should raise the matter with their line manager.

Breaches of confidentiality will constitute a breach of this code which could result in disciplinary action, including dismissal. Under the Data Protection Act 1998, breaches of confidentiality can lead in certain circumstances, to legal proceedings against employees as individuals.

In order to ensure a co-ordinated approach to the Council's external relations, requests for information from the media should be dealt with by the Communications Manager or an employee authorised by a Chief Officer.

If in any doubt as to whether to divulge information to anyone the relevant line manager should be consulted.

Separation of roles during Tendering

Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness and must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

Employees contemplating a management buyout or similar arrangement should, as soon as they have formed a definite intent, inform their Chief Officer and withdraw from the contract awarding processes.

Employees should ensure that no favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

Bribery and Corruption

Under the Bribery Act 2010 employees must be aware that it is a serious criminal offence to;

- Bribe a person to induce or reward them to perform a relevant function improperly
- Request, accept or receive a bribe as a reward for performing a relevant function improperly
- Use a bribe to influence a foreign official to gain a business advantage.

Surveillance

There may be circumstances that warrant the authority to carry out covert surveillance. This will only be in situations where all other investigative options have been exhausted.

Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the authority.

Hospitality

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be properly authorised by Chief Officers and recorded.

People making the offer of hospitality should be courteously but firmly declined and they should be informed of the procedures and standards operating within the authority.

Employees should not accept significant personal gifts from contractors and outside suppliers, although insignificant items of token value such as pens, diaries, etc. are acceptable.

When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.

Sponsorship - Giving and Receiving

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the authority wishes to sponsor an event or service an employee nor any partner, spouse or relative must benefit from the sponsorship in a direct way without there being full disclosure to their Chief Officer of their interest. Similarly, where the authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

The Council and the citizens of Monmouthshire expect the highest standards of conduct from all employees, therefore we encourage employees and others with serious concerns about any aspect of the Council's work to come forward and voice those concerns. You can do this through the Whistle Blowing policy if you want. Remember that if you fail to inform us it may result in disciplinary action being taken against you for failing to tell us.

Version Control

Title	Code of Conduct
Purpose	To outline the requirement by which employees of Monmouthshire conduct themselves both internally and externally to the organisation.
Owner	Employee Services
Approved by	JAG, Cabinet
Date	June 1998, revised November 2013
Version Number	2.0 revision
Status	Draft
Review Frequency	Bi-Annual
Next review date	2015
Consultation	SLT, Employee Services, Trades Unions

Appendix A

Name of the Officer completing “the Equality challenge” Sian Hayward		Please give a brief description of the aims proposed policy or service reconfiguration Code of conduct	
Name of the Division or service area Chief Executives		Date “Challenge” form completed 02/204	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		This code of conduct is intended to ensure that all employees behave in a way that won't bring the council or themselves into disrepute. It has a neutral impact on all protected characteristics.	
Disability		Ditto	
Marriage + Civil Partnership		Ditto	
Pregnancy and maternity		Ditto	
Race		Ditto	

Religion or Belief		Ditto	
Sex (was Gender)		Ditto	
Sexual Orientation		Ditto	
Transgender		Ditto	
Welsh Language		Ditto	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ <i>none</i>	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

This policy is designed to ensure fairness and equity across all employees and all protected characteristics. It is s policy that relates to the behaviour and conduct of staff.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Sian Hayward

Employee Services Lead 10th February 2014

Signed

Designation

Dated



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Code of Conduct	Enterprise	
Policy author / service lead	Name of assessor	Date of assessment:
Sian Hayward		

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

TO ENSURE GOOD CONDUCT OF EMPLOYEES

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

WITH HR AND WITH OTHER LA'S AS THIS CODE IS REQUIRED FOR ALL LA EMPLOYEES UNDER WG GUIDANCE

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

HR AND WG GUIDANCE

6. As a result did you take any actions to mitigate your proposal? Please give details below.

7. Final stage – What was decided?

•No change made to proposal/s – please give details

NO CHANGE

•Slight changes made to proposal/s – please give details

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed.....S HAYWARD.....Designation.....EMPLOYEE SERVICES
LEAD.....Dated.....

Encourage community participation/action and voluntary work		Y	
Targets socially excluded		Y	
Help reduce crime and fear of crime		Y	
Improve access to education and training		Y	
Have a positive impact on people and places in other countries		Y	
PLANET			
Reduce, reuse and recycle waste and water		Y	
Reduce carbon dioxide emissions		Y	
Prevent or reduce pollution of the air, land and water		Y	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		Y	
Protect or enhance visual appearance of environment		Y	
PROFIT		Y	

Protect local shops and services		Y	
Link local production with local consumption		Y	
Improve environmental awareness of local businesses		Y	
Increase employment for local people		Y	
Preserve and enhance local identity and culture		Y	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		Y	
Increase and improve access to leisure, recreation or cultural facilities		Y	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
NONE	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed S HAYWARD

Dated 10TH FEB 2014

Define your worth



A word cloud graphic featuring several terms in various sizes and orientations. The most prominent words are 'successful' and 'negotiator'. Other visible words include 'Level', 'playing field', 'work', 'Equal pay', 'minority', 'woman', 'seniority', and 'status'.

successful
negotiator
Level
playing field
work
Equal pay
minority
woman
seniority
status

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DRAFT

Purpose and Policy Statement

The purpose of this Policy is to ensure that the attachment of market supplements to posts are properly considered and implemented on a consistent basis.

Monmouthshire County Council is committed to ensuring that all employees receive equal pay for work rated as equivalent to others in the Council's Equal Pay Policy.

It may be necessary from time to time to apply a market force supplement to the assessed grade of a job. Usually this will be as a result of a skills shortage in the jobs market (local or national) or because the market rate for a particular skill set is higher than that determined by local job evaluation and the pay and grading structure.

It is clear that whilst the process of job evaluation will satisfy equal pay considerations there are potential difficulties for some posts in terms of recruitment & retention as it may not compare favourably to a similar post elsewhere.

Where this is the case, a supplement may be added to the grade of the job. Employment documents will clearly state that a supplement is being paid, and a review will be undertaken on the yearly anniversary to ensure it is still relevant. You must give 3 months notice to an employee before a market force is withdrawn.

Objective Justification

If the pay of a particular job is to be enhanced to reflect market conditions it is necessary to demonstrate that there are 'objectively justified grounds' i.e. that recruitment and retention difficulties exist in relation to the job concerned which would result in organisational or operational problems.

Equal pay considerations should be taken into account, and the possibility of an equal pay challenge assessed. The Council won't be able to rely on the fact that the market suggests that certain jobs usually done by women are paid less than jobs usually done by men, because the market rate may itself be based on discriminatory assumptions. The overriding principle of the decision must be based on what the Council needs to pay to get the right person to fill the vacancy.

When making the decision we must also consider other things such as operational issues and whether the reputation of the Council may suffer if key services are not fully staffed.

In addition there is a need to show that the comparator job is substantially the same in terms of duties and responsibilities and that there are no material differences in the overall reward package i.e. holiday entitlement, sick pay scheme, flexible working arrangements. These are not cash rewards but could account for the lower rate of pay.

The Employee Services Lead approves the application/renewal/withdrawal, of a market force supplement.

Market force supplements will apply equally to all staff in the particular job (or specialist area). Costs will be met from the relevant service area/school budget.

Evidence

The business case for supplements has to provide 'objective justification' with supporting evidence. Anecdotal evidence is not sufficient.

Types of evidence include-

- Salary benchmark data, what is the 'going rate' for the job?
- Evidence of any recent (unsuccessful) recruitment processes, e.g. How has the post been advertised in the past? Has the correct media been used? What is the response rate to adverts? What is the turnover rate for the post?
- The level and overall cost of the recommended supplements,
- Any alternative measures that have been, or could be, considered e.g. could the post be remodelled to deliver the service required?
- The operational and/or reputational risks
- Details of any perceived detrimental impact on service delivery of failure to recruit (or retain) the right calibre of employee.
- Details of any potential knock-on effects and how they might be resolved e.g., maintenance of pay relativities between posts within a section or work group

Payment

Having obtained the necessary pay data an assessment will be made as to whether a market supplement needs to be applied and, if so, the actual value of the supplement.

Each application is to be dealt with on a case-by-case basis and will require objective justification, before approval by the Employee Services Lead following discussion at SLT/Governing Body.

The market supplement will be kept separate from the agreed rate of pay for the post. This must be made clear when advertising vacant posts and also when selecting a successful candidate. Employees need to understand that the market supplement payment can vary year on year or cease completely.

Employees occupying or appointed to posts that attract a market supplement will be given written confirmation detailing the amount of the payment, the arrangements for review and how any subsequent changes will be implemented.

Payment will be as an allowance in addition to the monthly salary and as it is based on incremental points will be subject to annual cost of living pay awards. As it forms part of an employee's pay it will be pensionable.

Where appropriate, supplements will be paid pro rata to the hours worked.

Calculation of a Market Supplement

All supplements will be calculated as additional increments based on the evidence supplied and will be the nearest increment below the comparator salary. The payment should be set at a level that is considered will alleviate the recruitment & retention/operational difficulties but which is not excessive and can be justified in terms of salary paid to the comparator jobs in the market place.

The purpose, justification and extent of any market supplement must be transparent and records maintained to demonstrate this so that the Council can respond effectively to any challenge regarding the rationale for such a payment.

Timescales

In order to ensure the continued fairness and equity of the pay structure and that the payment is still justified and appropriate, supplements will be subject to annual review.

Following the review a decision should be made by the Chief Officer/ Head Teacher in conjunction with the Employee Services Lead as to whether to withdraw the supplement from the post concerned, retain the supplement at its current value, or adjust the amount to be paid.

You must give 3 month's written notice before you withdraw a market forces supplement.

Right of Accompaniment

Employees have the right to be accompanied by their Trade Union Representative or work colleague at any meetings arranged to discuss the withdrawal of a supplement.

Version Control

Title	Market Forces Policy
Purpose	A procedure to make an additional temporary payment in relation to Market Forces.
Owner	Employee Services
Approved by	Cabinet
Date	February 2010 Revised November 2013
Version Number	2
Status	1 st Agreed in 2010
Review Frequency	Bi Annual
Next review date	2015
Consultation	Employee Services, Trades Unions

Appendix A

Name of the Officer completing “the Equality challenge” Sian Hayward		Please give a brief description of the aims proposed policy or service reconfiguration Market forces policy	
Name of the Division or service area Chief Executives		Date “Challenge” form completed 10/02/2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		This policy will enable us to apply a market forces supplement to jobs where we have difficulty recruiting. It is designed to ensure fairness and equity and applies equally to all protected characteristics	
Disability		Ditto	
Marriage + Civil Partnership		Ditto	
Pregnancy and maternity		Ditto	

Race		Ditto	
Religion or Belief		Ditto	
Sex (was Gender)		Ditto	
Sexual Orientation		Ditto	
Transgender		Ditto	
Welsh Language		Ditto	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ <i>NONE</i>	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

<ul style="list-style-type: none"> • This policy will enable the council to apply a market forces supplement to pay, whilst making sure it is fair and equitable.
--

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Sian Hayward Employee Services Lead 10th February 2014

Signed

Designation

Dated



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Policy author / service lead	Name of assessor	Date of assessment:

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

YES

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

TO ENSURE WE CAN RECRUIT IN A COMPETITIVE MARKET

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

HR ADVICE. NO ENGAGEMENT NEEDED

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

HR ADVICE

6. As a result did you take any actions to mitigate your proposal? Please give details below.

NONENEDED

7. Final stage – What was decided?

•No change made to proposal/s – please give details

NONE NEEDED

•Slight changes made to proposal/s – please give details

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed.....S HAYWARD.....Designation.....EMPLOYEE SERVICES
LEAD.....Dated.....

Encourage community participation/action and voluntary work		Y	
Targets socially excluded		Y	
Help reduce crime and fear of crime		Y	
Improve access to education and training		Y	
Have a positive impact on people and places in other countries		Y	
PLANET			
Reduce, reuse and recycle waste and water		Y	
Reduce carbon dioxide emissions		Y	
Prevent or reduce pollution of the air, land and water		Y	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		Y	
Protect or enhance visual appearance of environment		Y	
PROFIT			

Protect local shops and services		Y	
Link local production with local consumption		Y	
Improve environmental awareness of local businesses		Y	
Increase employment for local people		Y	
Preserve and enhance local identity and culture		Y	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		Y	
Increase and improve access to leisure, recreation or cultural facilities		Y	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤ NONE	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed S HAYWARD

Dated 10/02/14

SUBJECT:	CEO RESTRUCTURE
MEETING:	CABINET
DATE:	5th MARCH 2014
DIVISION/WARDS AFFECTED:	NONE

1. PURPOSE:

To seek approval to the proposed restructure of the elections and democratic services functions currently operating in the council as outlined in diagram 2 in the attached report.

2. RECOMMENDATIONS:

Cabinet approves the proposed restructure as outlined in diagram 2 in the attached report.

3. KEY ISSUES:

Monmouthshire county council faces significant financial pressures and requires every service and function to operate as efficiently and effectively as possible within reduced resources.

The current structure for providing scrutiny, the democratic services administrative function, electoral administration and support to the council leader and chairman, as outlined in diagram 1 in the attached report, operate as separate services offering little flexibility in terms of support across the different service areas and in addition little scope for career progression although all the functions support democracy within the council and electoral area.

The proposed restructure will provide one democracy function that is more coordinated, flexible and efficient using technology to improve processes to deliver more effectively whilst providing members with improved clarity regarding roles and responsibilities.

4. REASONS:

To provide an improved democracy function with reduced budget resources.

5. RESOURCE IMPLICATIONS:

The proposed restructure will deliver financial savings of £ 83,000. The restructure will be implemented following the councils protection of employment policy.

The Savings are generated as outlined below:-

	£
Reduction in Chauffeur hours	5,944
DSO	28,254
P/T DSO	14,127
Admin Ass P/T	15,012
Elections Manager	45,362
Elections Ass P/T	<u>11,049</u>
Total Savings from deleted posts	119,748
Additions	
Senior DSO	<u>-36,565</u>
Net Savings	83,183

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

There are no significant equality or sustainability issues associated with this proposal. The councils protection of employment procedures will be followed.

7. CONSULTEES:

Union

HR

SLT

Employees affected by the Proposals

Finance

No adverse comments have been received through the consultation process.

8. BACKGROUND PAPERS:

None

9. AUTHOR:

Tracey Harry, Head of Democracy and Regulatory Services

10. CONTACT DETAILS:

Tel: 07796610435

E-mail: Traceyharry@monmouthshire.gov.uk

The Current Structure

The current structure for providing scrutiny, the democratic services administrative function, electoral administration and support to the council leader and chairman operate as separate services offering little flexibility in terms of support across the different service areas and in addition providing little scope for career progression. All the services are however linked in terms of supporting the democratic functioning of the council and electoral area and are outlined below in diagram 1.

Democratic services operates in a very traditional way and opportunities have been identified where by efficiencies in operational practise can be achieved through the greater use of technology. In addition there have been recent changes to the area committee cycle and a number of posts within the function have become vacant.

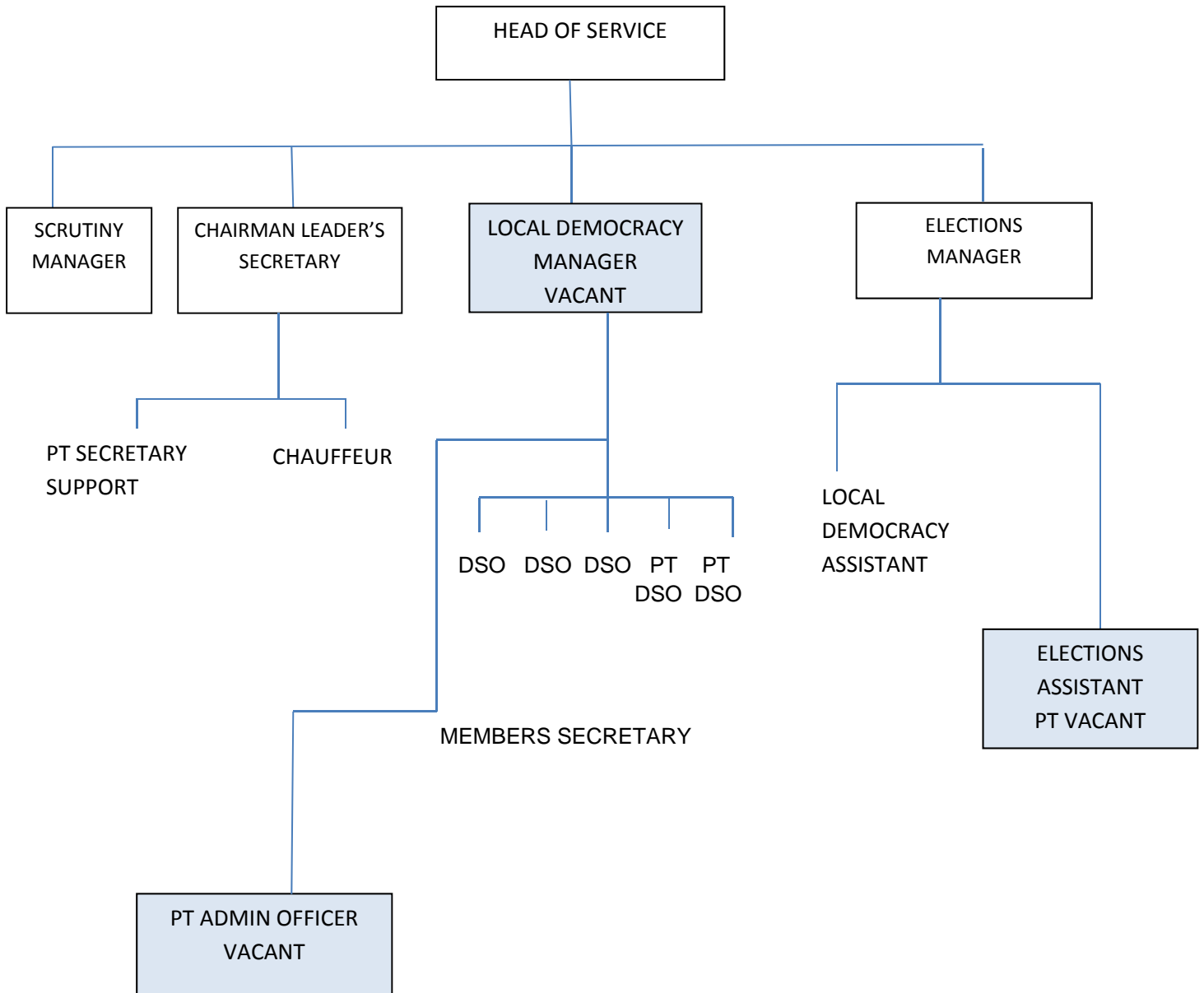
The electoral service operates with limited capacity and whilst this is generally sufficient in terms of day to day operations, extra capacity is required to cover the run up and running of elections and the service would benefit from additional support for dealing with day to day queries. In addition whilst the elections team currently undertakes some activity around promoting democracy within our schools this is an area that requires additional input in terms of raising awareness generally across the county.

Support to the Leader and chairman is provided by the chairman's secretary with some additional part time capacity however the remaining executive members are unsure who to call on for any specific support needs, so this needs to be addressed going forward so that relevant support is accessible when required.

Scrutiny support is provided by the scrutiny manager and the democratic services officers who arrange and minute the individual meetings This is working satisfactorily however could benefit from strengthening the relationship between the scrutiny manager and the democracy support officers to ensure agendas are appropriate and have been agreed by the scrutiny manager with the respective chair. In addition where necessary democratic services officers have the appropriate skills to assist the scrutiny manager in undertaking research needed to support the work of scrutiny thus enabling them to develop their own knowledge and capability to support members.

Diagram 1

CURRENT STRUCTURE



Given the above, plus the requirement to deliver financial savings the structures and associated budgets have been reviewed and a new proposed structure identified. The proposed restructure will provide one democracy function which incorporates all of the services into one section designed to provide greater flexibility and effectiveness whilst delivering the required level of savings through staff reductions and reductions in associated service budgets.

New Structure: Staff Implications

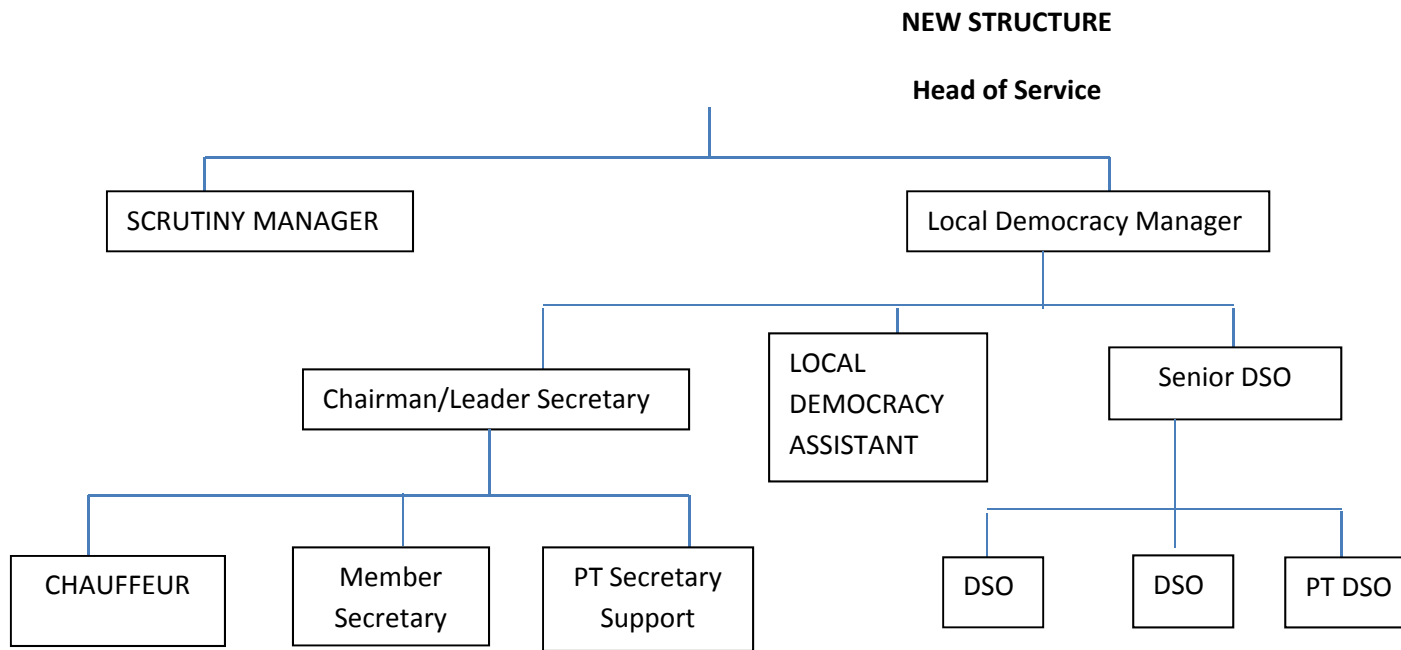
The democratic services manager and the elections manager posts have been deleted and a new post of local democracy manager has been created. Appendix 1 provides an outline of the job description for this new role. In addition the vacant part time admin assistant post as well as the vacant part time democratic services officer post have also been deleted and one democratic services officer post deleted and a senior democratic services officer created who will be directly line managed by the local democracy manager.

The Senior Democratic Services officer will line manage the two and a half full time DSO posts and will have specific responsibility for administering full council, cabinet, coordinating board, standards committee and Political Leadership Group. Appendix 2 provides an outline of the job description for this new role.

The Leader and chairman's admin support will line manage the one and half full time member support posts. The full time member support post will be responsible for providing support to the non -executive members and the part time post, executive members, acknowledging the requirement for flexibility to ensure all members are supported at all times. All members of the team will be expected to provide support to the electoral function as and when necessary and all members of the team will be able to provide advice and assistance on democratic issues.

The leader and chairman's admin support will be line managed by the Local Democracy manager as will the local democracy assistant. The scrutiny manager will continue to be line managed by the Statutory Head of Democracy who will also line manage the Local Democracy Manager. The Scrutiny manager and Senior democracy officer will be expected to work together to ensure that the scrutiny function is adequately resourced to ensure it operates effectively. The new structure is outlined in diagram 2 below:

Diagram 2



MONMOUTHSHIRE COUNTY COUNCIL

LOCAL DEMOCRACY AND REGULATORY SERVICES

JOB DESCRIPTION

POST TITLE:	LOCAL DEMOCRACY MANAGER
LOCATION:	COUNTY HALL
POST NUMBER:	
GRADE:	41- 45
SALARY	
HOURS :	37 Hour per week
RESPONSIBLE TO	Head of Democracy and Regulatory Sevices
RESPONSIBLE FOR	Local Democracy Team

JOB PURPOSE:

- To manage the local democracy team in order to ensure that the democratic process, including elections, electoral registration and administration of the democratic function operates efficiently and effectively and that opportunities for participation in the democratic process at local, regional, national and European level are maximised.

KEY RESPONSIBILITIES:

1. To manage all elections and referenda which fall wholly or partly within the Monmouthshire County Council area.
2. To organise the annual canvass for the accurate compilation of the register of electors.
3. To maintain the electoral register for Monmouthshire County Council, including the management of processes for dealing with absent voters, overseas electors, Crown servants etc.
4. To keep under review the boundaries of the communities within the Council's area and to give advice on the response to proposals for their constitution, abolition or alteration.

5. To manage the administration of the council's committee system including the preparation of agenda's, and minutes and the administrative support to all members.
6. To be the cost centre manager for the local democracy service.
7. To be responsible for the supervision, training, development, performance management and health and safety for staff supervised directly in the section and to assist with presiding officer and poll clerk training.
8. To have an up-to-date knowledge of legislation pertinent to the role to ensure that the role is performed effectively and to ensure that members of the public, political parties etc are supplied with correct information.
9. To act as system administrator for the electoral registration and elections computer system (Pickwick), liaising with the IT department and external supplier to ensure an effective operation. To undertake system upgrades and the testing of new programmes and to implement changes arising from boundary reviews and to be responsible for the accuracy of the database.
10. To provide advice and support to all members of the council.
11. To monitor and review the political management arrangements of the council, including, including the calculation of political balance, as necessary ensuring the legality and probity of practises and procedures for and at meetings, keeping abreast of and advising on new forma of political management.
12. To ensure the regular update of members records, register of interests, council year book, and diary, past agendas and reports, lists of background papers and minutes index and all other associated committee administration processes eg. Standing orders, financial regulations, scheme of delegation, attendance records, members allowances and responsibilities to outside bodies.

In addition, the post holder is expected

13. To be responsible for policy development working with both internal and external partners to increase voter turnout and registration awareness, including outreach work with schools and all traditionally hard to engage sections of the community.
10. To develop a comprehensive and cost effective programme of information/publicity initiatives to raise awareness about electoral registration and elections, leading to greater levels of voter registration and public engagement and to project manage publicity campaigns as and when required.

11. To be responsible for the preparation of all statistics, benchmarking and other data etc relating to the electoral register and electoral results including all information required for inclusion in reports to the Electoral Commission. To be responsible for improving service delivery by introducing changes informed by the analysis of data.
12. To demonstrate commitment to the Council's aims, values and behaviours.
13.
 - (a) To act in a professional and competent manner at all times
 - (b) To maintain the confidentiality of personal and sensitive information
 - (c) To have a flexible approach to the work required to be undertaken and to assist other staff, providing cover where required
 - (d) To work outside normal hours from time to time as the demands of the post and emergencies dictate.

After consultation with the post holder, this job description may be varied by the deletion of any of the tasks specified or by the addition of associated work.

MONMOUTHSHIRE COUNTY COUNCIL

Appendix 2

MONMOUTHSHIRE COUNTY COUNCIL

LOCAL DEMOCRACY AND REGULATORY SERVICES

JOB DESCRIPTION

POST TITLE: SENIOR DEMOCRACY OFFICER
LOCATION: COUNTY HALL
POST NUMBER:
GRADE: 29-33
SALARY:
HOURS : 37 Hour per week
RESPONSIBLE TO Local Democracy Manager
RESPONSIBLE FOR Democratic Services Officers

JOB PURPOSE:

- To manage the democratic services officers to ensure the efficient and effective administration of the democratic function of the council.

KEY RESPONSIBILITIES:

14. To manage and coordinate the administration of the councils democratic system ensuring the effective preparation of agendas and minutes in a timely manner using technology to maximise efficiency
15. To provide advice and support to all members on matters of the constitution and other issues pertinent to the activities of members.

16. To directly administer and minute council, cabinet, coordinating board, standards committee and political leadership group and any of the other committees to ensure an equal spread of committee coverage by the team.
17. To ensure that action and recommendations coming out of committees are addressed by the appropriate officer and updates provided to the next appropriate meeting.
18. To be responsible for the supervision, training, development, performance management and health and safety for staff supervised directly in the section and to assist with presiding officer and poll clerk training.
19. To have an up-to-date knowledge of legislation pertinent to the role to ensure that the role is performed effectively and to ensure that members of the public, political parties etc are supplied with correct information.
20. To ensure that members are provided with relevant training to enable them to use technology to undertake their roles effectively
21. To provide support as and when necessary to enable the elections process to operate efficiently and effectively.
22. To actively manage and develop the democracy element of the corporate web site to ensure that is accessible and supports and promotes the democratic function of the council.
23. To ensure the regular update of members records, register of interests, council year book, and diary, past agendas and reports, lists of background papers and minutes index and all other associated committee administration processes eg. Standing orders, financial regulations, scheme of delegation, attendance records, members allowances and responsibilities to outside bodies.

In addition, the post-holder is expected

12. To demonstrate commitment to the Council's aims, values and behaviours.
13.
 - (a) To act in a professional and competent manner at all times
 - (b) To maintain the confidentiality of personal and sensitive information
 - (c) To have a flexible approach to the work required to be undertaken and to assist other staff, providing cover where required
 - (d) To work outside normal hours from time to time as the demands of the post and emergencies dictate.

After consultation with the post holder, this job description may be varied by the deletion of any of the tasks specified or by the addition of associated work.

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Tracey Harry	Please give a brief description of the aims proposed policy or service reconfiguration To restructure the elections and democracy function to deliver savings and improve efficiency		
Name of the Division or service area CEX : elections and democratic services	Date “Challenge” form completed 19 February 2014		
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		No impact on protected characteristics	
Disability		No impact on protected characteristics	
Marriage + Civil Partnership		No impact on protected characteristics	
Pregnancy and maternity		No impact on protected characteristics	
Race		No impact on protected characteristics	
Religion or Belief		No impact on protected characteristics	
Sex (was Gender)		No impact on protected characteristics	
Sexual Orientation		No impact on protected characteristics	
Transgender		No impact on protected characteristics	

Welsh Language		No impact on protected characteristics	
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What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Tracey Harry
Dated 19th February 2014

Designation Head of Democracy and Regulatory Services



Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Restructure proposal	CEX	Elections and democratic services
Policy author / service lead	Name of assessor	Date of assessment:
Tracey Harry	Tracey Harry	19 th February 2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To improve effectiveness and generate savings

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

HR, Unions, finance , staff involved ,slt : no adverse comments received

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

staff

6. As a result did you take any actions to mitigate your proposal? Please give details below.

7. Final stage – What was decided?

• **No change made to proposal/s – please give details**

No change

• **Slight changes made to proposal/s – please give details**

• **Major changes made to the proposal/s to mitigate any significant negative impact – please give details**

Signed...Tracey Harry.....

Designation...Head of Democracy and regulatory Services.....

Dated.....19 February 2014

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Tracey Harry	Please give a brief description of the aims proposed policy or service reconfiguration As above		
Name of the Division or service area As above	Date “Challenge” form completed As above		
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE		Restructure no sustainability impact	
Ensure that more people have access to healthy food			
Improve housing quality and provision			
Reduce ill health and improve healthcare provision			
Promote independence			
Encourage community participation/action and voluntary work			
Targets socially excluded			

Help reduce crime and fear of crime			
Improve access to education and training			
Have a positive impact on people and places in other countries			
PLANET			
Reduce, reuse and recycle waste and water			
Reduce carbon dioxide emissions			
Prevent or reduce pollution of the air, land and water			
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			
Protect or enhance visual appearance of environment			
PROFIT			
Protect local shops and services			
Link local production with local consumption			

Improve environmental awareness of local businesses			
Increase employment for local people			
Preserve and enhance local identity and culture			
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc			
Increase and improve access to leisure, recreation or cultural facilities			

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Tracey Harry

Dated 19th February 2014

SUBJECT: 2014/15 EDUCATION AND WELSH CHURCH TRUST FUNDS INVESTMENT AND FUND STRATEGIES

MEETING: Cabinet

DATE: 5th March 2014

DIVISION/WARDS AFFECTED: All Authority

1. PURPOSE:

- 1.1 The purpose of this report is to present to Cabinet for approval the 2014/15 Investment and Fund strategy for Trust Funds for which the Authority acts as sole or custodian trustee for adoption and to approve the 2014/15 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.

2. RECOMMENDATIONS:

- 2.1 That the proposed Investment and Fund Strategy for 2014/15 for the Monmouthshire Farm School Endowment Trust Fund be approved.
- 2.2 That the proposed Investment and Fund Strategy for 2014/15 for the Welsh Church Fund be approved, which as in 2013/14, includes scope for investment in pooled investment funds (Collective investment funds).
- 2.3 To delegate responsibility for the execution and administration of treasury management decisions to the Head of Finance (S151 officer) who will act in accordance with the Investment and Funds Strategy (appendix 2).
- 2.4 To extend the contract with Arlingclose as treasury advisor to the Welsh Church Act Fund to provide ongoing advice and support on investments from 1st April 2014 until 31st March 2015 in line with the Treasury Management contract for the Council.
- 2.5 To approve the 2014/15 grant allocation to Local Authority beneficiaries to the Monmouthshire Welsh Church Act Fund of £130,000 to be distributed in accordance with population shares as per the 2010 Census.

3. KEY ISSUES:

- 3.1 The Authority acts as the sole trustee for the Welsh Church Fund and the custodian with responsibility for financial arrangements for the Monmouthshire Farm School Endowment Trust Fund and is required annually to approve Investment and Fund Strategies for them. In addition, for the Welsh Church Fund the Authority is required to determine the grant allocation for the forthcoming year.

Investment and Fund Strategy

- 3.2 In acting in its capacity as either sole trustee or custodian, the Authority is required to have Investment policies in place for the Monmouthshire Farms Endowment Trust Fund and the Welsh Church Fund in order to comply with the [Trustee Act 2000](#). The policies ensure that monies are invested in the best interests of the Trusts.

The Annual Investment and Fund strategies for the Monmouthshire Welsh Church Act Fund and Monmouthshire Farm School Endowment Trust Fund set priorities are, in the order shown, to;

- a) Maintain security of the invested capital;
- b) Maintain the liquidity of the invested capital;
- c) Maintain an optimum yield which is commensurate with security and liquidity.

- 3.3 As a result of reducing investment returns over the previous two financial years, in 2012/13 the Welsh Church Act Fund Trust commissioned an independent review by Arlingclose, the Authority's Treasury advisors, of the Trust's Investment Strategy and its treasury performance over the preceding five years. The independent review concluded that the Trust should look to move the majority of its investment balances from cash based investments to real assets within pooled funds (Collective Investment Funds) such as to increase the average annual income stream to the Trust over a 3-5 year business cycle. The review was scrutinized by Audit Committee and subsequently adopted as the Investment Strategy for the WCF last year. Arlingclose as treasury advisors to the Welsh Church Fund have supported the Welsh Church fund in making these types of investments, and new investments were taken out between May 2013 and January 2014.

- 3.4 The current view from investment market projections continues to be that base rates will remain static for the next 12 months and then slowly rise over the following 2 years. Arlingclose believe that the base rates will stay lower for longer. The basis for the change in investment strategy advised a year ago is still relevant today as investments based on cash will still provide low returns.

- 3.5 Pooled funds are suited to bodies such as the Welsh Church Fund which are looking for a steady and/or higher average income streams and who are able to leave the principal in place for a business cycle as they do not need to access the principal over the medium term. This enables the Trust to benefit from good years despite lower returns in poorer years.

- 3.6 There is an increased risk relating to the use of these funds in that the principal amount can go down as well as up in value. Again this is suited to the Welsh Church Fund as the Trust can tolerate these movements over a business cycle. The movements are expected to be neutral over a business cycle and the earning power of these investments is not largely affected by the market value.
- 3.7 In their capacity as Treasury Advisors to the Welsh Church Fund, Arlingclose have prepared an annual review of the Welsh Church Fund's Investments to date. Key points from this report include: .
- 3.8 In financial year to date, the WCF has received income of £67,000 from its pooled investment funds. The forecast for accrued income for the full year, 2013/14, including its Government Bond and cash pooled with Monmouthshire County Council is £120,000. This is below the budget, however it compares well to the investment income received in 2012/13 of £73,000.
- 3.9 In the financial year to date, the income received has been offset by a net capital loss of £22,000. As indicated in point 3.5, a movement in capital value is expected with these types of investments and not expected to impact the fund in the long term. For this reason, Arlingclose strongly recommend continuing to spread the investments over a number of assets classes, equity, property and bonds to reduce the risk of losses. The report also states that total income – including that from its other investments is forecast to be £183,000 for 2014/15.
- 3.10 A revised Investment and Fund strategy is contained in Appendix 2.

The strategies state that the balance of cash not invested directly by the Trust Funds can be managed on a pooled basis by Monmouthshire County Council to maximize investment returns and to minimise exposure to investment losses.

- 3.11 In their report Arlingclose recommend a similar approach for the Monmouthshire Farm School Endowment Trust to the Welsh Church Fund, with all pooled investments being on a pro-rata basis. A report will be prepared in May 2014 to propose this approach to the Monmouthshire Farm School Committee in the first instance. In the meantime the investments relating to this fund will be pooled with the Authority's overall investment portfolio, in line with its existing Investment Strategy. Appendix 1 outlines the Annual Investment and Fund Strategy 2014/15.

Grant Allocation of the Welsh Church Fund

- 3.12 The Monmouthshire Welsh Church Fund was established on 1st April 1996 from the former Gwent Fund and part of the former Mid Glamorgan Fund. The Fund covers the administrative areas of Blaenau Gwent, Caerphilly, Newport, Torfaen and Monmouthshire, with Monmouthshire being designated as the lead Authority.
- 3.13 Since 1996 trustees have sought to obtain a satisfactory rate of return from the fund's investments thereby enabling grants to beneficiaries after meeting expenses, whilst maintaining the capital value of the fund in real terms.

- 3.14 The fund balance held by the trust was £4,657,009 at 31st March 2013 (£4,729,239 at 31st March 2012 and £4,861,687 at 31st March 2011). From March 2011 to March 2013, the investment balances fell by £205,000, as the grant distributions outweighed the investment returns. It is recommended that the grant allocation be set at £130,000 in 2014/15 (£130,000 in 2013/14). This level is lower than the increased returns being forecasted by Arlingclose (£180,000) for 2014/15, but will enable grants in future years to be maintained.
- 3.15 . This will result in the following distribution being recommended:

AUTHORITY	POPULATION (000)**	PERCENTAGE SPLIT	BUDGET*
Blaenau Gwent CBC	68.4	12.2	15,839
Caerphilly CBC	173.1	30.8	40,083
Monmouthshire CC	88.1	15.7	20,401
Newport CBC	141.3	25.2	32,720
Torfaen CBC	90.5	16.1	20,957
TOTAL	561.4	100.0	£130,000

*The above figures do not include any brought forward unspent grant allocations

**Source: 2010 Census ONS

Risk Assessment of the Welsh Church Fund

- 3.16 The financial assistance provided by the Welsh Church Fund supports a very wide range of community activities, including voluntary and sporting organisations. Annually, monies are distributed and the key risk faced by the Welsh Church Fund is loss or reduction in the amount of monies available.
- 3.17 The risk assessment is undertaken to ensure that risks faced by the Trust are identified and mitigated through appropriate and robust controls put in place by the Authority in its position as sole and corporate Trustee. The existing risk assessment policy has been reviewed and is considered to be adequate and sufficiently robust to continue during the 2014/15 financial year. The risk assessment is attached for information at appendix 5.

Risk Assessment of the Monmouthshire Farm School Endowment Trust

- 3.18 The financial assistance provided by the Monmouthshire Farm Endowment Trust supports a very wide range of students, studying at agricultural based colleges in the UK. Applicants must live in the former Gwent area (excluding Newport) and preference is given to those under 25 years old. Annually, monies are distributed and the key risk faced by the Monmouthshire Farm Endowment Trust is loss or reduction in the amount of monies available for distribution.

- 3.19 A risk assessment is undertaken to ensure that risks faced by the Trust are identified and mitigated through appropriate and robust controls put in place by the Authority, in its position as the Trustee with responsibility for financial arrangements. A new risk assessment policy has been presented to the board of trustees in January for the 2014/15 financial year. This is attached for information at appendix 4.

4. REASONS:

- 4.1 To produce an annual Investment and Fund Strategy in order that the Authority fulfills its responsibilities as corporate and sole trustee in order to comply with the Trustee Act 2000.
- 4.2 To approve the 2014/15 grant allocation for the Welsh Church Fund, enabling constituent Local Authorities to make qualifying grant allocations under the Welsh Church Fund Trust Scheme.

5. RESOURCE IMPLICATIONS:

- 5.1 The grant allocation to beneficiaries of the Welsh Church Fund is set in the context of the fund balance being maintained over the long term. It is funded through net income generated through investment returns.
- 5.2 The appointment of a dedicated treasury advisor to the Welsh Church Fund will be an ongoing annual charge against the Fund. However, in light of the revised treasury strategy which attracts more treasury risk it is deemed prudent and it is anticipated will be more than outweighed by increased investment returns. The fee negotiated is considered to be competitive and further efficiencies are generated from the Authority dealing with one advisor for its treasury advice.

6. EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS:

- 6.1 There are no sustainability implications arising directly from this report.
- 6.2 The approval of the Investment and Fund Strategies do not require any specific decisions to be made which could have an adverse impact on any group or individual within the Council. The approval of the Welsh Church Fund budget for 2014-15 is seen to have a neutral impact on the sustainability of the fund going forward. The equality impact assessment screening form is attached under appendix 6.

7. CONSULTEES:

Strategic Leadership Team
Cabinet Members

Head of Legal Services

Results of Consultation

No adverse comments received

8. BACKGROUND PAPERS:

Appendix 1 – Monmouthshire Farm School Endowment Trust – Annual Investment and Fund Strategy 2014/15

Appendix 2 – Monmouthshire Welsh Church Fund – Investment and Fund Strategy 2014/15

Appendix 3 – Monmouthshire Farm School Endowment Trust – Risk Assessment Policy 2014/15

Appendix 4 – Monmouthshire Welsh Church Fund – Risk Assessment Policy 2014/15

Appendix 5 – Equality Impact Assessment Screening Form

9. AUTHOR:

Joy Robson - Head of Finance

9. CONTACT DETAILS:

E-mail: joyrobson@monmouthshire.gov.uk

Telephone: 01633 644270

Monmouthshire Farm School Endowment Trust – Annual Investment and Fund Strategy 2014/15

1. The Fund strategy is to generate returns from investments, in line with the investment objectives listed in point 5, in order to enable the Monmouthshire Farm School Endowment Trust to distribute funds in accordance with the charity's objectives, whilst maintaining the level of the capital fund.
2. Cabinet shall each year consider for approval an annual investment and fund strategy. Cabinet may also request submission of a longer term investment strategy for approval. Any proposed in-year modification to the investment strategy must be approved by Cabinet.
3. The Funds strategy shall be considered in conjunction with any review of the investment strategy.
4. The Cabinet shall invest Monmouthshire Farm School Endowment Trust monies in accordance with the guidance in Section 4 of the Charity Act 2000.
5. The investment objectives shall be to maximise the total return on the funds commensurate with appropriate levels of security and liquidity. On this basis it is expected that an average annual benchmark return, net of charges, of at least 0.5% can be achieved for surplus cash balances.
6. The Authority as custodian will employ a risk minimisation strategy that will preserve the capital value of the fund over the long term. The overall aim is to obtain a satisfactory rate of return enabling the Trustees to agree the distribution based on the actual return on investments achieved during the preceding twelve month period, after meeting the expenses incurred in managing the fund.
7. At the end of each financial year the Trustees shall consider the actual return on investments and the extent to which the investment objectives have been achieved.
8. The Cabinet shall observe the constraints outlined within the Council's Annual Treasury Strategy report in pursuing the investment objectives.
9. Monmouthshire Farm School Endowment Trust investments are pooled with the Authority's overall investment portfolio. Any investment losses incurred by the Authority will be apportioned proportionately between the Local Authority and the Monmouthshire Farm School Endowment Trust in line with total investments held by the Authority.
10. There are currently no ethical constraints on investment of funds and this matter will be reviewed if there are any changes in charity law or other requirements.

Note: Cabinet is acting in its capacity as custodian and administrator of the trust

The Investment & Fund Strategy for the Welsh Church Act Fund 2014/15

1. Background

- 1.1 The Cabinet shall each year consider for approval an annual Investment Strategy. The Cabinet may also request submission of a longer term investment strategy for approval. Any proposed in-year modification to the Investment Strategy must be approved by the Cabinet.
- 1.2 The Welsh Church Fund Funds strategy shall be considered in conjunction with any review of the Investment Strategy.
- 1.3 Local Authorities are required by the Welsh Government's Investment Guidance to produce an Annual Investment Strategy. The Trustees of the Welsh Church Fund have elected to use this Guidance where practicable and relevant. The guidance emphasises an appropriate approach to risk management, particularly in relation to the security and liquidity of invested funds.
- 1.4 This investment strategy has been prepared with the assistance of Arlingclose, the current treasury advisor to both the Welsh Church Fund and also Monmouthshire County Council (the sole Trustee of the Welsh Church Fund).

2. Interest Rate Forecast

- 2.1 Arlingclose's forecast is for the Bank Rate to remain flat until late 2016. The risk to the upside (i.e. rates being higher) are weighted more heavily towards the end of the forecast horizon. Gilt yields are expected to rise over the forecast period with medium and long-dated gilts expected to rise between 1.1% and 0.7%.
- 2.2 The economic and interest rate forecast is provided by the Monmouthshire County Council's treasury management advisor. The Authority, in its position as trustee, will reappraise its strategies from time to time in response to evolving economic, political and financial events.
- 2.3 With short term interest rates still low, an investment strategy historically would have typically resulted in a lengthening of investment periods, where cash flow permits, in order to lock in higher rates of acceptable risk adjusted returns. The problem in the current environment is finding an investment counterparty providing acceptable levels of counterparty risk for investments of that duration.
- 2.4 The Welsh Church Fund is permitted to utilise suitable Collective Investment Schemes/Pooled Funds, which enable the Authority to diversify the assets and underlying risk in the investment portfolio and at the same time providing the potential for enhanced returns.

3. Annual Investment and Fund Strategy

- 3.1 The Cabinet shall invest Welsh Church Fund monies in accordance with Section 15 of the Scheme made by the County Council of Monmouthshire under Section 19 of the Welsh Church Act 1914.

- 3.2 In accordance with Investment Guidance issued by the Welsh Government (WG) and best practice the Welsh Church Fund's primary objective in relation to the investment of its funds is the security of capital. The liquidity or accessibility of the Welsh Church Funds's investments followed by the yields earned on investments is important but are secondary considerations.
- 3.3 The Fund Strategy of the Welsh Church Trust Fund is to generate investment returns, which after meeting the expenses of managing the Fund, can be distributed to selected beneficiaries. The investment strategy is therefore to maximise returns commensurate with appropriate levels of security and liquidity. Investments in Collective Investment Funds are likely to result in fluctuations in principal. It is acceptable to allow this, if having taken appropriate advice, they are expected to be temporary in nature, in order to improve total returns over a 3-5 year business cycle.
- 3.4 At 31st March 2013, the Welsh Church Fund had £4.5m of investments and £185,000 of cash.
- 3.5 Investments are categorised as "Specified" or "Non-Specified" within the investment guidance issued by the Welsh Government. Specified investments are sterling denominated investments with a maximum maturity of one year. They also meet the "high credit quality" criteria determined by the Trustees and set out in paragraph 3.8 and are not deemed capital expenditure investments under Statute. Non-specified investments are, effectively, everything else.
- 3.6 Non specified investments can be made, but only after consulting with the Welsh Church Funds's treasury advisors and the Head of Finance (S151 Officer) at Monmouthshire County Council, who represents the Trustee, to ensure the level of risk is in line with the WCF's other current investment options.
- 3.7 The types of investments that will be used by the WCF and whether they are specified or non-specified are as follows:

Table 2: Specified and Non-Specified Investments

Investment	Specified	Non-Specified
Term deposits with banks and building societies	✓	✓
Gilts	✓	✓
Collective Investment Schemes	✓*	✓
Pooled funds with Monmouthshire County Council	✓	✓

*Collective Investment schemes are often non-specified as they are frequently not rated by all three credit rating agencies

3.8 The Trustees and its advisors select countries and financial institutions after analysis and ongoing monitoring of:

- Published credit ratings for financial institutions (counterparties):
 - Minimum long term ratings by each of Fitch, Moody's and Standard & Poors of A-, A3 and A-AA+ or equivalent for non-UK sovereigns
- Credit Default Swaps (where quoted)
- Sovereign Support mechanisms
- Economic fundamentals (for example Net Debt as a percentage of GDP)
- Sovereign support mechanisms
- Share Prices
- Corporate developments, news, articles, markets sentiment and momentum
- Subjective overlay – or, put more simply, common sense.

Any institution can be suspended or removed should any of the factors identified above give rise to concern. The Welsh Church fund will not enter into any investment if it is outside the advice given by its Treasury advisors which is updated monthly, weekly and daily according to the movements in the worldwide backdrop.

3.9 New Investments made directly by the Welsh Church Fund will be restricted in the following ways to ensure diversification and hence reduction of both credit risk and interest rate risk.

- A minimum of £400,000 needs to be held in investments which are sufficiently liquid such as cash or other investments less than one year so that grants can still be made if investment returns are low or to allow for the lead time for realising certain investments. The full balance can be invested in Collective Investment funds to maximise returns if this is in line with the requirements of this strategy.
 - The maximum amount which can be invested in any one Collective Investment Fund (at the time of investment) is 20% of the total investment balance. The amount invested should be spread across different asset classes such as Property, Bonds and Equity.
 - Up to 100% of the total investment balance can be held with Monmouthshire County Council.
 - Up to 100% of the total investment balance can be invested as term deposits or call accounts with banks and building societies. The maximum amount which can be invested with any one financial counterparty is 15% of the total investment balance.
 - The maximum duration of term deposits with banks and building societies shall be in line with the advice given by the Trust's treasury advisors which varies with world economic factors.
- 3.10 It is anticipated that the total return on the Funds will be between £160,000 and £210,000 per annum. The grant distribution budget has been maintained at £130,000.
- 3.11 At the end of each financial year the Cabinet shall consider the actual return on investments & the extent to which the investment objectives have been achieved.
- 3.12 The Cabinet shall observe the following constraints in pursuing the investment objectives:
- The restrictions on investments contained within Section 15 of the scheme made by Monmouthshire County Council under section 19 of the Welsh Church Act 1914.
 - A proportion of the funds held may be pooled with Monmouthshire County Council's overall investment portfolio, which is invested in line with the Authority's Treasury Management Strategy. Interest earned by the Authority and any investment losses incurred by the Authority will be apportioned proportionally between the Local Authority and Monmouthshire Welsh Church Act Fund in line with the total investments held by each party.

NB: Any investments which move outside of the above criteria with time will be reinvested with the above criteria on maturity.

3.13 There are currently no ethical constraints on investment of funds and this matter will be reviewed if there are any changes in charity law or other requirements.

4. The Welsh Church Fund's Banker

4.1 The Welsh Church Fund holds cash with the Cooperative Bank. At the current time, it *does not* meet the minimum credit criteria. A contract has been agreed between Barclays and the Authority so that by the 1st April 2014 the Welsh Church Trusts funds will all be transferred over to Barclays.

5. Training

5.1 The Authority, acting as Trustee to the Welsh Church Fund, will ensure that suitable awareness training is provided to members of the Audit Committee and Cabinet to enable them to discharge their scrutiny function together with such wider training as may be required from time to time.

6. Investment Consultants/ Treasury Advisors

6.1 The Welsh Church Fund will appoint a Treasury Management Consultant to provide information, advice and training relating to investments. Information relating to investments is provided from publicly available data and is summarised in order to assist with decision making within the Authority. The information and advice covers the level of risk of investment and the variety of options available.

6.2 The quality of the advice is assessed at the contract tender stage by comparing to other market leaders and their historical track record. It is then monitored by on-going interaction with internal Treasury personnel.

Monmouthshire Farm Endowment Trust – Risk Assessment Policy 2013/14

The financial assistance provided by the Monmouthshire Farm Endowment Trust is to support the advancement of education in agriculture and related subjects at college. Annually, monies are distributed and the key risk faced by the Monmouthshire Farm Endowment Trust is loss or reduction in the amount of monies available.

An assessment of the risks faced by the Monmouthshire Farm Endowment Trust has been undertaken and steps taken to:

- avoid risks through alternative strategies
- limit and reduce risks by improving controls
- insure against specified risks

On an annual basis the risk assessment will be reviewed and updated to include any new risks identified.

The risks identified have been encompassed within 4 categories:

- governance & management
- operational risks
- financial risks
- compliance risk

Monmouthshire County Council as custodian and administrator of the Monmouthshire Farm Endowment Trust manage the fund on the Trustees behalf through the Cabinet and make all risk and investment decisions in a unified risk policy as advised by the Authority's investment and risk advisors.

The following paragraphs list the risks identified & the steps taken to mitigate or eliminate the risk.

1. Governance & Management

(a) The fund lacks direction?

The activities of the Fund are governed by the guidance in Section 4 of the Charity Act 2000.

The Cabinet has a clear purpose to maximise the return on its investments and this is contained within the investment policy.

(b) There are conflicts of interest?

Cabinet members are elected in accordance with the electoral cycle and are required to conduct themselves in-line with the Authority's Code of Conduct.

Members are required to declare any interests related to the activities of the Trust and may not vote on these decisions. These matters are recorded in the official minutes.

Members allowance and expense payments are not charged to the Monmouthshire Farm Endowment Fund.

(c) Funds are used inappropriately?

The purpose for which funds can be used is contained within the objectives of the trust.

(d) Key staff, leave the Council's employment?

The actions of Officers of the Council are determined by Delegated Powers.
A number of senior Council staff support and advise the Trustees on legal & financial matters.

(e) Inadequate information is provided to the Trustees?

Annually, the Trustees considers the level of reserves and anticipated investment income before determining the level of grants to be made available.

Variances between the anticipated & actual investment income will be reflected in the following year's grants.

2. Operational Risks

(a) Unsuitable staff support and advise Cabinet?

Monmouthshire County Council has a comprehensive recruitment process which is supported by a wide range of personnel policies.

The training & development needs of officers are identified through the Employee Review process.

A number of senior Council staff support and advise Cabinet on financial and legal matters.

(b) Systems & procedures are not secure?

Systems & procedures are documented & document retention policies are in place. IT systems have data back-up arrangements & disaster recovery plans. Periodic audits identify internal control improvement requirements. Insurance provides a means to recover from specified losses.

(c) Stakeholders are not satisfied with the operation of the Fund?

The Scheme made by the Trustees provides for the advancement of education in agriculture and related subjects at college.

The Trustees consider annual reports on the financial performance of the Trust.

The Trustees consider annually the level of funding available for grants.

(d) The assets of the Fund are at risk?

In accordance with the investment policy a number of constraints are placed upon the way in which monies are used.

A risk minimization strategy has been adopted which limits the investment of funds to individual institutions meeting specified criteria.

(e) Unsatisfactory returns on investment are achieved?

The reserves policy requires monies be invested in financial instruments which produce interest payments and there is no appreciation in the capital value of the investment.

The overall aim is to obtain a satisfactory rate of return enabling Trustees to distribute an amount based on the forecast return on investments during the current year, after meeting the expenses incurred in managing the fund.

Annually, the Trustees consider the actual return on investments and the extent to which the investment objectives have been achieved.

3. Financial Risks

(a) Budgetary control is inadequate?

Annually, the Trustees consider the level of reserves and anticipated investment income before determining the level of grants to be made.

Variance between the anticipated and actual investment income will be reflected in the following year's grants.

(b) Financial administration is unsatisfactory?

Monmouthshire County Council personnel policies and procedures ensure Officers are appropriately qualified for the roles undertaken.

Internal control arrangements ensure there is division of duties amongst Officers. Periodic audits review the internal control arrangements.

(c) Financial losses arise due to speculative investment?

The investment policy prescribes a risk minimisation approach which can limit the investment of funds to institutions meeting specified criteria.

(d) Financial losses arise from fraud or error?

The internal control arrangements are based upon segregation of duties. Periodic audits review the internal control arrangements. Insurance provides a means to recover from specified losses.

4. Compliance Risk

(a) Failure to comply with legislation / regulations?

The activities of the Fund are specified within objects of the Trust. The nature and format of financial reporting is specified by the Charity Commission and an external audit of the accounts is mandatory. A number of senior Council staff support and advise Cabinet on legal and financial matters.

Welsh Church Fund – Risk Assessment Policy 2014/15

The financial assistance provided by the Welsh Church Fund supports a very wide range of community activities, including voluntary and sporting organisations. Annually, monies are distributed and the key risk faced by the Welsh Church Fund is loss or reduction in the amount of monies available.

An assessment of the risks faced by the Welsh Church Fund has been undertaken and steps taken to:

- avoid risks through alternative strategies
- transfer risks to others
- limit and reduce risks by improving controls
- insure against specified risks

On an annual basis the risk assessment will be reviewed and updated to include any new risks identified.

The risks identified have been encompassed within 4 categories:

- governance & management
- operational risks
- financial risks
- compliance risk

The following paragraphs list the risks identified & the steps taken to mitigate or eliminate the risk.

1. Governance & Management

(a) The fund lacks direction?

The activities of the Fund are specified by the Scheme made by the County Council of Monmouthshire under section 19 of the Welsh Church Act 1914.

The Cabinet has a clear purpose to maximise the return on its investments and this is contained within the investment policy.

The Cabinet is accountable to the Councils within the Greater Gwent area.

(b) There are conflicts of interest?

Members of the Cabinet are elected every 4 years and are required to conduct themselves in-line with the Code of Conduct.

Members are required to declare any interests related to the activities of the Cabinet and may not vote. These matters are recorded.

Members allowance and expense payments are not charged to the Welsh Church Fund.

(c) Funds are used inappropriately?

The Charitable purposes for which funds can be used is contained within the Scheme made by Monmouthshire County Council, which is also implemented by the other constituent authorities within the Monmouthshire Welsh Church Fund Scheme. The Trust is currently putting in place set criteria to assist constituent authorities in making grant distributions and to ensure that there is transparency in decision making and due process. The Trust will look to agree with constituent authorities in future that grant distributions have been made in accordance with the scheme in place and the set criteria being developed.

The investment and fund strategy prescribes a risk minimisation approach, with funds only placed with institutions meeting specified criteria.

(d) Key staff leave the Council's employment?

The actions of Officers of the Council are determined by Delegated Powers.

A number of senior Council staff support and advise the Cabinet on legal & financial matters.

(e) Inadequate information is provided to the Cabinet?

Annually, the Cabinet considers the level of reserves and anticipated investment income before determining the level of grants to be made available to the constituent Councils.

Variances between the anticipated & actual investment income will be reflected in the following year's grants to the constituent Councils.

2. Operational Risks

(a) Unsuitable staff support and advise the Cabinet?

Monmouthshire County Council has a comprehensive recruitment process which is supported by a wide range of personnel policies.

The training & development needs of officers are identified through the Employee Review process.

A number of senior Council staff support and advise the Cabinet on financial and legal matters.

(b) Systems & procedures are not secure?

Systems & procedures are documented & document retention policies are in place. IT systems have data back up arrangements & disaster recovery plans. Periodic audits identify internal control improvement requirements. Insurance provides a means to recover from specified losses.

(c) Stakeholders are not satisfied with the operation of the Fund?

The Scheme made by the County Council of Monmouthshire provides for financial assistance to be made available for a wide range of community activities.

The Authority's Audit Committee considers annual reports on the financial performance of the Fund.

The Constituent Councils also consider annually the level of funding available for community activities.

(d) The assets of the Fund are at risk?

In accordance with the investment policy a number of constraints are placed upon the way in which monies are used. A risk minimisation strategy has been adopted which limits the investment of funds to individual institutions meeting specified criteria.

The proposed Investment and Fund Strategy for 2013/14 for the Welsh Church Fund includes scope for investment in pooled investment funds (Collective investment funds). While it is recognized this carries some additional risk compared to the 2012/13 strategy. This is considered to be an acceptable level of risk for the additional benefits being forecast.

(e) Unsatisfactory returns on investment are achieved?

The fund strategy requires monies be invested in financial instruments which produce interest payments and where there is no long-term depreciation in the capital value of the investment.

The proposed Investment and Fund Strategy for 2013/14 allows for the increased use of pooled investment funds. This does increase the risk that the principal amounts held can go down as well as up in value. This is suited to the Welsh Church Fund as the Trust can tolerate these movements over a business cycle. The movements are expected to be neutral over a business cycle and the earning power of these investments is not largely affected by the market value.

The overall aim is to obtain a satisfactory rate of return enabling the Cabinet to distribute an amount based on the actual return on investments achieved during the preceding twelve month period plus any accumulated capital receipts, after meeting the expenses incurred in managing the fund.

Annually, the Cabinet considers the actual return on investments and the extent to which the investment objectives have been achieved. Benchmark information is available from the Authority's Treasury Management Advisors for jointly invested funds with the Council.

3. Financial Risks

(a) Budgetary control is inadequate?

Annually, the Cabinet considers the level of reserves and anticipated investment income before determining the level of grants to be made available to the constituent Councils.

Variance between the anticipated and actual investment income will be reflected in the following year's grants to the constituent Councils.

(b) Financial administration is unsatisfactory?

Monmouthshire County Council personnel policies and procedures ensure officers are appropriately qualified for the roles undertaken.

Internal control arrangements ensure there is division of duties amongst officers.
Periodic audits review the internal control arrangements.

(c) Financial losses arise due to speculative investment?

The investment policy prescribes a risk minimisation approach which can limit the investment of funds to institutions meeting specified criteria.

(d) Financial losses arise from fraud or error?

The internal control arrangements are based upon segregation of duties.
Periodic audits review the internal control arrangements.
Insurance provides a means to recover from specified losses.

4. Compliance Risk

(a) Failure to comply with legislation / regulations?

The activities of the Fund are specified within the Scheme made by the County Council of Monmouthshire.

The nature and format of financial reporting is specified by the Charity Commission and an external audit of the accounts is mandatory.

A number of senior Council staff support and advise the Cabinet on legal and financial matters.

Ensure that the Welsh Church Fund is administered in line with section 3(8) of the Charities Act 1993.

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” D Jarrett		Please give a brief description of the aims proposed policy or service reconfiguration To assess the 2014-15 Budget, Investment & Risk Management Strategies of the Welsh Church Fund and Mon Farm Education Trust	
Name of the Division or service area Central Finance		Date “Challenge” form completed 17/02/2014	
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age			Positive impact as most groups who apply support the elderly
Disability			Positive impact as grants awarded to groups and individuals that either support the disabled or have a disability
Marriage + Civil Partnership		Neutral	
Pregnancy and maternity		Neutral	
Race		Neutral	
Religion or Belief			Positive impact as Religious organizations are supported
Sex (was Gender)		Neutral	
Sexual Orientation		Neutral	
Transgender		Neutral	
Welsh Language		Neutral	

What are the potential negative Impacts. NONE	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤

There appears to be a neutral effect across most of the characteristics to which the budget funding can be applied. However, there are positive outcomes in relation to age (mainly as most organisations that apply seem to contain a higher majority of older retired people). Also disabled people have a positive outcome as the Welsh Church Fund indicates that applications are looked upon favourably for this area. The churches and applications with religious protected characteristics have a positive outcome as the applications from this area tend to be in the majority as the fund was initially set up to support churches by charitable donations. The Budget supports and highlights the positive effect that future decisions have on the Religious, Age and Disability characteristics, with particular emphasis on helping religious organisation applicants.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

None

Signed D Jarrett Designation Central Finance Management Accountant Dated 17/02/2014

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Welsh Church Fund and Mon Farms Investment & Risk Strategy 2014-15	CEO	Central Finance
Policy author / service lead	Name of assessor	Date of assessment:
J Robson	D Jarrett	17/02/2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

Aim of Proposed Policy is to assess and approve the changes to the Investment and Risk strategies of the Welsh Church Fund and Mon Farm Education Trust for 2014-15 and the impact upon the corresponding budgets

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age	NO	Race	NO
Disability	NO	Religion or Belief	NO
Gender reassignment	NO	Sex	NO
Marriage or civil partnership	NO	Sexual Orientation	NO
Pregnancy and maternity	NO	Welsh Language	NO

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

The Treasury Management Section have consulted and approved the recommendations of the Monmouthshire and Welsh Church Fund Treasury advisors Arlingclose Ltd in coming to the recommended approved policies and budgets

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

The Arlingclose Ltd Welsh Church Fund Act Investment Strategy review 2014 and Arlingclose Ltd Monmouthshire County Council Investment Strategy Review 2014

6. As a result did you take any actions to mitigate your proposal? Please give details below.

No

7. Final stage – What was decided?

•**No change made to proposal/s– please give details**

NO

•Slight changes made to proposal/s – please give details

No

•Major changes made to the proposal/s to mitigate any significant negative impact – please give details

No

Signed.....D Jarrett...**Designation**...Central Finance Management Accountant...**Dated**...17/02/2014.....

.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” D Jarrett		Please give a brief description of the aims proposed policy or service reconfiguration To assess the Investment & Risk Management Policies of the Welsh Church Fund and Mon Farms Investfor the meeting of the Welsh Church Fund Working Group	
Name of the Division or service area Central Finance		Date “Challenge” form completed 17/02/2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food			Organisations supported that may impact upon this aspect
Improve housing quality and provision			Grant for Housing quality Improvement
Reduce ill health and improve healthcare provision			Grants for Sport Clubs and self help Health Groups
Promote independence			Grant for Housing quality Improvement to enable resident to remain in own home
Encourage community participation/action and voluntary work			Grants for Community Projects
Targets socially excluded		Doesn't specifically target the socially excluded. Anybody may apply	
Help reduce crime and fear of crime			Provided funds to assist in securing Premises of Sports and Social Clubs
Improve access to education and training			Grant for Educational and Community work in this country and Developing World

Have a positive impact on people and places in other countries			Grant for Educational and Community work in this country and Developing World
PLANET			
Reduce, reuse and recycle waste and water			Grants for environmental projects
Reduce carbon dioxide emissions			Grants for environmental projects
Prevent or reduce pollution of the air, land and water			Grants for environmental projects
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			Grants for environmental projects
Protect or enhance visual appearance of environment			Grants for environmental projects
PROFIT			
Protect local shops and services		Neutral	
Link local production with local consumption		Neutral	
Improve environmental awareness of local businesses			Grants for Community Projects
Increase employment for local people			Grants awarded to Community groups that may sustain employment
Preserve and enhance local identity and culture			Grants for Community Projects
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc			Grants awarded to Community Groups that may consider this aspect
Increase and improve access to leisure, recreation or cultural facilities			Grants for Sport Clubs, Self help Health Groups and Community Groups

What are the potential negative Impacts None	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

There are positive outcomes in relation to People, Planet and Profit, mainly as organisations and Individuals that apply are supported to benefit one of the protected aspects. The Investment and Risk Strategies are designed to provide the maximum amount of investment returns to provide funds to support these applicants to the fund without substantially diminishing the Capital value of the Trust Funds.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

None

Signed **D Jarrett**

Dated **17/02/2014**

REPORT

SUBJECT: REVENUE BUDGET FORECAST STATEMENT 2013/14 MONTH 9
DIRECTORATE: Chief Executive's Unit
MEETING: Cabinet
DATE: 5th March 2014
DIVISIONS/WARD AFFECTED: All Authority

1. PURPOSE

- 1.1 The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at the end of month 9 for the 2013/14 financial year.

2. RECOMMENDATION

- 2.1 That Members seek assurance that Chief Officers are taking action to address the over spends in their service areas.
- 2.2 That Members consider the information contained within this report.

3. KEY ISSUES

3.1 Background

- 3.1.1 Budget monitoring information for each directorate's directly managed budgets is provided together with information on corporate areas.

3.2 Responsible Financial Officer's Summary of Overall Position

- 3.2.1 The overall position for month 9 is a £485,000 improvement from month 6 and it brings the over spend down to £336,000. Most notable in this shift is the extent of further improvement to Regeneration & Culture's position, despite inheriting school meals provision from Children and Young people which was experiencing a £130,000 adverse position.
- 3.2.2 Only Social Care and Health are experiencing a worsening position at month 9, and this pressure is centred predominantly upon Children's Services provision. Further information on financial performance in this area is being reported now, focussing more on unit costs activity to influence service direction and service capacity. This approach is still in its infancy, and will be refined, but is already proving of benefit in addressing cost of provision issues.
- 3.2.3 Similarly CYP are looking to better align financial reporting with activity performance, and it may be that the unit costing approach piloted in SCH has transferrable benefits to CYP particularly in reporting of Schools based data.
- 3.2.4 The budget savings plan for 2013/14 included service re-engineering and other changes that are still to be achieved. Of the £4,252,000 savings agreed, £4,029,000 (94.7%) are going to be achieved albeit £382,000 is likely to be achieved in the next financial year rather than this year. Savings totalling £223,000 are forecast to be undeliverable rather than simply delayed. There are a variety of reasons for this and the details on each cost saving is provided in Appendix 3 attached to this report. Chief Officers are actively engaged in reviewing their areas in order that more of the budget savings can be delivered or alternative sources of savings be found.
- 3.2.5 It should be noted that within the month 9 forecasts, there exists a £774,000 pressure due to forecast one off redundancy costs across services areas, including schools, which have or will request reserve funding approval from Cabinet if necessary. Also the pressure within Directorates relating to Job Evaluation of £424,000 has been covered by implementing the recommendation at month 3 to vire the centrally held budget out to Directorates. This has left a budget at the centre of £781,000 which it is recommended is contributed to earmarked reserves pending a positive outturn position.
- 3.2.6 It is still the intention to derive a balanced outturn and work will progress through the last quarter to manage the pressure of £336,000 to achieve this.

Summary Position

- 3.2.7 Budget monitoring information for each directorate's directly managed budgets is provided together with information on corporate areas. The over spend on net cost of services is forecasted to be £226,000 at month 9, a summary explanation of this is given below.
- 3.2.8 As has been mentioned the SCH forecast over spend of £880,000 is predominantly experienced in the Childrens Services sector. The overspend in Children's service is actually £991,000 with a further £123,000 in Adult services, largely an overspend to the GWICES equipment partnership contribution. These are compensated in part by savings in Adult commissioning of £83,000 and Resources & Performance of £153,000.
- 3.2.9 The majority of CYP forecast over spend of £546,000 can be attributed to redundancy costs (£463,000) within the Directorate, predominantly schools, that are picked up by the Council. These have been subject to a Cabinet report in October 2013 where it was agreed that that they would be funded from reserves where the service was not able to generate equivalent savings. The service has

generated net savings of £362,000 from additional learning needs of £183,000, collaborative arrangements of £85,000, school improvement savings of £10,000, education welfare support £15,000, directorate support £32,000 and student access of £37,000.

Unfortunately it has had to use them to compensate for additional costs of £444,000 it has incurred over budget which has included £134,000 increased support to schools, £98,000 overspend to Adult Education and Youth service (of which backdated rates bills account for £60,000), £101,000 net increased management costs (of which £20,000 overspend anticipated on post 16 transport which is a discretionary service for which the Directorate has no budget provision currently and £110,000 in relation to staffing restructure savings), £7,000 Inspection and professional fee costs, £11,000 additional staffing costs in Psychology service, £9,000 from additional early years costs and primary breakfast grant withdrawal, additional staffing costs of £40,000 for a safeguarding post, and £45,000 overspend on schools library service.

3.2.10 The R&C forecast over spend of £233,000 is reflective of wide number of spending pressures and savings. Of most significant note is an anticipated waste overspend of £96,000 (of which £70,000 equates to reduction in Council's Sustainable Waste management grant from WG), an anticipated passenger transport overspend of £148,000 due to an unfound saving around special education needs transportation costs as this exercise has not been undertaken by CYP and transport yet. The transfer of Borough Theatre has incurred £39,000 unbudgetted legal expenses, economic development struggle to deliver their income targets causing a £31,000, the Council's facilities management contract is anticipated to incur a £65,000 overspend and catering arrangement at Caldicot castle (£75,000 pressure) and schools catering £125,000 (down from £165,000) continue to adversely affect the financial performance of the Directorate. Our arrangement with SEWTA is anticipated to deliver an extra £250,000 income and external grounds maintenance work to deliver an extra £100,000 which provide some compensation to the pressures.

3.3 The CEO underspend of £304,000 can be simplistically equated with employee savings.

3.3.1 The significant saving within the Corporate Costs section of £1,128,000 relates predominantly from £780,000 saving to single status budget, £93,000 net saving from the national deferment of auto enrolment to pension scheme, savings of £109,000 in relation to anticipated insurance costs reflective of contract renegotiation, reduced external advice and potentially reduced liability, and savings of £203,000 to corporate management from the dividend from the Crematorium Joint Committee, and savings in external audit fees and NNDR refunds, compensating for £65,000 increased early retirement costs anticipated.

3.3.2 On treasury activities, the average rate attainable on investments has remained slightly ahead of that budgeted, and average rates obtained on temporary borrowing has been less than that anticipated therefore resulting in an underspend situation.

3.3.3 The additional Council Tax income stems from the continued trend of houses liable for Council being above budget predicted level although this is slowing from previous years. A watching brief is maintained on the situation to ensure that bad debt provisions and write offs largely consequential of current economic climate remain prudent. Council tax benefit levels remain less than anticipated in the budget.

3.4 Table 1 below summarises the forecast outturn position for the Council Fund for the financial year as at month 9. The variation on services is explained in more detail in Appendix 1. Appendix 2 gives an explanation of the changes to the original budget since it was approved by Council on 28th February 2013.

Table 1: Draft Council Fund Outturn 2013/14 –
Summary Total Net Expenditure Position at
Month 9

		Annual Forecast at Month 9	Revised Budget	Forecast Over/(Under) Spend at Month 9	Forecast Over/(Under) Spend at Month 6
		£000's	£000's	£000's	£000's
Social Care & Health	1	37,264	36,384	880	820
Children & Young People	2	52,654	52,109	545	744
Regeneration & Culture	3	27,783	27,550	233	319
Chief Executives Unit	4	10,737	11,040	(304)	(206)
Corporate Costs & Levies	5	17,254	18,381	(1,128)	(864)
Net Cost of Services		145,690	145,464	226	811
Attributable Costs – Fixed Asset Disposal	6	172	189	(17)	(11)
Interest & Investment Income	6	(89)	(30)	(59)	(44)
Interest Payable & Similar Charges	6	3,683	3,813	(130)	(130)
Charges Required Under Regulation	6	4,867	4,955	(88)	(88)
Contributions to Reserves	6	915	125	790	795
Contributions from Reserves	6	(2,797)	(2,946)	149	121
Amounts to be met from Government Grants and Local Taxation		152,441	151,570	871	1,454
General Government Grants	7	(74,755)	(74,755)	0	0
Non-Domestic Rates	7	(28,376)	(28,376)	0	0
Council Tax	7	(54,793)	(54,508)	(285)	(438)
Council Tax Benefits Support	7	5,819	6,069	(250)	(195)
Net General Fund (Surplus)/Deficit		336	0	336	821

Schools

- 3.4.1 Each of the Authority's Schools is directly governed by a Board of Governors, which is responsible for managing the school's finances. However, the Authority also holds a key responsibility for monitoring the overall financial performance of schools. Below is a table showing the forecast Schools' balances position for the year-end at month 9.
- 3.4.2 School balances at the beginning of the financial year amounted to £1,240,000. The budgeted draw on balances has been identified as being £753,000 resulting in closing school balances being budgeted to be £487,000 surplus.
- 3.4.3 At month 9, the current forecast suggests that the contribution required from school balances to be £794,000 an increase from budget of £41,000, though an adverse movement of £105,000 since month 6 and this will result in closing school balances of £487,000.
- 3.4.4 Further information on Schools is provided in section 8 of this report.

Table 2. : Draft Council Fund Outturn
2013/14 – Summary Forecast Year-end
School Balances Position at Month 9

		Opening School Balances	Forecast Contribution to/(from) School Balances at Month 9	Forecast Closing School Balances
		£000's	£000's	£000's
<u>School Type</u>				
Comprehensive Schools	8	339	(408)	(69)
Primary Schools	8	774	(268)	507
Special School	8	127	(118)	9
		1,240	(794)	487

4 REASONS

- 4.1 To improve budget monitoring and forecasting information being provided to Senior Officers and Members.

5 RESOURCE IMPLICATIONS

- 5.1 None.

6 EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS

6.1 The decisions highlighted in this report have no implications, the budgets are being vired for the purpose they were agreed.

7 CONSULTEES

Strategic Leadership Team
All Cabinet Members
All Select Committee Chairman
Head of Legal Services
Head of Finance

8 BACKGROUND PAPERS

8.1 None

9 AUTHORS

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10 CONTACT DETAILS

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1 SOCIAL CARE & HEALTH

The directly managed position for the Social Care & Health Directorate, at the end of month 9, is forecast to over spend by £880,000 for the 2013/14 financial year.

Chief Officer Comments:

As anticipated, the Children's Services budget continues to exhibit serious strain due to the level of looked after children (LAC). The pressures are most acute in the external placement budget, accommodation costs for 16+ and internal fostering costs. There is also a significant impact on legal costs for children and young people.

As the current bulge of activity moves through the courts, we are beginning to see a levelling of LAC numbers, which should enable us to stabilise our financial position during 2014/15. This view is based on decreasing numbers of children on the child protection register and the fact there have been no additional placements since month 6.

Intensive work continues to improve the budget, including monthly forecasts of the key cost centres and work with Professor Paul Thomas to enhance front line effectiveness.

The positive story in Adult Services continues; with Community Care maintaining it's under spend from month 6. This is a significant achievement reflecting the focussed work of individual teams and the new ways of working within the service; and in addition Commissioning have moved towards a balanced budget. Altogether, this is a positive situation which to embark on the delivery of the 2014/15 Medium Term Financial Plan.

SUMMARY EXPLANATION FORECAST OVER/ (UNDER) SPEND

Table 4: Social Care & Health Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 9.

	Actual To Month 9	Annual Forecast at Month 9	Revised Budget	Over/(Under) Spend at Month 9	Over/(Under) Spend at Month 6
	£000's	£000's	£000's	£000's	£000's
Adult Services Other	(13)	26	26	0	0
Adult Services	5,197	7,510	7,387	123	124
Children's Services	5,705	7,563	6,572	991	882
Community Care	12,850	19,384	19,467	(83)	(80)
Commissioning	1,673	1,871	1,869	2	16
Resources & Perf Management	700	910	1,063	(153)	(122)
Net Directly Managed Expenditure	26,112	37,264	36,384	880	820

The over spend at month 9 is attributable to the following divisions: -

Adult Services

This division is currently forecast to overspend by £123,000 and is mainly due to: -

- A predicted over spend for the GWICES budget of £70,000. There has been much activity within the budget, from intense financial analysis to reviewing what low value pieces of equipment are supplied through this fund. The result is a reduced overspend prediction from £100,000 reported in previous quarters.
- We have a £31,000 overspend in relation to a long running direct care staffing issue, which was resolved in December.
- There is an over spend in our 'in house' residential homes largely due to a reduction in income streams of full paying clients leaving the service. However, the full impact of the overspends has been reduced somewhat by tighter controls within the Drybridge contract and funding being agreed for the Transition Cooperative Officer since month 6.

The forecast in this area has remained largely unchanged since month 6.

Children's Services

This budget is forecast to overspend at month 9 by £991,000.

During this year, we have concentrated on a number of unit cost exercises to get a greater understanding of the budget. One unit cost calculated is around Looked After Children (LAC). Based on last year's LAC outturn position of £4,230,015 and a caseload of 107, an overall unit cost per LAC case of £39,533 was derived.

There are a number of individual over and under spends, with the main areas contributing to the overspend position being: -

- The external placement budget is expecting a £437,000 overspend. This budget incorporates independent fostering agency placements and also private and voluntary placements, which include residential and specialist school placements. The budget is currently supporting 52 external placements in total, the same as at month 6.
- The unit cost associated with external placements is greater than that associated with internal fostering placements. The unit cost of an external placement was calculated to be £58,965; hence the 2013/14 external placements budget of £1,335,356 would be able to support only about 23 external placements. Any opportunity to reduce external placements costs depends on growing the internal fostering market in the region. We already engage with the South East Wales Information Collaborative who negotiate costs on our behalf with external agencies to derive best value for money.
- Internal fostering costs, which include payments to carers such as weekly fostering allowances and birthday/holiday payments is forecast to overspend by £123,000. At present, we are supporting 55 children within our in house foster carer service. The unit cost associated with in-house foster care is £33,300, which is £25,665 lower than that of an external placement.
- There is a £186,000 overspend on younger peoples accommodation costs for 16-25 years olds. At month 6 all current young people in supported accommodation were reviewed to ensure housing benefit entitlement was maximised. The Southwark Judgement has impacted on the budget which brings young people 16 plus into the care system because they are declaring themselves as homeless. Additionally, some of our post 18 asylum seekers had their appeals dismissed and we continue to have to maintain them until we have completed the legal process to cease maintenance. Below is a table illustrating the current activity and whether housing benefit is being received: -

Age of Young Person	Nos. Claiming Housing Benefit	Nos. Not Claiming Housing Benefit
16-18	0	8
18-25	12	24
Asylum Seekers	0	15

- Travel costs are incurred providing children with home to school transport, allowing them to remain in their existing school and taking parents to facilitate contact with their children. As a result, transport costs are predicted to overspend by £62,000.

- Legal costs are forecast to overspend by £117,000. Legal costs are a particular issue, with 42 care proceedings completed to date, and 28 care proceedings initiated, compared to 2012/13 when there were 11 care proceedings initiated and 4 in 2011/12. Recent changes in court fees, resulting in an increase in fees payable, has further added to pressures in this area. The interim Head of Children's Services is currently in discussion with Newport as to utilising their legal services and will be contacting Chambers in Cardiff around the possibility of a 'block' contract.
- The remaining overspend of £66,000 is a combination of spends in other areas such as staffing due to efficiency savings for staff turnover and premises costs for the Therapeutic Service.

At month 9 the over spend has increased by £109,000 and below is a summary of some of the major contributory factors: -

- Legal costs have risen by £5,000, as a result of legal activity previously mentioned above.
- During the past three months, there have been no new external placements. However, the forecasted cost of the existing placements has increased by £75,000. This is due to one case moving out of independent fostering to a residential placement for two terms, and unanticipated increases in two existing cases.
- Post 16 to 25 year old accommodation costs have risen by £29,000 in the quarter, due to younger people remaining in supported housing longer than anticipated. Some of these cases are extremely complex, which has an impact on the costs associated with their support.

Community Care

Community Care is predicting a £83,000 under spend, which has increased by £3,000 since month 6.

The main reason for the under spend is within the area of direct payments. When a service user is assessed as requiring care, they have an option, if eligible, to either have services arranged by the Authority, or to receive the cash equivalent called a Direct Payment. The direct payment finance officer regularly audits the service users and if there is an excess of funds, the funds £72,000 already claimed back to date

Within this budget, we have some success stories such as: -

- Within the area of ordinary residence, we can confirm that the target saving of £150,000 has been successfully achieved.
- On-going financial scrutiny, control and review of care packages within the flexible domiciliary care budgets has effectively 'capped' the overspend at £900,000. This overspend is funded by an equivalent saving in residential spend due to practice changes, allowing service users to have Community based care packages, and the impact of Frailty supports this. We have sought not to realign budgets this year as the above provides a benchmark for Frailty and is a means of measuring success. We will be looking to realign budgets for next financial year.
- The number of residential placements remains unchanged within the quarter,

However, this budget is susceptible to winter pressures and is a note to bear as we enter into the latter end of the financial year.

Commissioning / Resources and Performance Management

Under these two headings, we are predicting a combined under spend of £151,000. Comparing the current under spend prediction to month 6, the under spend has increased by £45,000 as a result of: -

- In the area of Commissioning, the Group Manager has reviewed and restructured her budgets, moving ever closer to a balanced position, reducing the overspend from £16,000 at month 6 to £2,000,
- Within the Finance team, holding back recruitment into post vacancies is anticipated to deliver an outturn under spend of £28,000, which is a further £11,000 improvement on month 6 analysis.
- The service has a commitment of £20,000 to progress mobile technology. This commitment is now likely to be met by Health.

The main areas of under spend remain the same as reported in previous quarters being facilities, the purchase of new vehicles being delayed until 2014/15 when the day services reconfiguration will take place; and the remainder due to staff vacancies mainly within the SCH finance team.

2 CHILDREN AND YOUNG PEOPLE DIRECTORATE

The directly managed position for the Children & Young People Directorate, at the end of month 09, is forecasted to over spend by £546,000 for the 2013/14 financial year.

This includes the following specific amounts where requests are to be made at the end of the financial year for funding from reserves:

School Library Service £45,000
 Directorate Based Redundancies £468,000

Chief Officer Commentary:

The directorate is reporting an overspend position of £546,000 at the end of September, of this £468,000 relates to Directorate Based Redundancy Costs, leaving a net overspend of £78,000. Agreement has now been given by Cabinet for these to be funded from reserves. There has been an overall decrease in the Directorate overspend since Month 6.

SUMMARY EXPLANATION FORECAST OVER SPEND

Table 4: Children and Young People Directorate Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 06.

	Actual To Month 09	Annual Forecast at Month 09	Revised Budget	Over/(Under) Spend at Month 09	Over/(Under) Spend at Month 06
	£000's	£000's	£000's	£000's	£000's
Individual School Budget	42,923	43,677	43,543	134	56
Resources & Performance	1,893	2,109	1,972	137	266
School Improvement	8,277	6,868	6,593	275	422
Net Directly Managed Expenditure	53,093	52,654	52,108	546	744

N.B.

*Month 6 figure before transfer out of School Meals (£130k over spend)

The main areas of under or over spending are:

Individual Schools Budget – Forecast £134,000 Overspend.

- Restructuring at schools has resulted in protection costs to be compensated by the Local Education Authority amounting to £56,000. This was reported at Month 6. Staff protection policy is currently being reviewed, the impact of which may reduce future cost implications. Efficiency savings of £56,000 will not be achievable, and additional support to schools of £22,000 has also been delegated which was not reported at Month 6.

Resources & Performance – Forecast £137,000 Overspend.

- **Management – Forecast £40,000 Overspend.**

Net employee related efficiencies of £69,000 identified in the savings plan are not fully achievable in the current financial year and therefore will result in an over spend for the Directorate. This includes staff savings that have been subject to previous Cabinet reports, and the part year effect of the costs associated with two Head of Service posts that were expected to be filled. The forecast has improved by £57,000 since Month 6, however, mainly due to the realignment of the Management team. The service has incurred additional expenses in relation to professional fees and Estyn inspection costs of £8,000. The management division also includes SEN Post 16 transport provided by the Authority over and above the transport policy, amounted to £55,000 last year. The cost for the current financial year has not been confirmed but based on last years costs and the current budget held it is forecasted that there will be a £20,000 overspend. This was reported at Month 6.

This effect is compensated in part by savings in School and student access £37,000.

- **Adult Education Service – £87,000 Overspend**

Due to staff absence, cover costs have resulted in an overspend of £39,000. This was reported at Month 6. In addition to these costs, the service has recently received Rates bills backdated to 2010 for two sites (one of which is shared with the Youth Service), resulting in an additional, unanticipated spend of £50,000.

- **Youth Service – £10,000 Overspend**

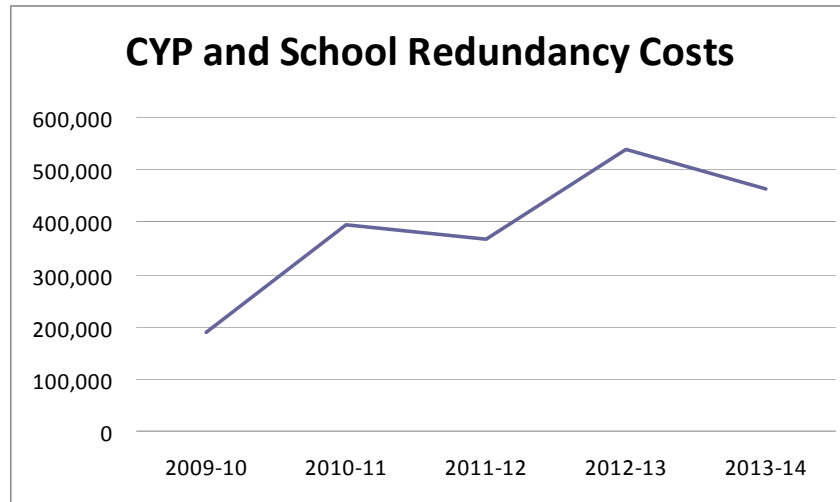
During the budget process the budget was reduced by £140,000, these savings were anticipated to be achieved through staffing restructure which will be in place for the 1st September. The proposals were subject of a Cabinet paper on the 3rd April 2013, this paper provided details of how the savings were to be made and the timing around the restructure. The risk of not achieving these savings in the year is low.

A £10,000 overspend is now projected, however, due to the receipt of a backdated Rates bill, the cost of which will be shared equally with the Adult Education Service.

School Improvement – Forecast £275,000 Overspend

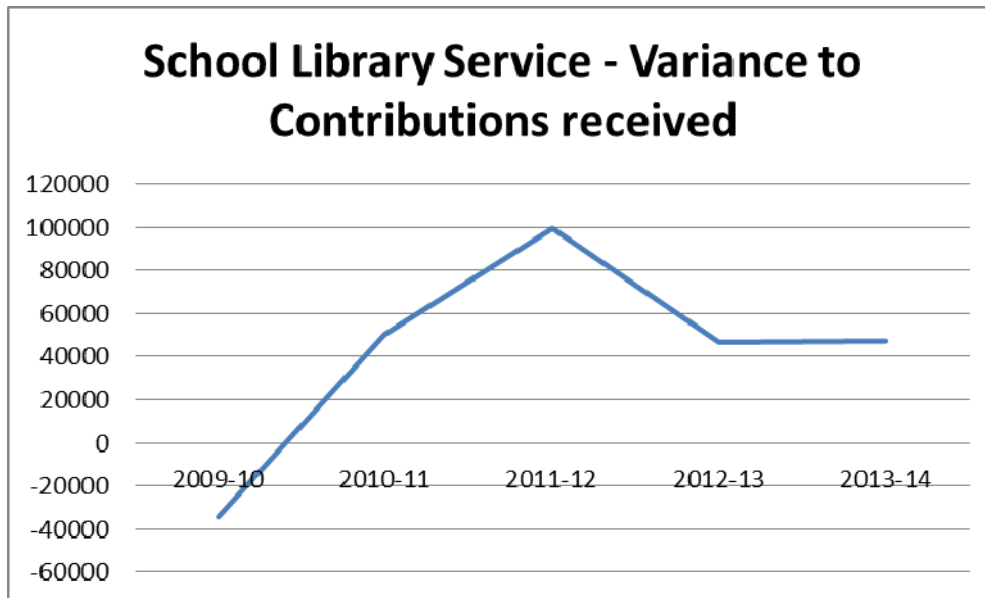
- **Premature Retirement Compensation – Forecast £463,000 Overspend.**

Monmouthshire Schools, in an effort to remain efficient have incurred a number of redundancies, this is due to a requirement in some schools to reduce a deficit and in others this is a result of staffing restructures. The total cost of the redundancies is £426,000. As in previous years, redundancy costs are borne by the Directorate and no budget provision exists for these costs. A paper was agreed by Cabinet in October requesting that these costs be met from reserves. Two additional papers have been agreed by Cabinet to fund £7,000 central redundancy costs and £35,000 redundancy costs incurred due to a restructure of the Youth Service. This has reduced by £16,000 since Month 6, in part due to a £5,000 reduction in the invoice amount from Torfaen pensions for recurring payments.



- **School Library Service – Forecast £45,000 Overspend.**

A reduction in contributions and no changes to service provision has resulted in the School Library collaborative arrangement forecasting an overspend of £45,000, the service currently holds a deficit reserves balance and this will further increase the deficit. An overarching service review will be completed including this service area next year. This is an improvement of £2,000 compared with Month 6.



- **ALN Management – Forecast £25,000 Overspend.**

An agreement has been made that CYP will fund a safeguarding post currently employed by Social Care and Housing, the Directorate has no budget for this and will result in a £40,000 overspend. This was reported at Month 6.

The eligible expenditure for administration of the School Effectiveness Grant has reduced from £32,000 to £16,000. Therefore has resulted in a reduction in an overspend of £16,000. This was reported at Month 6

The above have now been offset by savings that have materialised due to a member of staff leaving and not being replaced.

- **Additional Learning Needs – Forecast £173,000 Under spend**

During the budget process the budget for ALN was reduced by £150,000, these savings were anticipated to be achieved through efficiencies and savings in placement costs. It is anticipated that these savings will be made at this stage, however given the volatile nature of the service; the risk of not achieving them is medium.

In addition to the above savings the service is also anticipating an under spend of £151,000 due to a reduction in contingency funding allocated to schools. This anticipated saving is £84,000 more than reported at Month 6. Additional savings of £22,000 are now also forecasted due to a reduction in staffing levels as per a previous Cabinet paper.

- **Collaborative Arrangements – Forecast £85,000 Under spend**

Due to a review of Collaborative Arrangements reserve funds, the Visually Impaired Service and Communication and Intervention Service has reimbursed the Authority, £78,000 and £10,000 retrospectively. This was reported at Month 6. A £3,000 additional spend is now anticipated compared with Month 3 due to additional costs against the Ethnic Minorities budget.

N.B. Schools Meal Service transferred to R&C during the reporting Period

3 REGENERATION & CULTURE

The directly managed position for the Regeneration and Culture Directorate at the end of month 09 is forecast to over spend by £233,000 for the 2013/14 financial year.

Chief Officer Commentary:

I'm pleased to note the significant advance the Directorate has made on the month 6 position and our plans to curtail spend and focus only on priority and essential work is yielding results. These efforts will continue in earnest to ensure delivery of a balanced position at year end.

SUMMARY EXPLANATION FORECAST OVER SPEND

Table 5: Regeneration & Culture Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 09.

	Actual To Month 09	Annual Forecast at Month 09	Revised Budget	Over/(Under) Spend at Month 09	Over/(Under) Spend at Month 06
	£000's	£000's	£000's	£000's	£000's
Infrastructure and Networks	14,855	18,923	18,826	97	164*
Public Life and Culture	3,779	5,415	5,383	33	23
Planning, Place and Enterprise	2,823	3,220	3,117	103	131
R&C Management	207	224	224	0	0
Net Directly Managed Expenditure	21,664	27,783	27,550	233	319

.....
N.B. * Month 6 figure before transfer in of School Meals (£130k over spend)

Infrastructure & Networks

Infrastructure and Networks is forecasting to overspend by £97,000 a £197,000 improvement from Month 6. This is a considerable improvement appreciating the Directorate inheriting an over spend on School meals catering provision from CYP of £130,000. The changes from month 6 are due to:-

Overspends

- Car Parks is forecasting to overspend by £77,000, a £47,000 improvement from month 6. Income levels have improved in recent months but the unit still unable to achieve budgeted targets and is forecasting a £126,000 shortfall in this area, this is due to 2 main reasons :-
 - Car park prices have not been increased in line with budget assumptions (currently set at 2.5% per year).
 - The unit has seen a reduction in Pay and Display income as activity has been in decline since 2011-12 and it is assumed that this is the result of the economic downturn.

This deficit has been partly offset by staff vacancy savings of £32,000 and savings on expenditure of £17,000 as the unit only purchase essential items. The improvement from Month 6 can mainly be attributable to improved income streams that are above our month 6 profile (£19,000) a further reduction in staff costs (£5,000) and an increase on supplies savings due to the spending stop (£24,000).

- Waste is forecasting to be £96,000 over budget, this is an improvement of £77,000 on month 6 reports and the overspend is due to :-
 - As reported at month 6 the delayed implementation of two efficiency saving initiatives within Pest Control £35,000 and Admin restructure £30,000 and it is now anticipated that we will not see the benefits of these until the new financial year.
 - A reduction in anticipated income of £163,000 made up as follows:-
 - Loss of Trade income of £35,000 due to a reduction in the value of the lifts required by our customers as they are recycling more.
 - A reduction in Welsh Government's Waste management grant of £70,000.
 - Due to the continued decline of bring site usage, income from paper and textiles recycling has reduced and the budget commitment of £15,000 will not be achieved with only £2,000 being received to date. The budget also assumed continued income of £23,000 for sale of green garden waste bags which were removed from public usage on 1st July 2013.
 - A £20,000 reduction in contribution from Grounds Maintenance as they no longer use the Community Improvement Programme.
 - These have been offset by a net under spend in expenditure of £132,000 as expenditure on bags has been reduced by £60,000 compared to month 6, due to negotiating new prices and stock management systems complemented by a further reduction in residual and organic tonnage which has reduced expenditure on landfill and organic waste treatment due to the waste changes made in July 2013.
 - The £77,000 reduction in overspend from Month 6 is due to landfill and waste treatment costs and bag expenditure coming in below original month 6 projections (£132,000) offset by further reductions in anticipated income of £55,000.

- The Council Vehicle Usage Scheme is forecasting no change from month 6 and to overspend by £61,500. The scheme to capture savings generated from charging employees to take vehicles home is yet to be implemented as in order for the scheme to operate the authority has to build a holding car park to store the vehicles of employees that opt out of the scheme. At present the car park is delayed due to ecological issues. Latest forecasts suggest that this will not be implemented until very late in the financial year hence the savings target will not be met.
- The Green Car Scheme is forecasting no change from month 6 and to overspend by £24,000. Although the scheme has seen an increase in membership since it's re-launch (56 members of staff as at December) there has not been sufficient interest to meet the budgeted saving target of £66,000.
- Passenger Transport is forecasting to over spend by £148,000. The unit was tasked with making £225,000 worth of savings this year as part of the 13-14 MTFP made up of :-
 - £75,000 – increase in bus hire income. It is anticipated that this target will be met.
 - £150,000 – Reduction in SEN transportation costs. There is no progress on achieving this target as discussions haven't generated any options that can be implemented in the short term in order to generate in year savings, although Passenger Transport and CYP continue to meet to discuss long term ideas.

In addition the unit have had to fund long term sick cover which has increased expenditure by £33,000, which was not known at Month 6 although this has been part offset by improved income of £16,000 due in the main to a one-off regional transport grant payment producing a net increase from month 6 of £17,000.

- Facilities Management is forecasting to overspend by £65,000. This is due to:-
 - Building Cleaning overspending by £40,000. This is due to :-
 - £11,000 additional redundancy costs for two toilet cleaners.
 - The sections inability to meet targeted staff restructure and employee savings of £23,000
 - £15,000 compensation paid to Unison staff as a result of an error during their TUPE transfer over to Regent cleaning sites.
 - The section is also bearing the additional costs of the Regent Cleaning Contract, the burden on the department has reduced since month 6 as some of these costs have been borne by CYP and the overspend is now forecasting to be £26,000. Discussions are taking place with the selected contractors to bring this in line financially for 14/15.
 - These overspends have been part offset by a £22,000 under spend on supplies and services and a £14,000 under spend on transport costs.

The £40,000 improvement from month 6 to 9 is mainly due to the reduction in Regent Cleaning Service's costs offset by the unanticipated compensation costs, both of which were not known at Month 6.

- The authority's School Meals function has now combined under one department in R&C. At month 6 the total over spend for the function as a whole was £165,000, at month 9 it is now forecasting to be overspent by £125,000 a £40,000 improvement. The overspend is due to a number of reasons :-
 - Staff costs have exceeded budget by £75,000, due to overtime payments relating to staff training of £33,000, additional salary of £24,000 to cover long term sick leave and the inability to meet targeted staff restructure and employee vacancy savings of £19,000.
 - Supplies and services have overspent by £18,000 mainly due to grocery costs increasing as our meal numbers have increased over original projections.
 - Income is down by £32,000 as although meal numbers are higher than originally anticipated it is still not enough to cover the original budgeted target.
 - The improvement from Month 6 of £40,000 is mainly due to the long term sick cover costs coming in £5,000 below original estimates, additional staff funding of £15,000 from CYP that was not factored in at month 6 and improvement in income as meal numbers have improved.

Offset by,

An under spend in Grounds Maintenance of £100,000 as an increase in external custom coupled with managed efficiencies in operating expenditure has resulted in the outturn under spend improving by £10,000 since Month 6.

- Public conveniences are forecasting to return a £10,000 overspend due to additional costs incurred in the opening and closing of Bank street and Chepstow Castle Toilets.

These over spends have been offset by a number of under spends, the main being:-

- Estates is forecasting to under spend by £25,000 due to:-
 - Expenditure savings across the section of £108,000 due to savings in professional fees of £33,000, in a reduction in our Carbon credit payments of £55,000 and a net reduction in premises maintenance of £20,000.
 - A net increase in rental income of £28,000.
 - Offset by an overspend in the Sustainability budget of £112,000 as it is estimated that the savings generated from our renewable energy projects will not reach in year budgeted savings targets

This is a £8,000 net reduction in under spend since month 6 mainly relating to maintenance costs exceeding month 6 projections.

- The Highways Department is forecasting to under spend by £288,000 made up as follows :-
 - SWTRA is forecasting to under spend by £250,000. Actual income stream profiles are continuing to outstrip our budgeted projections by £250,000, this is because work in Task orders and Safety Fence inspections/repair are above profiled performance targets.
 - Highways Operations is forecasting to return a break-even budget, a £50,000 negative swing from month 6. The increase since month 6 has been caused by additional repair costs to roads and landslides resulting from the bad weather and flooding experienced in December and January. The unit are confident that costs for the rest of the year can be kept within budget but warn that any further adverse conditions or a bad snow event will mean the department may struggle to contain costs going forward to year end.
 - Traffic, Transport Policy and Networks is forecasting to be under spent by £33,000. This is due mainly to savings in employee costs of £10,000 and increases in fee income of £23,000. Since month 6 the section has received more income in relation to street work fines and hence the position has improved by £18,000.
 - Highways Office Services is forecasting to under spend by £5,000 due to a reduction in staff costs of £12,000 being offset by a net overspend in Supplies of £7,000 due to the inability to meet all of the required efficiency savings.
- The Accommodation budget has under spent by £53,000, a £18,000 improvement since month 6. This is as a result of a reduction in building maintenance costs at the Usk and Magor offices. Many items in the new buildings remain under warranty and we have not incurred the repair charges originally anticipated, since month 6 this estimate has improved again with a further £18,000 reduction
- The Procurement section has under spent by £20,000 due to the withdrawal of the authority from the Joint Procurement Contract. This has resulted in a saving in contribution, the full effect of this was not known until recently and hence was not reported at Month 6 and is the reason for the variance.

The reduction in overspend of £197,000 from Month 6 is due to a number of reasons, the main being:-

- The £47,000 improved position in Car Parks as income levels are anticipated to be above month 6 projections.
- Increased savings in the accommodation budget of £18,000 as maintenance costs are not now forecast to be as high as thought at Month 6.
- A £77,000 improvement in waste mainly due to a reduction in expenditure on bags since Month 6.
- The £20,000 saving in procurement that was not factored in at Month 6.
- The £18,000 increase in street works income in Networks that has exceeded month 6 forecasts.
- The £40,000 improvement in the School Meals position since month 6.

- The £40,000 reduction in overspend in Building Cleaning due to the Regent Cleaning reduction offset by the TUPE compensation payment.

Offset by:

- The £50,000 negative swing in Highways Operations due to the additional expenditure incurred on repairs relating to the bad weather.
- The increase in PTU over spend of £18,000 that was not anticipated at Month 6.

Public Life and Culture

The division is forecasting to overspend by £33,000, a £10,000 negative variance from month 6. The main reasons for this are:

- The Borough Theatre is forecasting a £39,000 over spend due to spend on legal fees relating to the transfer to trust status which has now taken place. This is a £2,000 increase in overspend from month 6.
- The Museums Section is forecast to over spend by £15,000, a variance of £24,000 from that reported at month 6. The MTFP for 2013/14 included an income target for fundraising (£50k) and this will not be fully met. The fundraiser is looking into (and taking to cabinet) proposals for a charitable Trust to be formed. This would allow access to a great number of grants that are currently unavailable and will give greater flexibility for future funding.
- The Libraries Section is forecasting a £10,000 under spend (£20,000 at month 6). This is due to a managed reduction in expenditure in the resources budget in line with the departmental directive to restrict spend to only essential items.
- Leisure Services anticipate a £15k improvement on month 6 and now together with Public Health/Trading Standards and Outdoor Education are forecast to outturn at budget levels.

The £10,000 negative swing from Month 6 is due to additional costs within Libraries and Museums of £34,000 as anticipated savings and income have not materialised. This has been offset by savings from within Leisure as redundancy costs have been fully met from the service (£15,000) and some savings in grants (£7,000).

Planning, Place and Enterprise

Planning, Place and Enterprise is forecasting to overspend by £103,000 a £28,000 improvement from Month 6. The main reasons for this are:-

- Countryside is still forecasting a £75,000 over spend. This is mainly due to an over spend on Caldicot Castle and Country Park of £96,000 due to the historic budget assumptions regarding net catering income / recovery of costs not being met and lower levels of day to day visitor spend.

There is an £11,000 over spend on Old Station Tintern due to visitor expenditure remaining static at 2012 levels. However, there is an under spend of £31,000 on Countryside and Rights of Way achieved by not filling a vacant post and reducing expenditure.

- Development Control is forecasting to return a balanced budget, this is a £44,000 improvement from Month 6 and is due to better than expected income levels that are anticipated to continue through to year end.
- Housing is forecasting a £4,000 under spend. Staff vacancies in Homelessness of £16,000 and a reduction in Telecare expenditure of £10,000 have been offset by overspends in sewerage treatment plant costs of £2,000 and a reduction in fee income from Disabled Facilities Grant (£21,000). This is a £5,000 reduction from Month 6 and is due to a further reduction in anticipated DFG fee income (£14,000) offset by a reduction in Telecare maintenance of £10,000 both of which were not factored in at month 6.
- Economic Development is forecasting a £31,000 over spend. The unit are struggling to meet budgeted income targets, expected fees from delivering support and development services commercially have under recovered by £28,000, in addition there is a potential £10,000 loss of contribution from the Brecon Beacons National Park but this has been offset by a £6,000 net improvement on grant funding. Expenditure budgets have under spent by £3,000 as postage cost savings in Tourism (£8,000) and staff and supplies savings in Economy and development (£5,000) have been part offset by a Digital Tourism contribution of £10,000 that was not factored in at Month 6.

The reduction in overspend of £28,000 from Month 6 is due to:-

- The improvement in the development control income position of £44,000 that has exceeded month 6 predictions.

Offset by:

- The £10,000 negative swing in economic development that was not known at Month 6.
- The net £5,000 swing in Housing.

4 CHIEF EXECUTIVES UNIT

The directly managed position for the Chief Executive's Unit, at the end of month 09, is forecast to under spend by £304,000 for the 2013/14 financial year.

Commentary:

The under spending within the unit continues to increase as a significant proportion of this is due to the non-filling of posts when they become vacant. The authority has applied very strict criteria to the filling of posts in anticipation of the problems forecast for 2013/14 and in preparation for the increased pressures of 2014/15. Managers and staff are working hard to maintain levels of service and budget performance.

SUMMARY EXPLANATION FORECAST UNDER SPEND

Table 6: Chief Executive's Unit Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 09.

	Actual To Month 09	Annual Forecast at Month 09	Revised Budget	Over/(Under) Spend at Month 09	Over/(Under) Spend at Month 06
	£000's	£000's	£000's	£000's	£000's
Deputy Chief Executive	3,676	4,470	4,649	(179)	(207)
Democratic Services & Improvement	1,250	1,867	1,971	(104)	(102)
Finance	841	1,917	1,979	(62)	36
Information Communication Technology	1,864	2,465	2,441	24	50
Transition	17	17	0	17	17
Net Directly Managed Expenditure	7,648	10,736	11,040	(304)	(206)

The main areas of over / under spend are:

Deputy Chief Executive's Division

At month 9 the Division is forecasting an under spend of £179,000, a decrease from that reported at month 6 by £28,000. This under spend principally comprises:

- Citizen Engagement – Over spend of £21,000 which mainly consists of:

- Markets – Over spend of £25,000 as rental income is not expected to achieve budget, assumed to be due to the economic downturn. In addition continuing staff sickness has led to the employment of a temporary Facilities Assistant at additional cost, which has led to the movement from the figure quoted at month 6.
- Communications – Over spend of £8,000 due to the inability to find efficiency savings and additional costs for the Council newspaper.
- Citizen Engagement Management – Overspend of £5,000. This is mainly due to the inability to find efficiency savings.
- Cemeteries – Under spend of £7,000 due to adjustments made to bills for water charges where we have been historically charged incorrectly.
- Customer Relations – Under spend of £49,000 consisting of:
 - One Stop Shops – Under spend of £67,000. This is the net result of vacant posts that remain unfilled in 2013/14, further reduced expenditure in line with organisational policy and a one off income receipt of £12,500 offset in part by additional £20,000 software and hardware costs.
 - Registrars – Under spend of £8,000, from an increase in anticipated income.
 - Office Services & Telephones – Over spend £26,000 which relates mainly to telephone call costs.
- Legal & Land Charges Section - £24,000 under spend that consists of:
 - Legal – Over spend of £3,000 due to an employee cost pressure as a result of budget efficiency savings could not be achieved.
 - Land Charges – £27,000 under spend as income is forecast to exceed that of previous years.
- Personnel - £47,000 under spend. The main reason for this under spend is the inclusion of a £45,000 one off budget as part of a HR restructure invest to save scheme which has not been fully utilised. This budget will be removed for 2014/15.
- Community Safety – Under spend of £22,000 due to the Acting Policy and Partnership Managers post being partially funded from LSB Grant income.
- Policy – Under spend of £23,000 through a reduction in staff hours and in respect of levies, subscriptions and donations forecast as charges have been below inflation.
- Training – Under spend of £25,000 – Staffing vacancies for part of the year within the Grant funded areas of training has released resources for training activities that have previously been funded by corporate funds.
- Centre for Innovation – anticipated to outturn at budget levels.

- Corporate – Under spend £5,000 as a result of staffing vacancies, this is a reduction from month 6 of £10,000 as anticipated savings did not materialise as anticipated.

The under spend has reduced by £29,000 from that reported at month 6. This is mainly due to additional costs within One Stops Shops and Corporate.

Democratic Services and Improvement Division

At month 9 the Division is forecasting an under spend of £104,000, an increase of £2,000 from month 6. The under spend principally comprises:

- Democratic Services – Under spend of £40,000 through savings from a combination of Maternity Leave and vacant posts.
- Elections Section – Under spend of £50,000 is principally the result of the Individual Registration process being further delayed. It is now scheduled to commence in July 2014 whereas it was originally scheduled for 2011. This is augmented by a vacant staffing position which will not be filled.
- Improvement – Under spend of £20,000, the result of a staff secondment to NESTA.

The under spend has increased by a further £2,000 from that reported at month 6. This is mainly due to employee savings.

Finance Division

At month 9 the Division is forecasting an under spend of £62,000, a positive variance from month 6 of £98,000. The under spend principally comprises:

- Audit Section are forecasting an over spend of £15,000 mainly as a result of redundancy payment.
- Central Finance are forecasting an under spend of £73,000 from staff vacancies. There has been an increase in savings of £13,000 from that reported at month 6 due to further vacancy savings.
- At month 9 the Revenues, Systems and Exchequer team is forecasting a net under spend of £31,000 (up £21,000 since month 6). This forecast under spend is a combination of items. It is anticipated that the non-pay budget will under spend by £56,000, largely due to one off savings against the system consultancy and maintenance budgets. However this is offset by an anticipated £18,000 over spend against the pay budgets, reflecting the new staffing structure that is now in place and £7,000 additional costs for credit and debit card handling fees.
- At month 9 the Benefits budget is forecasting a net over spend of £23,000, a reduction of £63,000 since month 6. This forecast includes £26,000 anticipated additional funding from the Welsh Government to fund previously reported pressures within the Discretionary Housing Payments budget (this brings this area of the budget to an almost balanced position). Further one off income of £37,000 is also anticipated following the

audit of last year's grant claim and additional in year grant allocations. These items offset an identified increase in the Housing Benefits bad debt position of £87,000. Due to the nature of this service, it is anticipated this position will change as people move in and out of the service. Any significant changes will be reported as we move through to year end.

The over spend has reduced by a further £98,000 from that reported at month 6. This is mainly due to savings within Revenues, Systems and Exchequer.

Information Communication Technology

This is the contribution made to the SRS for delivering the ICT Service. The position at month 9 shows an overspend of £24,000. The budget for the SRS was set in October 2012 and at that point in time the contribution required was less than the sum allocated within the MTFP at that time and so was agreed. Subsequent changes were then made to the model which further reduced the MCC budget contribution by £51,000 but no changes were made to the SRS budget to reflect this. Forecast expenditure within the SRS for 13/14 is predicting an under spend of £27,000 which is due to a variety of factors; an under spending on staff costs has been offset by additional software costs for Office 365 costs and PSBA dual running costs. The positive variance of £25,000 from month 6 is due to holding vacancies and further savings following the renegotiation of the Enterprise agreement.

Transition

The £17k spend in transition relates to the employee costs that are unable to be charged to transition projects, and will therefore be funded from reserves at year end. This position remains the same as that reported at month 6.

5 CORPORATE COSTS & LEVIES

The forecast outturn for Corporate Costs & Levies at the end of month 09 is to under spend by £1,128,000 for the 2013/14 financial year, compared to a forecast under spend of £863,000 at month 06.

SUMMARY EXPLANATION FORECAST OVER SPEND

Table 7: Corporate Directorate Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 09.

	Actual To Month 09	Annual Forecast at Month 09	Revised Budget	Over/(Under) Spend at Month 09	Over/(Under) Spend at Month 06
	£000's	£000's	£000's	£000's	£000's
Precepts and Levies	10,525	15,074	15,081	(7)	(7)
Corporate Management	(32)	256	459	(203)	(36)
Non Distributed Costs	114	783	719	65	65
Strategic Initiatives	0	(12)	81	(93)	(81)
Office Equipment & Furniture	7	28	28	0	0
Single Status	0	0	780	(780)	(781)
Insurance	1,280	1,123	1,233	(109)	(23)
Net Expenditure	11,894	17,254	18,382	(1,128)	(863)

Precepts and Levies

The position for precepts and levies is stable between month 6 and 9, with an under spend of £7k anticipated, in respect of off-setting precepts in regard to the South Wales Fire Service, Coroners Service and Gwent Records Office.

Corporate Management

Corporate management costs are forecasting to under spend by £65,000, an increase of £29,000 from month 06. This is mainly due to a forecast reduction in external audit costs relating to grant claims (£32,000) and external audit services (£14,000) and numerous small NNDR refunds in relation to council properties (£16,000).

The Authority has recently been notified of an estimated windfall dividend of £138k from the Joint Gwent Crematorium Service.

Non-Distributed Costs

Non-Distributed costs are forecasting to over spend by £65,000, with no change from month 06. This is due to forecast unbudgeted early retirement pension costs relating to the cost of redundancies forecast in the current year across various directorates and the cost spread from previous financial years. Charges from 2013/14 redundancies are spread over 5 years so will also impact on future financial years. It should be noted that part the forecast is based on an expectancy of charges during the final half of 2013/14, the final value of which are not yet known.

Strategic Initiatives

Strategic Initiatives are forecasting to under spend by £93,000, an increase of £12,000 from month 06, mainly due to:

- A forecast surplus of £100,000 against pension auto enrolment costs that could have been taken by employees in this financial year.

Offset by:

- A forecast shortfall of £11,000 against the senior management restructure savings budget pending a final outturn position being established within services.

The forecast shortfall of £12,000 against fees and charges savings that was reported at month 06 will now be met from Land Charges within CEO Directorate.

Single Status

Single status costs are forecasting to under spend by £780,000 due to:

- Single Status costs are forecast to under spend by £595,000 based on projections provided by directorates of costs likely to be incurred within the year.
- The budgeted Job evaluation incremental pay costs of £185,000 will not materialise due to the directorates managing these costs within their current budget allocations and therefore a call on reserves will not be currently required.

It is proposed that the forecast under spend in this area of £780,000 is taken as a caveated reserve contribution to meet further potential pressures.

Insurance

Insurance costs are forecasting to under spend by £109,000, an £86,000 increase from that reported at month 06. This is mainly due to:

- A favourable insurance premium being negotiated for the second half of the financial year (£14,000).

- A saving in specialist fees & employee overheads where costs are expected to be lower than originally budgeted (£41,000). This was not reported at month 06.
- A decrease in the FRS12 provision of £50,000 is forecast for potential settlement cost liabilities when compared to the amount provided for at the end of 2012/13. This was not reported at month 06.

6 APPROPRIATIONS ACCOUNT

The forecast position for the Appropriations Account at the end of month 09 is forecast to over spend by £645,000 for the 2013/14 financial year, compared to a forecast over spend of £643,000 reported at month 6.

SUMMARY EXPLANATION FORECAST UNDER SPEND

Table 8: Appropriations Account Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 09.

	Actual To Month 09	Annual Forecast at Month 09	Revised Budget	Over/(Under) Spend at Month 09	Over/(Under) Spend at Month 06
	£000's	£000's	£000's	£000	£000's
Attributable Costs – Fixed Asset Disposal	61	172	189	(17)	(11)
Interest & Investment Income	(30)	(89)	(30)	(59)	(44)
Interest Payable & Similar Charges	1,485	3,683	3,813	(130)	(130)
Investment Losses	0	(67)	0	(67)	(67)
Charges Required Under Regulation	0	4,934	4,955	(21)	(21)
	1,515	8,633	8,927	(294)	(273)
Contribution to Earmarked Reserves	0	915	125	790	795
Contribution from Earmarked Reserves	0	(2,797)	(2,946)	149	121
Net Expenditure	1,515	6,751	6,106	645	643

Fixed Asset Disposal Costs

Fixed Asset Disposal Costs is forecasting to under spend by £17,000 at month 9 (£11,000 at month 6). The forecast under spend is mainly due to:

- An under spend of £44,000 (£16,000 at month 6) as the sale of six (two at month 6) assets is not expected to complete in 2013/14. This budget will be required to slip into 2014/15 in order to complete the schemes.

- An under spend of £9,000 on two fixed asset sales. The sale of the LDP site is now not going ahead. The sale of several plots at a County farm site are all now complete and below budget.

Offset by:

- An overspend relating to the sale of two plots of land at Brecon Road Depot due to additional costs relating to Japanese knotweed, fencing and legal fees (£15,000).
- An overspend relating to the Sale of the Caldicot school field (£11,000) as legal and selling fees have been incurred in 2013/14 but budget is in 2014/15. (Not reported at month 6.)
- Overspends due to a lack of accrual for auction costs relating to several sales in 2012/13 (£10,000). (Not reported at month 6)

Interest and Investment Income

Interest and Investment Income is forecasting to achieve a surplus of £59,000 at month 9. (£44,000 surplus at month 6) The forecast surplus is mainly due to:

- A £51,000 surplus is forecast due to average cash balances being higher than the budgeted level of £5m and also due to a slightly higher average interest rate being forecast for the year of 0.52% compared to a budget of 0.50%. (£43,000 forecast at month 6)
- Investment balances have been higher than anticipated partly due to slippage in the capital programme but also due to a temporary loan being taken out in advance of requirement due to an attractive rate being offered.
- Cash balances are expected to reduce towards the end of the financial year in line with typical cashflow trends and as expenditure on the 2013/14 capital programme continues.
- In addition a surplus of £7,000 is forecast due to the receipt of windfall Wayleaves and Easement income following the disposal of Raglan public convenience. (Not reported at month 6)

Interest Payable and Similar Charges

Interest payable and similar charges section exhibit no change from month 6 and is continuing to forecast an under spend by £130,000 at month 9. The under spend is mainly due to:

- A forecast saving of £30,000 on the existing PWLB debt portfolio, mainly due to a reduction in the interest payable on our variable rate loan.
- A forecast saving of £91,000 on temporary borrowing costs caused by a reduced need to borrow consequential to capital programme slippage and average borrowing rates (0.49%) being less than anticipated (0.92%). These preferential rates have been achieved by borrowing funds from other Local Authorities rather than money markets and in line with sound Treasury Management practice.
- An under spend of £10,000 on interest payable to trust funds, mainly the Welsh Church fund. This is due to a change in the investment strategy of the Welsh Church Fund, which is moving its investments from the pool run by the Authority to directly owned investments. This reduces both the interest payable to the WCF and also investment income.

Investment Losses

Recovery from historic Investment Losses exhibits no change from month 6 and it is pleasing to be able to report a surplus of £67,000 at month 9. The Authority received a further payment from Heritable Bank Administrators in August 2013 bringing the total repayment to 94%. As at 31st March 2013 and based on advice in the LAAP bulletin the Authority were expecting 88%.

Charges Required under Regulation

Charges required under regulation exhibit no change from month 6 and is forecast to under spend by £21,000 at month 9 mainly due to a reduction in the minimum revenue provision (MRP) charge relating to reduced capital expenditure in 2013/14.

Contributions to Earmarked Reserves

An increased contribution to reserves of £790,000 is forecast at month 9 (£795,000 forecast at month 6). The increased contribution is mainly due to:

- A forecast reserve contribution of £780,000 due to a forecast surplus in respect of single status/job evaluation costs.
- A forecast increased contribution to the Grass Routes buses reserve of £30,000 due to higher than budgeted income in the service.

Offset by:

- Monmouthshire CCTV is unable to make a budgeted £20,000 first year repayment to the Invest to redesign reserve in 2013/14 to refund the £85,000 of capital budget drawn from the reserve. Savings from the scheme have been delayed due to slippage in the capital scheme. Repayments have been re-profiled in the medium term financial plan to commence in 2014/15.

Contributions from Earmarked Reserves

A reduced contribution from reserves of £149,000 is forecast at month 9 (£121,000 forecast at month 6). The reduced contribution is mainly due to:

- A budgeted £45,000 contribution from the Invest to Redesign reserve to cover costs associated with a HR restructure is not expected to be required due to the current under spend anticipated in the division.
- A reduction in the budgeted contribution from the Priority Investment reserve of £50,000 as the General Capital budget funded from the reserve was partly allocated to 2014/15.
- A reduction in the contribution from the Capital Receipt Generation reserve of £54,000 due to slippage of asset sales into 2014/15. It is likely that a request will be made at year end to carry forward the unspent balance.

Additional 'caviated' contributions from reserves:

The following items within the Directorates have been approved by Cabinet and are permitted to draw on reserves at year end if the Directorates cannot fund them.

- A contribution of up to £48,000 to finance one off costs associated with the Internal Audit restructure. Due to other under spends in the division the current forecast is a requirement of £15,000 from reserves.
- A contribution of up to £153,000 from the Priority Investment reserve to cover one off costs associated with CYP directorate restructures. The corresponding month 9 directorate report is currently forecasting costs of £7,000.
- A contribution of up to £427,000 to fund school based redundancy costs.
- A contribution of up to £80,000 to fund redundancy costs if it is not possible to redeploy staff following a proposed realignment of the Youth Service. The corresponding month 9 directorate report is currently forecasting costs of £35,000.
- A contribution of £24,000 to cover potential redundancy costs within the countryside service as a result of changes to the Wales Coastal Access Improvement Plan.
- A contribution of £25,000 from the redundancy and pensions reserve to finance redundancy costs as a result of a restructure in leisure services. The month 9 Directorate report is forecasting savings in Leisure Services and therefore are unlikely to need the full amount.
- A potential contribution from reserves of £17,000 to finance employee costs relating to transition projects.

7 FINANCING

The forecast outturn for the Financing Section at the end of month 09 is to under spend by £535,000 for the 2013/14 financial year.

SUMMARY EXPLANATION FORECAST UNDER SPEND

Table 9: Financing Outturn 2013/14 – Summary Forecast Net Direct Expenditure Position at Month 09.

	Actual To Month 09	Annual Forecast at Month 09	Revised Budget	Over/(Under) Spend at Month 09	Over/(Under) Spend at Month 06
	£000's	£000's	£000's	£000's	£000's
General Government Grants	(51,612)	(74,755)	(74,755)	0	0
Non-Domestic Rates Redistribution	(19,640)	(28,376)	(28,376)	0	0
Council Tax	0	(54,793)	(54,508)	(285)	(438)
Council Tax Benefits Support	(548)	5,819	6,069	(250)	(195)
Net Directly Managed Expenditure	(71,800)	(152,105)	(151,570)	(535)	(633)

The main areas of under spending are:

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Council Tax

A surplus of £285,000 is being reported at month 9, a decrease of £153,000 from month 6. Whilst the number of houses liable for council tax remains above the budgeted level, there are not as many properties coming through as originally anticipated in the forecast at month 6. This has been offset by a reduction in the bad debt provision of £77,000.

Council Tax Benefits Support

A saving of £250,000 is being reported (£195,000 at month 6) as actual spend is coming in even further below budget than was expected.

8 SCHOOLS

Table 10 **Budgeted and forecasted information for Schools at Month 9**

	Budgeted Information			Forecasted Information			Previous Report
	School Balances as at the 31st March 2013 Surplus/ (Deficit) £000	Budgeted contributions to/(from) School Balances for the financial year 2013/14 £000	Budgeted School Balances as at the 31st March 2014 Surplus/ (Deficit) £000	Forecasted contributions to/(from) School Balances as at Month 9 for the financial year 2013/14 £000	Forecasted School Balances as at the 31st March 2014 Surplus/ (Deficit) £000	Variance on Budgeted / Month 9 Forecasted contributions to/(from) School Balances £000	Variance on Month 9 / Month 6 Forecasted contributions to/(from) School Balances £000
School Type							
Comprehensive Schools	339	(113)	226	(408)	(69)	(295)	(97)
Primary Schools	774	(626)	148	(268)	507	359	29
Special Schools	127	(14)	113	(118)	9	(104)	(37)
Totals	1,240	(753)	487	(794)	447	(40)	(105)

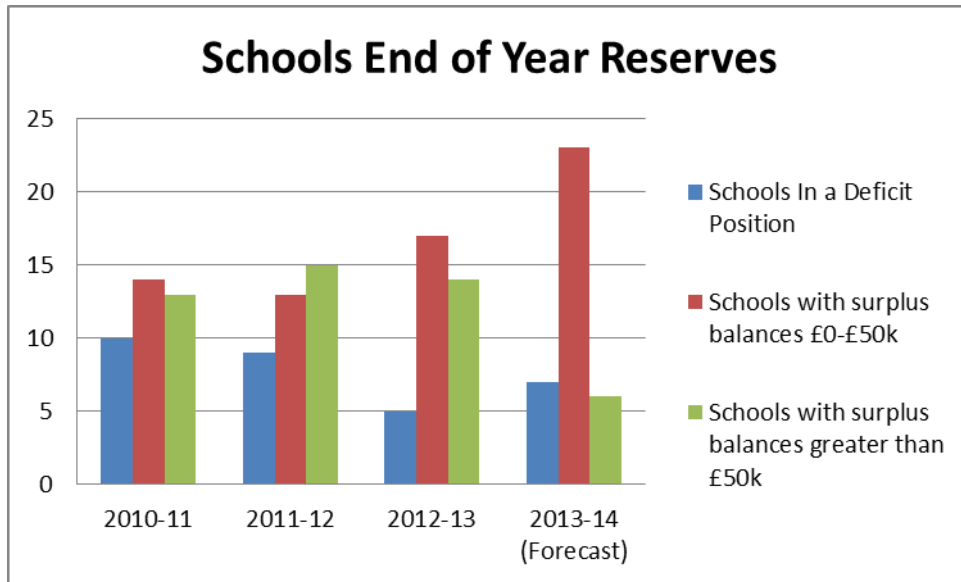
Schools met with a member of the finance team to review the Month 9 position. All required recovery and investment plans have been completed and will be continuously reviewed throughout the financial year. Any school anticipating moving into a deficit during the financial year, will need to subsequently complete a recovery plan. Also any school that is due to exceed the surplus reserves threshold amounts will be required to complete an investment plan.

The budgeted information shows that the schools' balances as at 1st April 2013 amounted to £1,240,000 and during budget setting the schools identified that £753,000 of these balances would be utilised during the financial year 2013/14, leaving budgeted closing reserves balances for all schools amounting to £487,000.

At Month 9 it is anticipated that the draw on reserves will be £794,000, this is £40,000 more than anticipated when the budgets were determined. This will then result in closing reserves balances being £447,000. The majority of this saving is due to changes in staffing and could be for a number of reasons, including cover for staff on maternity or sick leave, where replacement staff are on a lower grade. Following agreement of plans with the EAS, some staff employed at schools can now be funded by grants, creating further saving. This was known and reported at month 6.

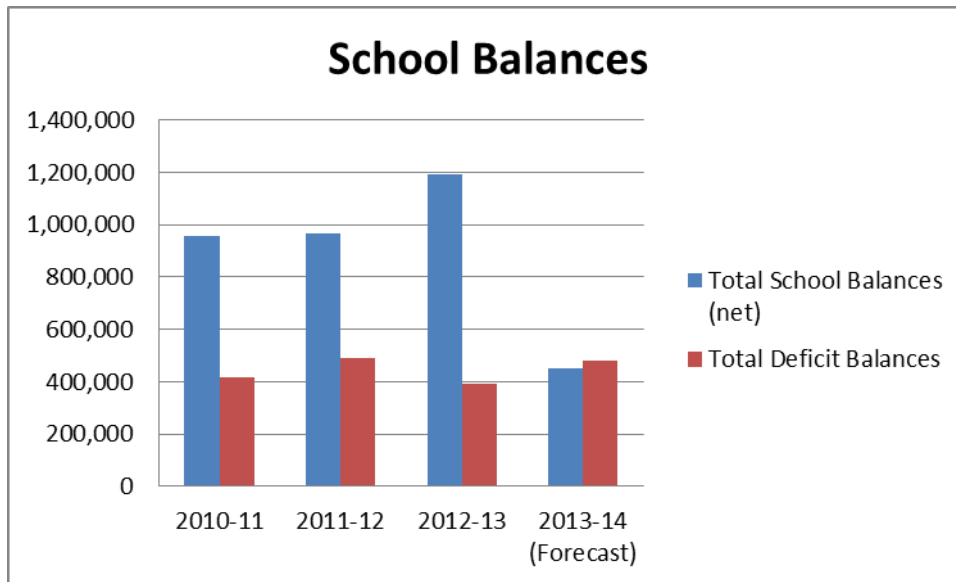
The number of schools in a deficit position at the end of a financial year has reduced year on year. At Month 6, however, an additional 2 schools had forecasted to go into a deficit position, no further schools have gone into a deficit for month 9. These schools will be monitored closely with the aid of a recovery plan, to ensure that they break even within the next 3 years.

Since 2011-12 the number of schools with surplus reserves greater than £50,000 has also reduced. This is forecasted to reduce even further in this financial year, showing that most schools in this position are implementing their investment plans.



In previous financial years there has been a substantial reduction to the draw on reserves from the agreed budgets to the actual outturn position.

In 2011-12 and 2012-13 net reserve balances increased but it is forecasted that these reserves will reduce by the end of 2013-14. As the graph also shows even though the number of schools in a deficit position has reduced over the years, the total balance of the schools in a deficit has remained similar.



Many of the savings seen throughout a financial year cannot be factored into the budget build as they are unknown and fluctuate throughout the year. The main reasons for changes to year end school balances are:

Supply and Maternity compensation budgets amounting to £486,000 are held centrally. The schools are compensated when a member of staff is off due to ill health or on maternity/paternity leave. Schools are liable for the first 15 days an employee is not in work due to ill health and are then compensated at agreed rates of pay. Maternity compensation compensates schools for the actual costs of the member of staff on maternity leave. Schools often benefit from these schemes as the replacement staff may be on a lower grade, not in the pension scheme or the Headteacher may not deem it necessary to seek cover for the post in the short term, generating savings from the vacant post.

Additional Learning Needs' contingency budget of £216,000 is held centrally to fund schools for pupils with Band D and E statements that are identified within the financial year. The funding is to cover additional staff to support the needs of the pupils with those statements. Schools are sometimes able to utilise existing staff to meet the needs of the statement. Schools also tend to be supporting the pupil prior to receipt of the funding and therefore the member of staff is already identified within the budget.

Nursery Top-Up Funding amount to £100,000 (of which £72,000 has now been transferred), this funding is to support schools with a change in the number of pupils attending the nursery. The original funding is based on January plac data and additional top up is then provided in April, September and January. As the pupil numbers are not known at the time of building the budgets no top up income is included in the budget and therefore will be surplus income unless an additional nursery teacher is required.

Investment and Recovery Plans are completed once the year end balances and budget builds are known, therefore there are changes to the budget which are then reported throughout the financial year.

The School Effectiveness Grant, Welsh Education Grant and Pupil Deprivation Grant plans were not completed until after the budgets were set. Some schools as part of these plans identify staff that will be involved in the initiatives and can be funded from these grants instead of school budget.

Energy forecasts are provided by the energy officer. With contracts being renewed in October, any changes in rates identified will affect schools' budgets.

General Teaching Council Wales funding is routinely allocated to schools, although to pay for costs incurred due to supply cover, the supply cover is usually managed within the existing budget allocation.

The following table shows the brought forward balances for each of the schools and the anticipated carried forward balances to 2014-15. Recovery plans are required from all schools in a deficit position. Primary and Secondary schools are required to complete an investment plan if their surplus reserves exceed £50,000 and £100,000 retrospectively. Detailed reasons for the individual school changes are also provided.

	Opening Reserves (Surplus)/Deficit 13-14	In year forecast at Month 6 (Surplus)/Deficit	Difference reported from Month 9 to Month 6 (Surplus)/Deficit	In year forecast at Month 9 (Surplus)/Deficit	Anticipated Reserves to be carried forward to 2014-15 (Surplus)/Deficit
E001 Caldicot Comprehensive	(36,934)	32,096	3,083	35,179	(1,755)
E002 Chepstow Comprehensive	(2,000)	113,000	79,306	192,306	190,306
E003 King Henry VIII Comprehensive	(219,715)	166,429	13,972	180,401	(39,314)
E004 Monmouth Comprehensive	(80,538)	(26)	0	(26)	(80,564)
	(339,187)	311,499	96,361	407,860	68,673
E020 Mounton House	(76,592)	19,493	43,034	62,527	(14,065)
E095 PRU	(49,815)	61,598	(5,931)	55,667	5,852
	(126,407)	81,091	37,103	118,194	(8,213)
E032 Cross Ash Primary School	(61,832)	21,241	(6,986)	14,255	(47,577)
E034 Durand Primary School	(64,772)	29,752	(5,897)	23,855	(40,917)
E035 Gilwern Primary School	(54,827)	15,021	2,779	17,800	(37,027)
E037 Goytre Fawr Primary School	(7,809)	22,880	(6,190)	16,690	8,881
E039 Llandogo Primary School	(7,539)	25,599	(17,247)	8,352	813
E041 Llanfair Kilgeddin Primary	(23,474)	9,890	(3,010)	6,880	(16,594)
E044 Llantillio Pertholey Primary	(105,594)	32,454	13,785	46,239	(59,355)
E045 Llanvihangel Crocorney Primary School	60,486	(13,078)	(1,503)	(14,581)	45,905
E048 Magor Primary School	(24,665)	(2,371)	11,554	9,183	(15,482)
E051 Overmonnow Primary	(66,628)	54,020	(2,839)	51,181	(15,447)
E055 Raglan Primary School	(42,940)	14,974	(19,319)	(4,345)	(47,285)
E056 Rogiet Primary School	(71,372)	2,530	14,334	16,864	(54,508)
E057 Shirenewton Primary School	(75,178)	16,088	7,954	24,042	(51,136)
E058 St Mary's Chepstow Primary	(2,952)	779	102	881	(2,071)
E060 The Dell Primary School	(21,699)	5,468	7,044	12,512	(9,187)
E061 Thornwell Primary School	(62,403)	59,563	(22,498)	37,065	(25,338)
E062 Trellech Primary School	(29,209)	(2,804)	2,989	185	(29,024)
E063 Undy Primary School	(7,189)	6,433	205	6,638	(551)
E064 Usk Primary School	(19,992)	(4,571)	(1,330)	(5,901)	(25,893)
E067 Ysgol Gymraeg Y Fenni	(92,213)	74,632	2,701	77,333	(14,880)
E068 Archbishop Rowan Williams Primary	18,555	(32,172)	(20,707)	(52,879)	(34,324)
E069 Ysgol Gymraeg Y Ffin	42,365	(14,035)	(7,028)	(21,063)	21,302
E072 Deri View Primary	170,667	(25,151)	(43,898)	(69,049)	101,618
E073 Cantref Primary	(75,384)	33,524	(3,581)	29,943	(45,441)
E074 Osbaston Church In Wales Primary	(36,343)	(4,324)	6,214	1,890	(34,453)
E075 Dewstow Primary School	(94,370)	22,953	11,848	34,801	(59,569)
E090 Our Lady and St Michael's RC Primary School	(45,192)	(722)	21,509	20,787	(24,405)
E091 Pembroke Primary	(42,353)	(25,850)	10,870	(14,980)	(57,333)
E092 Kymin View Primary School	(10,162)	(10,351)	5,130	(5,221)	(15,383)
E093 Llanfoist Fawr Primary	(18,234)	(22,211)	8,920	(13,291)	(31,525)
E094 Castle Park Primary School	97,802	6,161	5,380	11,541	109,343
	(774,450)	296,322	(28,715)	267,607	(506,843)
GRAND TOTAL	(1,240,044)	688,912	104,749	793,661	(446,383)

Secondary Schools

Caldicot – No investment or recovery plan required. The increased use of reserves in-year is mainly due to the effect of the 1% pay increase for teachers.

Chepstow – The school is now forecasting a substantial deficit balance by the end of the 2013-14 financial year. A meeting has recently taken place in order to address this and a recovery plan has now been drafted, in order to achieve a break even position in 3 years.

The anticipated deficit in year has increased since Month 6 due to additional investment in staffing, in order to raise standards. Also due to a loss of income that was expected from GTCW and the learning pathways grant.

King Henry – Due to the schools brought forward reserve they would have required an investment plan, but an in year budget deficit reduces the surplus below threshold and is therefore no longer required.

Since budget the school has changed catering suppliers and is also implementing a new touch recognition system. Supply costs have also increased due to staff on long term sickness. These are slightly higher than anticipated at Month 6.

Monmouth – No investment or recovery plan needed.

At Month 9 the school anticipates some changes but with a net effect.

Special Schools

Mounton House – No investment or recovery plan required.

Since the budget was set the school has identified a need for service redesign and a new way for learning known as ‘zoning’ at the special school. This change requires the separating of Key Stage 3 and 4 pupils and to allow this the school requires works to be undertaken to restrict access within the school building.

A reduction in the forecast compared with Month 6 is due to the level of 14-19 funding being lower than anticipated and a substantial claw back of ALN funding.

Primary Schools

Cross Ash - As part of the three year budget the school anticipates utilising its reserves in full by the end of 2014-15.

An improvement of £7,000 is expected on the Month 6 forecast due to the likely receipt of a donation for which the expenditure had already been factored in.

Durand – The schools anticipated in year deficit reduces the reserves below the £50,000 threshold therefore no investment plan is needed. The in year deficit has reduced, however, since the budget was set, and if this continues the school will be required to complete an investment plan.

The reason for the reduction in the in-year deficit is mainly due to a teacher being replaced by someone on a lower grade and the school receiving nursery top up funding.

Gilwern – The schools anticipated in year deficit reduces the reserves below the £50,000 threshold therefore no investment plan is needed.

The Headteacher supported Llanvihangel Crocorney in the absence of the schools Headteacher last term and the school has been compensated for this time. The in-year deficit is £3,000 higher than reported at Month 6 due to the purchase of additional resources for their upcoming inspection.

Goytre Fawr – The school had budgeted an in year deficit which exceeded its carried forward surplus, the three year budget anticipates that the school will be back into a surplus in 2015-16.

The forecasted in-year spend has decreased from month 6 to month 9, due to savings identified in IT hardware.

Llandogo – No investment or recovery plan was required at the time of the budget build.

The school still has a forecast of an in-year deficit due to the loss of Foundation Phase income as a result of fewer pupils, and increased supply costs to cover long periods of absence.

A recovery plan was put in place since the month 6 reporting position. Since then the forecasted deficit position has reduced in line with the recovery plan. This is mainly due to a reduced repair and maintenance forecast and an employee salary amount identified as claimable against PDG.

Llanfair Kilgeddin – No investment or recovery plan is required

A supply member of teaching staff has been kept on long term and has resulted in the school now anticipating a small in year deficit. Savings have been identified within the supplies and services budget to reduce the over spend, however.

A small variance reducing the in-year deficit from month 6 to month 9, is mainly due a decrease in forecasted building maintenance costs.

Llantillio Pertholey – The school's surplus exceeds the threshold but the three year budget anticipates that the reserves will diminish by 2014-15.

The in year deficit has reduced since the budget was set as employee costs that formed part of the school budget, are now included in the school SEG plan and therefore will be funded from SEG. The in-year deficit has increased since Month 6, due to three members of staff gaining an increment point that was not reported at month 6.

Llanvihangel Crucorney – The school has completed a recovery plan which anticipates that the school will be in a surplus balance in 2015-16.

Staff changes to budget, due to the departure of a member of staff in August that was not anticipated until December, have resulted in savings. Additional savings to Month 6 have been forecasted due to anticipated utilities savings.

Magor – No investment or recovery plan is required.

There have been changes to staff as a result of long term sickness absences resulting in additional costs to the school.

Overmonnow – The anticipated in year deficit reduces the schools surplus reserve below the threshold and therefore no investment plan is required

Due to an increase in pupil numbers an additional teacher is required from September. The school's funding is based on January plac and therefore the amendment to funding for the teacher will not materialise until 2014-15. Slight variance from month 6 mainly due to extra LAC funding forecast.

Raglan - No investment or recovery plan is required.

The in year deficit had been reduced since the budget was set, as employee costs that formed part of the school budget are now included in the school SEG plan and therefore will be funded from SEG.

There is a variance of £19,000 from month 6 eliminating the in-year deficit, mainly due to extra SEN funding secured and a reduction in supplies and services spend.

Rogiet – The school's budget anticipated an in year deficit that would reduce the surplus reserve below the threshold, therefore nullifying the requirement of a formal investment plan.

The in-year deficit is not as high as originally anticipated, however, due to the Headteacher being on maternity leave and the Deputy Headteacher leaving in August to take on a Headteacher role at a neighbouring authority. The Deputy position has been filled by sharing responsibilities amongst other members of the school's management team. The Headteacher has now returned.

In addition, £10,000 of PDG funding has been identified as appropriate to support a teaching member of staff whose full cost had been built into the budget as the outcome of the PDG bid was unknown at the time of compiling the budget.

The additional spend to month 6 is mainly due to the decision to invest on building improvements to an outdoor area and reading shelters.

Shirenewton - The schools surplus exceeds the threshold but the three year budget anticipates that the reserves will diminish by 2014-15.

The increase in deficit variance from month 6 is mainly due to increased general assistant hours and supply sickness cover.

St Marys Chepstow - The school at Month 9 is still anticipating a small carried forward surplus, the school will continue to be closely monitored to try to ensure the school does not move into a deficit position.

The Dell – No investment or recovery plan is required.

The forecast in-year deficit is broadly in line with the budget set at the start of the year. The variance from month 6 of £7,000 is mainly due to increased supply costs and an increment to the Headteacher not reported at month 6.

Thornwell – The school's brought forward surplus exceeded the threshold but this balance significantly reduced due to the deficit budget agreed in year and therefore no investment plan was required.

The variance from month 6 of £22,000 is mainly due to significant staffing expenditure identified that is able to be claimed against grants. This is offset by increased supply costs. This has brought the forecasted position much closer to the start of year budgetary position.

Trellech – No investment or recovery plan is required

The reason for the additional cost since budget is that a member of staff applying for movement within the Upper Pay Scales was not anticipated in the budget. There has been a slight variance since month 6 due to cover for a known maternity leave being added in.

Undy – No investment or recovery plan is required.

At Month 6, it was reported that the school had a loss of Foundation Phase funding from September, due to a reduction in pupil numbers. This coupled with increased supply costs, has therefore put pressure on the school's budgeted position.

The school are still showing an in-year deficit of £6,000 as per month 6.

Usk – No investment or recovery plan is required.

The school has staff related savings due to an SEN pupil leaving; the school has also received donations from the Roger Edwards Trust.

Y Fenni – The school's brought forward surplus exceeded the threshold but the in year budgeted spend reduced the reserve and therefore no investment plan is required.

Changes to staff and additional supply required due to sick leave have resulted in additional costs of £3,000 compared to Month 6.

ABRW – The school has completed a recovery plan and is forecasting a carried forward surplus. The position has improved since Month 6 by a further £20,000 as a result of members of staff identified as applicable to SEG funding, increased SEN funding and increased forecast on music tuition income.

Y Ffin – The school is currently in a deficit position and has now completed a recovery plan which will see the school break even within a 3 year period. Additional premises and supplies and services savings have resulted in a £7,000 improvement compared with Month 6. The school's financial position continues to be monitored on a monthly basis against the recovery plan set to ensure that a surplus is achieved within the agreed timescales.

Deri View – The school has a substantial brought forward deficit but has completed a recovery plan which brings the school back into a surplus in 2015-16.

The improved financial position is due to Nursery top up income, the Pupil Deprivation Grant supporting existing staff and additional SEN funding. Additional income has also been received for the Integrated Children's Centre from the flying start grant. There has also been a restructure resulting in staff savings.

Additional savings compared to Month 6 have been realised due to the resolution of a long standing issue concerning historical electricity invoices, where the agreed payment will be substantially less than anticipated.

Cantref – The school brought forward a reserve in excess of the threshold, however the in year budgeted deficit reduces the reserve and therefore no investment plan is required.

An improvement of £3,500 on the Month 6 forecast is expected due to an increase of SEN funding.

Osbaston – No investment or recovery plan is required.

The school is forecast a small in-year deficit which is slightly less than the initial budget set. The variance of £6,000 since month 6 is mainly due to some general assistants arrears of pay not forecast at month 6.

Dewstow – The school brought forward a substantial surplus but the budget indicated a large draw on this reserve. Month 3 indicated that this reserve would increase and therefore a formal investment plan has been completed.

The school's projected balance is now likely to reduce by £28,000 compared to Month 6 due to further increased supply costs.

OLSM – The school is projecting an in-year deficit of £21,000, which is £9,000 higher than budgeted. A £21,000 swing from month 6 is mainly due to increased supply costs that were not forecast at month 6.

Pembroke – The school's in year budgeted surplus and Month 9 report anticipated the school exceeding the surplus reserve threshold. The 3 year budget projections, however, indicate that the school will utilise their reserves by 2015-16.

The in-year surplus has now decreased by a further £21,000 since Month 6 due mainly to sickness cover arrangements while the Head is off sick and additional building repair work to doors.

Kymin View – No investment or recovery plan is required.

The improvement from budget is due to nursery top up funding and changes to staff due to maternity leave.

The further £5,000 variance from month 6 is due to SEN funding received which was not known at month 6.

Llanfoist – No investment or recovery plan is required.

Savings since budget are due to two staff on maternity leave and a full time caretaker budget only being utilised on a casual basis, a small increase in Foundation Phase funding and PTA donations being received for expenditure initially thought to be borne by the school's budget.

Variance from month 6 is a £9,000 reduction in surplus. This is mainly due to increased supply costs and some additional equipment purchases.

Castle Park – The school brought forward a substantial deficit reserve, which is anticipated to increase by the end of 2013-14. The 3 year budget projections show this deficit reducing and the school will have a small surplus at the end of 15-16.

The in-year deficit has increased by £5,000 compared with that projected at Month 6, and as a result, the school has been invited in to meet with the directorate management team in order to discuss how the school can get back on track with the agreed recovery plan.

Appendix 2

Movements from Original Budget to Revised Budget

This appendix provides an overview of changes made to the Authority's revenue budget since the Original Budget was approved by Council on 13th February 2013. Changes comprise budget virements and budget revisions, and all changes made to the revenue budget up to the end of month 09 are included.

Table 1: Revised Budget analysis at Month 09	Original Budget	Budget Virements	Budget Revisions	Revised Budget
	£000's	£000's	£000's	£000's
Social Care & Health	36,339	44	0	36,383
Children & Young People	51,984	124	0	52,108
Regeneration & Culture	26,667	883	0	27,550
Chief Executive's Unit	17,028	(5,988)	0	11,040
Corporate Costs & Levies	18,848	(466)	0	18,382
Net Cost of Services	150,866	(5,403)	0	145,463
Appropriations Section	6,773	(667)	0	6,106
Amounts to be met from Government Grants and Local Taxation	157,639	0	0	151,569
Financing Section	(157,639)	6,069	0	(151,569)
Council Fund (Surplus)/Deficit	0	0	0	0
Budgeted contribution from Council Fund	0	0	0	0
Budget Control Total	0	0	0	0

Budget virements and budget revisions are further illustrated below in separate tables that analyse the key movements:

Budget Virements

Table 2: Budget Virements analysis at Month 09 (£000's)

	Revised Budget as Month 06	Virement 1	Virement 2	Virement 3	Virement 4	Virement 5	Other Virements/ Revisions	Revised Budget as Month 09
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Social Care & Health	36,325	58	0	0	0	0	0	36,383
Children & Young People	52,045	(58)	151	(30)	0	0	0	52,108
Regeneration & Culture	27,500	0	0	30	20	0	0	27,550
Chief Executive's Unit	11,024	0	0	0	0	16	0	11,040
Corporate Costs & Levies	18,533	0	(151)	0	0	0	0	18,382
Net Cost of Services	145,427	0	0	0	20	16	0	145,463
Appropriations Section	6,126	0	0		(20)	0	0	6,106
Amounts to be met from Government Grants and Local Taxation	151,554	0	0	0	0	16	0	151,570
Financing Section	(151,554)	0		0	0	(16)	0	(151,570)
Council Fund (Surplus)/Deficit	0	0	0	0	0	0	0	0
Budgeted contribution from Council Fund	0	0	0	0	0	0	0	0
Budget Control Total	0	0	0	0	0	0	0	0

*R&C & CYP don't match M6 revised budget as cost centre E122 (Schools Catering) has moved between directorates.

The key virements that have taken place to the 2013/14 original budget at month 06 comprise:

SCH

- Virement 1 – Education Safeguarding Post moving budget from CYP to SCH - £58,369dr

CYP

- Virement 1 – Education Safeguarding Post moving budget from CYP to SCH - £58,369cr
- Virement 2 – Job Evaluation Pressure Budget from Corporate - £151,000dr
- Virement 3 – Schools Meals Admin Budget Transfer to R&C - £30,000cr

R&C

- Virement 3 – Schools Meals Admin Budget Transfer from CYP - £30,000dr
- Virement 4 – Monmouthshire Cycling Strategy Cabinet Report 5th Nov 2013 - £20,000dr

CEO

- Virement 5 – Benefits Budget Relocation - £15,700dr

Corporate

- Virement 2 – Job Evaluation Pressure Budget from Corporate - £151,000dr

Appropriations

- Virement 4 – Monmouthshire Cycling Strategy Cabinet Report 5th Nov 2013 - £20,000cr

Financing

- Virement 5 – Benefits Budget Relocation - £15,700cr

Budget Revisions

There have been no budget revisions.

2013/14 Budgeted Savings progress at month 9

DIRECTORATE	Saving included in 2013/2014 Budget £'000	Savings achieved £000s	Delayed savings £000s	Shortfall / (Surplus)
CYP	645	385	160	100
SCH	395	395	0	0
R&C	1,900	1,655	122	123
CEO	155	155	0	0
CORPORATE	1,157	1,057	100	0
Total Budgeted Savings 2013-14	4,252	3,647	382	223

2013/14 Savings progress at month 9

CHILDREN & YOUNG PEOPLE							
Budget proposals 2013/14	Narrative	Saving included in 2013/2014 Budget £'000	Savings not achievable £000s	Delayed savings £000s	Value of Saving Forecast at Month 9 £'000	Assessment of progress as at Month 9	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Improving the quality and efficiency of school meals	Potential savings in provision of meals, capital costs of equipment and on-going maintenance. Procure locally and ensure school meals part of wider Monmouthshire food experience	30	0	0	30	Reduction in maintenance to kitchens during the financial year has achieved saving	MED
	Additional income possible through improved service and take up and 5p increase in price	25	0	0	25	Increase in meal charges implemented, however meal uptake numbers still lower than originally budgeted, with an increase in Free School Meals. Full savings has been achieved this financial year	Low
Young people monitoring and managing the CRC scheme in schools	Savings have been topsliced from schools and therefore are fully met.	10	0	0	10	Savings have been fully achieved	Low
SEN	In previous years the service has made savings. However this is a volatile budget as one placement in an out of county provision can diminish any savings rapidly.	150	0	0	150	At month 9 savings fully met, but as a volatile service there will be risk dependant on the pupils entering the system	Low
SEN Transport	Vired to transport and we are working with transport to achieve these savings	50	0	50	0	True savings have not yet been established but are still reported to be made. A review is needed.	HIGH
School meals	Efficiency savings in management structure and bringing in house the nutritional advice	100	100	0	0	Savings have not been achievable within the financial year 2013/14 but service review included within budget mandate for 2014/15. Any savings need to be considered alongside the increase in ingredient costs to provide appetite for life compliant menu.	HIGH
Youth Programme	Reduced activity where grant funding has ceased	140	0	0	140	On track to make full saving	Low
Restructure	Review departmental structure	140		110	30	Staffing structure review took place within the Directorate that identified full year savings amounting to £30k.	HIGH
Total CYP		645	100	160	385		

Month 9 Revenue Monitoring Report - SCH
BUDGET SAVINGS UPDATE

SCH							
Project title	Summary Detail	Saving included in 2013/2014 Budget £'000	Savings not achievable £000s	Delayed savings £000s	Value of Saving Forecast at Month 9 £'000	Progress Report	Risk of current forecast saving NOT being achieved (High / Medium / Low)
High cost placement reviews	Review High Cost Placements and re-size using appropriate to need	55			55	Right sizing exercise completed	Low
Ordinary residence	Ensure people in supported tenancies in other areas of the Country are care managed and financially managed in their respective areas	150			150	Two ordinary residence cases with Gloucester CC have been agreed and backdated, one to October 2012 and then other to October 2011	Medium
Community Care Efficiency Savings	Increased use of Shared Lives, Direct Payments & CDS. Plus reduction in flashing doorbells	86			86	At month 9 forecast showing actions taken will deliver the efficiencies.	Low
Drybridge Gardens	Service Reconfiguration	20			20	Following a final review, the provider is now invoicing based on actual hours and the target has been met.	Low
Monmouth Health & Social Care: Office	Review of Administration post	14			14	Office closed	Low
IT Budget	Release of reinstated IT budget following previous IT service review	30			30	At month 9 we are predicting to meet this saving	Low
Facilities Budget	Release of non pay budget	30			30	At month 9 we are predicting to meet this saving	Low
Disability Services: Cover Budgets	Review of cover budgets	10			10	At month 9 we are predicting to meet this saving	Low
TOTAL SCH		395	0	0	395		

2013/14 Savings progress at month 9

RESOURCES & REGENERATION								
Budget proposals 2013/14	Narrative	Saving included in 2013/2014 Budget £'000	Savings not achievable £000s	Delayed savings £000s	Value of Saving Forecast at Month 9 £'000	Assessment of progress as at Month 9	Risk of current forecast saving NOT being achieved (High / Medium / Low)	
Greater flexibility to alter service delivery and reprioritise area based FM services	Area based Facilities Management (FM) being rolled out across public buildings, offices and schools. Offers service provider opportunity to work with the clients to prioritise service and costs and allow the contractor the flexibility to deliver	25	25	0	0	Saving unachievable - no saving to be made as Regent Cleaning actually costing more	High	I&N
Investing in fitness equipment in Leisure centres.	Projections show that investment in quality and supply of equipment will increase custom and generate more income	100	0	0	100	The equipment has been largely bought and has been aggressively marketed. Income figures looking good at present. Risk marked as medium as there is a possibility of a fall in membership as area is volatile.	Medium	PHC
Removing the caretaker model at Leisure Centres	Using on site duty officers to open and close centres	140	0	0	140	This has been done so already achieved	Low	PHC
Sport Wales Calls for Action - Grant Funded new bike centre at Gilwern Outdoor Pursuit centre.	Grants of up to £150k available for more innovative approach to sport development and recreation	30	0	0	30	Grants secured but bike centre not built and unlikely to be up and running this year. Saving has been achieved via other means mainly through further cleaning and caretaking savings.	Low	PHC
Collaborative procurement	Museums, libraries, tourism and countryside joint purchasing power	20	0	5	15	£10 of this is in Libraries and Museums, the other £10k is within PPE. Libraries and Museums exploring the possibilities for this. £5k from Countryside is well on the way to being achieved but not through this process. Currently managing the saving through a vacant post.	Medium	PHC
In-house delivery of services rather than using consultants, new income generation	Invest to save model e.g. air quality assessments: a. Delivery of public health monitoring arrangements for council-owned property (e.g. legionella). Instead of using external consultants could deliver cost savings to other departments' and income to Environmental Health department. b. Further marketing and development of "Primary Authority" approach engaging businesses c. Collaborative approaches with other authorities delivering income generation by undertaking lead roles such as for delivery of private water supplies audits.	50	20	0	30	Currently the £50k looks to be too high a target. Lots being done to maximise the potential, but at this stage only £30k likely through increasing income and rationalising expenditure.	High	PHC
Review of all arts/ cultural/ community grants	· Business case culture for application process · Decisions in line with furthering 3 priorities · More targeted intervention · Moving from grant culture to micro-financing - loans	50	0	0	50	This has now been split across the 3 directorates. The £16,667 that PLC are tasked with making has been achieved by a 20% cut in funding to various external organisations. It is believed that both CYP and SS have also made the required savings	Low	PHC
Abergavenny Museum site	Abergavenny museum retail £8,000 total – Café tables & chairs/vending machine generating £4,000. Pending feasibility study & checking on Marquis's cut on income, from extending events & activities e.g. Pop up restaurants in castle grounds = £4,000.	8	5	0	3	Not sure how this happened but Abergavenny had put forward an £8k investment for a £3,300 saving in year one. The £3,300 is achievable but not the £8,000	Medium	PHC
Museum service - Fit for the future (staff review)		20	0	0	20	This has been saved out of the supplies & services budget.	Low	PHC

Conservation Service - income generation.	Funding is currently available as a result of a recently vacated conservator post. Proposal is to 'grow' the 2 p/t conservators posts to generate income from 2013/14.	7.5	0	0	7.5	Conservator has achieved orders to this value, so highly likely that the £7,500 additional income can be made.	Low	PHC
Museum fundraising	It's anticipated that the £50,000 for 2013/14 income generation will depend on applications for external funding of £37,500 to pay for a post to capitalize on new income streams.	50	0	20	30	Fundraiser updates that the £50k highly unlikely in year 1. Lots of work being undertaken to improve this in future years, by being able to access many more funding streams through a 'charitable trust' status. We were forecasting that £20k of this would be achievable at M6 but it's not looking likely this will be achieved. The £30k shortfall is still being managed through essential supplies and services spend.	High	PHC
Voluntary Food Premises Licensing Scheme - chargeable	Not done anywhere - would be a UK first. Invite food business to voluntarily license as a food business enabling them to access consultancy support. This would assist businesses to meet food safety responsibilities and gain a good food hygiene rating under WG's proposed mandatory display scheme thus supporting public health objectives and economic development. Estimated income £10K in 13-14 building up towards £20K by 15-16.	10	0	0	10	Progress being made with this. Currently forecasting this as achievable.	Low	PHC
Monmouthpedia – commercialising IP	Scaling up the project to other towns, cities and places in the world	10	0	0	10	The project has generated £6,000 from the Digital Past Conference and £20,000 grant for the Raglanpedia project. In addition, there has been benefit in kind contributions and a model developed to provide a commercial package to roll out to other towns and communities which will be launched shortly.	Medium	PHC
Increased commercial focus at Caldicot Castle and Old Station	<ul style="list-style-type: none"> Widening volunteer network scope Commercial management company as per new report New relationships with external funders Examination of longer-term ownership options 	10	8	0	2	Old Station Tintern are currently forecasting an over spend of approx £8k due to visitor levels remaining at last years levels and not increasing as hoped when the saving was put forward. The problems in Caldicot Castle are still on going and will probably take the rest of the year to sort. No possibility of making any additional income from this area.	Medium	PPE
Re-training and redeploying Adventa team members	Everyone trained to offer basic business support and development services commercially	40	40	0	0	There must be some doubt that the full £40K can be achieved. Marketing and fieldwork has been undertaken but income is yet to be generated. In addition, the Economic Development Manager has left the Authority and he was the prime mover on this project.	High	PPE
Provision of commercial consultancy 'start to finish' planning service	End to end service provision	5	0	0	5	Studies are on-going working with Building Control to provide some service integration.	Low	PPE

Provision of training and HR services via Mon Enterprise	Provision of training courses on how to manage people, covering the full spectrum of human resource management, including how to handle disciplinaries, how to handle grievances, how to manage redundancies, how to dismiss, how to manage sickness absence, how to have difficult conversations, how to manage performance, how to identify training needs at the 3 levels and how to meet those training needs plus many more delivered on a commercial fee basis Provision of a redundancy and dismissal management service offered on a commercial fee basis Provision of the full spectrum of human resource management services offered on a commercial fee basis (includes managing disciplinary and grievance processes)	25	25	0	0	No progress to date	High	PPE
Increasing the capacity of the Housing Support Gateway	To merge the existing three services and provide an improved value for money service. Need to reduce the risk associated with the private rented sector NOT providing a viable housing option. This change will help to strengthen the private sector and increase the level of homeless prevention.	10	0	0	10	8 units have been secured to date. Discussions are ongoing with housing associations to secure two additional houses.	Low	PPE
Integrating the homelessness out of hours service with Torfaen and building on the shared functionality that is starting to be created		7.5	0	0	7.5	A proposal has been agreed between MCC and TCBC and is now in place and fully functional.	Low	PPE
Developing a lodging and shared services housing scheme to provide a new more cost efficient option for Housing and Children's' Services	Potentially a big income opportunity as DWP is proposing to introduce management charge of £40 per person per week. At £7.00 income per week per place, for 50 units over a complete year this could generate £18,200 pa. This is very crude and assumes maximum usage and is not based on any modelling.	9	0	0	9	Completed and Operational	Low	PPE
Implementation of Highways, Waste and Street-scene systems review	Integration of three service areas into one	120	0	30	90	The restructure has yet to be implemented so we will only see part year savings. Of the areas that this affects Grounds and Highways have found their share through a managed reduction in expenditure and increased fee income but waste is estimating that only £10,000 can be found in their area.	Medium	I&N
Income generation amongst various traded services, grounds, trunk roads etc.	Review all service costs to draw out potential improved income and additional turnover	143	0	0	143	Will be achieved	Low	I&N
PTU – reducing costs, increasing income.	Review major costs and develop private hire income. Changes to special needs provision can create this and more with CYP involvement. Increased private hire allowed for.	75	0	0	75	In progress, manager is confident this will be achieved.	Low	I&N
Refresh of staffing structures and project management	Reviewing progress with restructure	130	0	32	98	Part saving will be achieved BUT NOT through the original idea. Staff restructure has yet to be implemented so full year efficiencies will not be realised. Grounds and transport have found their share through managed reductions in service expenditure and increased income. Building Cleaning and Catering cannot fund the savings from service expenditure.	Low	I&N
Fleet acquisition and utilisation & radical efficiency		150	0	0	150	Achieved. Increased reliance on renewal by condition rather than age of vehicles means this budget will now be susceptible to movement each year.	Low	I&N

Working closely with town and community councils around co-production opportunities.	New jobs to deliver key services & enact statutory functions but with funding split between TC and MCC -	10	0	0	10	Saving achieved BUT NOT through original idea. Savings have been found through increased fee income and employee savings.	Low	I&N
Dry recycling	Revised dry recycling processing contract	135	0	0	135	Contract price negotiated to £0 for haulage and gate fee, therefore full saving achieved.	Low	I&N
Residual Waste	Reduction in landfill costs through increase in recycling	100	0	0	100	Early indications from the change to grey bags and a restriction on residual waste appears to have delivered this saving required. However, the full impact will not able to be determined until mth 9.	Low	I&N
Charging for green waste collection	Introduction of green waste charging, promotion of home and community composting	185	0	0	185	£175k received to date (mth 9). Therefore, estimate for yr on income to be £175k BUT also a further estimate on saving from reduced treatment of waste. So the total £185k should be achieved.	Low	I&N
Investing in new H&S Monitoring Officer to ensure compliance in all Public Buildings.	The authority currently has an obligation to fund legionella monitoring at an approximate annual cost of £45k to £50k; asbestos and fire monitoring at £25k. This work is currently carried out by external contractors but would be more efficient if carried out by a dedicated internal resource as is the case with all our Education properties.	30	0	0	30	Saving achieved BUT NOT through original idea. Savings have been achieved through other means mainly through a reduction in professional fees	Low	I&N
Investment in appropriate Contract Management and Contract Management Training	Improved contract management in areas of significant spend could save revenue budgets. Requires audit of exiting contract management awareness and competence together with investment in programme of training.	30	0	0	30	On going - saving is achievable	Low	I&N
Training of Property Services staff to undertake COW (Clerk of Works) duties	Removes need for additional COW role and saves salary costs	10	0	0	10	On going - saving is achievable	Low	I&N
Low Interest Loans to MCC Residents, Businesses & Staff to install renewable technologies	An ideal situation for Monmouthshire to only consume the energy it produces – this is a long way off but we could kick start this by making renewable technology more affordable to those that really need reduced energy bills. We could work with CIC's to cost the schemes and install and the lender would enter into a commercial loan with MCC at 2% above our borrowing rate (norm 3-4%). This would be a cheaper loan for borrowers and still make MCC an income	10	0	0	10	We have taken legal advice and we had to put in place a full commercial credit agreement, and we are currently working through that. But this now means it will be less attractive to people to take up the scheme and consequently the £10k will not be achieved. However we have managed to make this saving through other methods mainly increased income, this will only be achievable as a one off saving in 13-14.	High	I&N
Centralising energy budgets in the Sustainability team	This would allow the Energy team to utilise savings that it makes to implement additional energy saving schemes e.g. voltage optimisers and install additional renewable technologies, thereby reducing our carbon output. It would also reduce the amount of administration and time lost pushing bills around the County.	10	0	0	10	Working towards transferring budgets centrally and are currently working on achieving these efficiencies. Savings will not be made through this method in 13-14 but have been made through a one-off increase in income in other estates areas. This is currently being look at for 14-15.	High	I&N
Sexton Service	Withdraw the sexton service at Chepstow and LLanfoist and provide a mobile service. May be some benefit from collaboration with Torfaen which has a team doing cemetery services.	30	0	0	30	Saving has been achieved	Low	I&N
Out of Hours Services	Review our out of hours services – duty officers and overtime arrangements	25	0	0	25	Forecast to be achieved through rationalisation.	Low	I&N
Installation of fuel saving technology to HGV's	Fuel management system to cut fuel consumption - particularly suitable for high consumption HGV's - given installation costs	35	0	0	35	Saving to be achieved but not through original idea, transport currently reviewing options for installation by year end. Shortfall will be found within service.	Low	I&N

Charging for pest control service	Not uncommon amongst neighbouring authorities for this service to be provided at a charge. Not a statutory service so a further option would be to withdraw provision of the service and only provide information.	45	0	35	10	The principle for charging has been agreed however further work is to be taken forward via Select and the Cabinet to implement.	Medium
Total R&C		1,900	123	122	1,655		

I&N

2013/14 Savings progress at month 9

CHIEF EXECUTIVE'S UNIT							
Budget proposals 2013/14	Narrative	Saving included in 2013/2014 Budget £'000	Savings not achievable £000s	Delayed savings £000s	Value of Saving Forecast at Month 9 £'000	Assessment of progress as at Month 9	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Investigate the integration of libraries and One Stop Shops – Abergavenny, Chepstow, Caldicot and Monmouth	There is an option of combining customer services into a customer hub by merging one stop shops with libraries. This would free up the current premises in prime retail positions	35	0	0	35	Savings will be achieved by the deletion of a Customer Service Team Leader post, report will be going to Cabinet July 2013	Low
Revising current charging regime for OSSs	Potential charging for dog foul sacks & RADAR Keys.	10	0	0	10	Achieved via savings in service budgets.	Low/Medium
Digital meetings	Purchase of tablet computers for councillors and end of printing agenda and reports for meetings	10	0	0	10	Achieved via staff restructure	Low
Review of structures in CEO	Details to be confirmed	100	0	0	100	70,000 has been achieved via new savings as a result of new mobile contract. The balance via staff savings which are to be confirmed.	Low
Total CEO		155	0	0	155		

2013/14 Savings progress at month 9

CORPORATE							
Budget proposals 2013/14	Narrative	Saving included in 2013/2014 Budget £'000	Savings not achievable £000s	Delayed savings £000s	Value of Saving Forecast at Month 9 £'000	Assessment of progress as at Month 9	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Make better use of corporate contracts.	A lot of work seems to go into setting up these contracts and the opportunity to use WPC contracts but there are very few checks on budget managers to ensure that they are using these contracts. There needs to be some form of justification for not using these contracts with open communication to the procurement team.	50	0	0	50	Achieved - Savings budget has been vired across to services	Low
SEN Transport	SEN transport costs vary according to individual needs and can have a significant budget impact. Full review of SEN provision taking a holistic view, ensuring that transport implications are part of the decision making process	100	0	100	0	Budget has been vired to services R & C however it is not certain that the saving will be achieved this year, work will continue in order to meet the savings target albeit delayed	Low
Maximising use of VC/conferencing to avoid travel	Reduce travel allowance budget of £750,000 by 10%	75	0	0	75	Achieved - Savings budget has been vired across to services	Low
Treasury savings	Through maximising internal borrowing position, taking prudent view on capital slippage and on market rates	256	0	0	256	Additional savings over and above the budgeted ones have been forecast £126k - in the interest payable area. £26k relates to rate payable on variable rate debt (not assessed when savings identified). The balance is mainly due to higher levels of slippage and lower rates payable on temporary debt than identified in the budgeted savings. Of £59k of savings budgeted relating to MRP, £8k have not materialised although other MRP savings have materialised.	Low
Fees and charges target	Further income generation	50	0	0	50	£38,000 budget vired to CEOs where savings have been identified	High
Council tax base	Estimated growth in council tax base for 2013/14	626	0	0	626	Council tax budget includes this element and the forecast shows that this will be exceeded	Low
Total Corporate		1,157	0	100	1,057		

SUBJECT: Corporate Parenting – Improving opportunities for looked after children and care leavers

MEETING: Cabinet

DATE: 5th March 2014

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To seek agreement to implement several new initiatives to improve the employment opportunities for looked after children and care leavers.
- 1.2 To seek agreement to form a Children in Care Council to enable the participation of looked after children and care leavers in service development and improvements.

2. RECOMMENDATIONS:

- 2.1 That Cabinet endorses a commitment by the Council:
 - 2.1.1 That every looked after child or care leaver is entitled to a two week work experience placement in the department of their choice.
 - 2.1.2 That the Council will provide a minimum of three apprenticeships a year for looked after children or care leavers.
 - 2.1.3 To require providers with whom it contracts to offer work experience opportunities and apprenticeships for looked after children and care leavers.
 - 2.1.4 To offer a guaranteed interview to any looked after child or care leaver who applies and demonstrates that they meet the essential criteria for a vacant post.
- 2.2 That Cabinet agree that a Children in Care Council is established and that an apprenticeship post is created for a looked after child or care leave to lead and develop the Children in Care Council.

3. KEY ISSUES:

- 3.1 A draft Corporate Parenting Strategy for Monmouthshire is currently being consulted upon. Within the strategy there are a range of actions identified to improve outcomes for looked after children and care leavers. All of the recommendations within this report are included within the Strategy.
- 3.2 The number of care leavers who are not in education, employment or training (NEET) is consistently higher than within the general population. Within Monmouthshire the number of our care leavers who are engaged in education, employment or training has varied significantly over the last few years from 62.5% in 2011/12 to just 25% in 2012/13 against a Welsh average of 56.4%.
- 3.3 The reasons for care leavers achieving less well than their peers are varied and complex but include the impact of abuse and trauma on their ability to learn and succeed in school, the impact of changes in placement and school due to being in care, low self-esteem and low levels of support.
- 3.4 One of the Core Aims of the Welsh Government is that all children and young people are listened to and treated with respect. Although staff in Children's Services work hard to ensure that looked after children and young people are listened to on an individual basis there is currently no forum for children and young people to discuss their experiences together or from which to influence service development and delivery.
- 3.5 Looked after children and care leavers are a diverse group who are geographically spread throughout Monmouthshire and beyond. It will require time, focus, energy and trust between young people and the facilitator to develop an effective Children in Care Council.

4. REASONS:

- 4.1 As Corporate Parents the Local Authority is in the unique position of being able to offer a wide range of work experience and employment opportunities within the "family firm" which can give young people a route into work that would not otherwise be available to them.
- 4.2 The positive impact of being employed on health and well-being are well established.
- 4.3 Recruiting and employing a looked after child or care leaver to lead and develop the Children in Care Council provides a training opportunity for a young person as well as offering the most effective way of engaging with children in care and care leavers.

5. RESOURCE IMPLICATIONS:

- 5.1 The costs of implementing recommendations within paragraph 2.1 can be met from within current services and relies upon a commitment from across the Council to deliver. This would be monitored by the Corporate Parenting Panel.
- 5.2 The costs of employing an apprentice are relatively low and would require approximately £10,000 per annum in salary and on-costs. The cost of training an apprentice can be met from external funding sources and any support costs can be met from within the Authority via the Training Unit and Children's Services. As a corporate priority the additional funding required will be funded from the additional resources allocated to Childrens Services for 2014/15.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 The significant equality impacts can be seen in the appendix.
- 6.2 The actual impacts from this report's recommendations will be reviewed every three years by the Corporate Parenting Panel.

7. CONSULTEES:

Senior Management Team
Senior Leadership Team

8. BACKGROUND PAPERS:

None

9. AUTHOR:

Gill Cox

10. CONTACT DETAILS:

Tel: 01633 644770
E-mail: gilliancox@monmouthshire.gov.uk

Appendix B

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Gill Cox		Please give a brief description of the aims proposed policy or service reconfiguration To seek agreement to implement several new initiatives to improve the employment opportunities for looked after children and care leavers. To seek agreement to form a Children in Care Council to enable the participation of looked after children and care leavers in service development and improvements.	
Name of the Division or service area Children’s Services		Date “Challenge” form completed 14 th February 2014	
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age	None identified	None identified	Improvements will result in better outcomes for young people who have been in care.
Disability	None identified	None identified	Improvements will result in better outcomes for young people who have been in care and also have a disability.
Marriage + Civil Partnership	None identified	None identified	None identified.
Pregnancy and maternity	None identified	None identified	None identified.
Race	None identified	None identified	Improvements will result in better outcomes for young people who have been in care and who are also from a BME background.

Religion or Belief	None identified	None identified	None identified
Sex (was Gender)	None identified	None identified	None identified
Sexual Orientation	None identified	None identified	None identified
Transgender	None identified	None identified	None identified
Welsh Language	None identified	None identified	None identified
What are the potential negative Impacts.		Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).	
➤ <i>None identified</i>		➤	

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

	nent and ability or
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- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

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Signed



Designation

Service Manager

Dated

14.02.14



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Improving outcomes for looked after children and care leavers	SCH	Children's Services
Policy author / service lead	Name of assessor	Date of assessment:
Gill Cox	Gill Cox	14.02.14

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To seek agreement to implement several new initiatives to improve the employment opportunities for looked after children and care leavers.
To seek agreement to form a Children in Care Council to enable the participation of looked after children and care leavers in service development and improvements

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

Discussed at Senior Management Team and Senior Leadership Team

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Performance information for MCC and comparison with Welsh average.

6. As a result did you take any actions to mitigate your proposal? Please give details below.

7. Final stage – What was decided?

• **No change made to proposal/s – please give details**

• **Slight changes made to proposal/s – please give details**

• **Major changes made to the proposal/s to mitigate any significant negative impact – please give details**

Signed... *Bill Cox* Designation... Service Manager..... Dated..... 14.02.14.....

Appendix A

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Gill Cox		Please give a brief description of the aims proposed policy or service reconfiguration Improve outcomes for looked after children and care leavers	
Name of the Division or service area Children’s Services		Date “Challenge” form completed 14.02.14	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food			Increased likelihood of employment will increase chances of financial independence and ability to be able to afford healthy food.
Improve housing quality and provision		No impact	
Reduce ill health and improve healthcare provision			Increased likelihood of employment will result in improved health and well-being.
Promote independence			Increased likelihood of employment will increase chances of financial independence and enhance social networks of support.

Encourage community participation/action and voluntary work			Children in Care Council will improve participation and engagement of children in care and care leavers.
Targets socially excluded			Children in care and care leavers are groups at risk of social exclusion.
Help reduce crime and fear of crime		No impact	
Improve access to education and training			Purpose of proposals is to improve opportunities for children in care and care leavers to engage in education, employment and training.
Have a positive impact on people and places in other countries		No impact	
PLANET			
Reduce, reuse and recycle waste and water		No impact	
Reduce carbon dioxide emissions		No impact	
Prevent or reduce pollution of the air, land and water		No impact	
Protect or enhance wildlife habitats (e.g. trees,		No impact	

hedgerows, open spaces)			
Protect or enhance visual appearance of environment		No impact	
PROFIT			
Protect local shops and services		No impact	
Link local production with local consumption		No impact	
Improve environmental awareness of local businesses		No impact	
Increase employment for local people			Purpose of proposals is to improve opportunities for children in care and care leavers to engage in education, employment and training.
Preserve and enhance local identity and culture		No impact	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No impact	
Increase and improve access to leisure, recreation or cultural facilities		No impact	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ <i>None identified</i>	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed *Gill Cox*

Dated **14.02.14**

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

Agenda Item 4(ix)

SUBJECT:	CALDICOT CASTLE COUNTRY PARK RESTRUCTURE
DIRECTORATE:	Enterprise
MEETING:	Cabinet
DATE:	5 March 2014
DIVISIONS/WARDS AFFECTED:	Caldicot Castle

1. PURPOSE:

- 1.1 To outline proposed changes to the staffing structure at Caldicot Castle Country Park required to achieve a sustainable long term business footing, as set out in the detailed business case as considered by Economy & Development Select and approved by Cabinet on 12 February 2014.

2. RECOMMENDATIONS:

- 2.1 To approve the proposed restructure of staffing at Caldicot Castle Country Park.

3. KEY ISSUES:

- 3.1 The approved business case outlines the need to significantly reduce operating costs, focus on those areas of operation that can achieve the greatest short term growth and achieve a viable operating model. The intent is initially to return to budget in 14/15 (removing the current overspend of at least 80K pa) and then support reducing the draw on MCC budget further in 15/16 and 16/17. The proposal will complete the full operational integration of the castle and country park and consolidate new operating models regarding admissions, retail and catering operations piloted during the 2013 season.
- 3.2 Achieving the business case targets will require a focus on core revenue generating activities and modifying some existing provision. Adopting a more commercial model for the 2014/15 season will include:

- Changes to main visitor operating season, which will now be Easter/April to end of September;
- Changes to opening hours, which will include Monday closing (except Bank Holidays);
- Changes to the retail and visitor catering operation, which will be combined with visitor services in the existing coffee shop with a more focused retail offer;
- Simplifying building and country park support services so they are flexible and meet business needs;
- Developing the events potential (for visitor events, functions, weddings, corporate events etc.);
- Adopting a more commercial model / charges for events both in the castle and country park.

Beyond the 2014/15 season alternative management models will be investigated as part of the further consideration of wider cultural services.

3.3 As a result a permanent change to staffing structures is now proposed to support the potential growth areas. Without significant change the unit is unviable and will not be able to address the financial challenges. The new structure will reduce and refocus the core staffing team, including streamlining asset management / support services. The core team will be supported by flexible casual staffing to support events and activities, whose costs can be fully built into new pricing structures. Management support will continue to be provided across Caldicot Castle Country Park and Old Station Tintern to support the change process there as well. Where possible operational synergies will be exploited across all of the “Monmouthshire Attractions” (Caldicot Castle Country Park; Old Station Tintern; Shire Hall Monmouth; Abergavenny Museum and Castle; Nelson Museum Monmouth and Chepstow Museum) and Tourism Information Centres.

3.4 The existing structure and the proposed structure are set out in Appendix 2. The changes proposed are:

1. To replace two existing posts, the full time Castle Keeper and that part of the Head Warden’s role dedicated to the country park (i.e. 0.5 post), with one full time Grounds Assistant who will work with the Country Park Warden to provide building and country park support services. Both of these posts will now report to the Site Manager;
2. To remove the seasonal Castle Custodian roles which are no longer appropriate within the new business model and establish new seasonal Catering & Visitor Assistants roles and a Bar & Cellar Assistant. The Catering & Visitor Assistants will provide a flexible combined catering (café), retail and visitor support role.
3. To support the core staffing structure with a pool of casual staff to support catering / bar; weddings; events and educational visits.
4. Minor changes are proposed to other job descriptions to reflect the new organisational structure / business model

4. REASONS FOR RECOMMENDATION:

4.1 To implement the approved project mandate and deliver the necessary savings.

5. RESOURCE IMPLICATIONS

5.1 The proposed restructure will save approximately £40,000 in staffing costs thereby contributing to the overall savings required.

5.2 Redundancy costs are likely to arise from the restructure although at this stage it is not possible to confirm them.

6. SUSTAINABLE DEVELOPMENT AND EQUALITIES IMPLICATIONS

6.1 The equality impact assessment of the project mandate has been reviewed with the sustainable development assessment; no significant equality impacts were identified in the assessment (Appendix 1) which is appended for member's consideration.

7. CONSULTEES:

The proposals have been subject to staff and Union consultation. Clarification has been provided to Unison in response to specific points of detail on the proposals and staff comments have been received regarding the deletion of the custodian posts, the process to appoint to the new posts and the potential to redefine the hours split of the visitor and catering assistant roles. As the new posts are different in role and responsibility they will be appointed in accordance with the protection of employment policy and the job share scheme will be applied as appropriate.

Cabinet; Corporate Management Team: No further comments

8. BACKGROUND PAPERS:

Appendix 1: Integrated Equality Impact Assessment & Sustainability Checklist

Appendix 2: Existing and Proposed Structure

Caldicot Castle Business Case reported to Cabinet 12 February 2014

9. AUTHOR:

Matthew Lewis

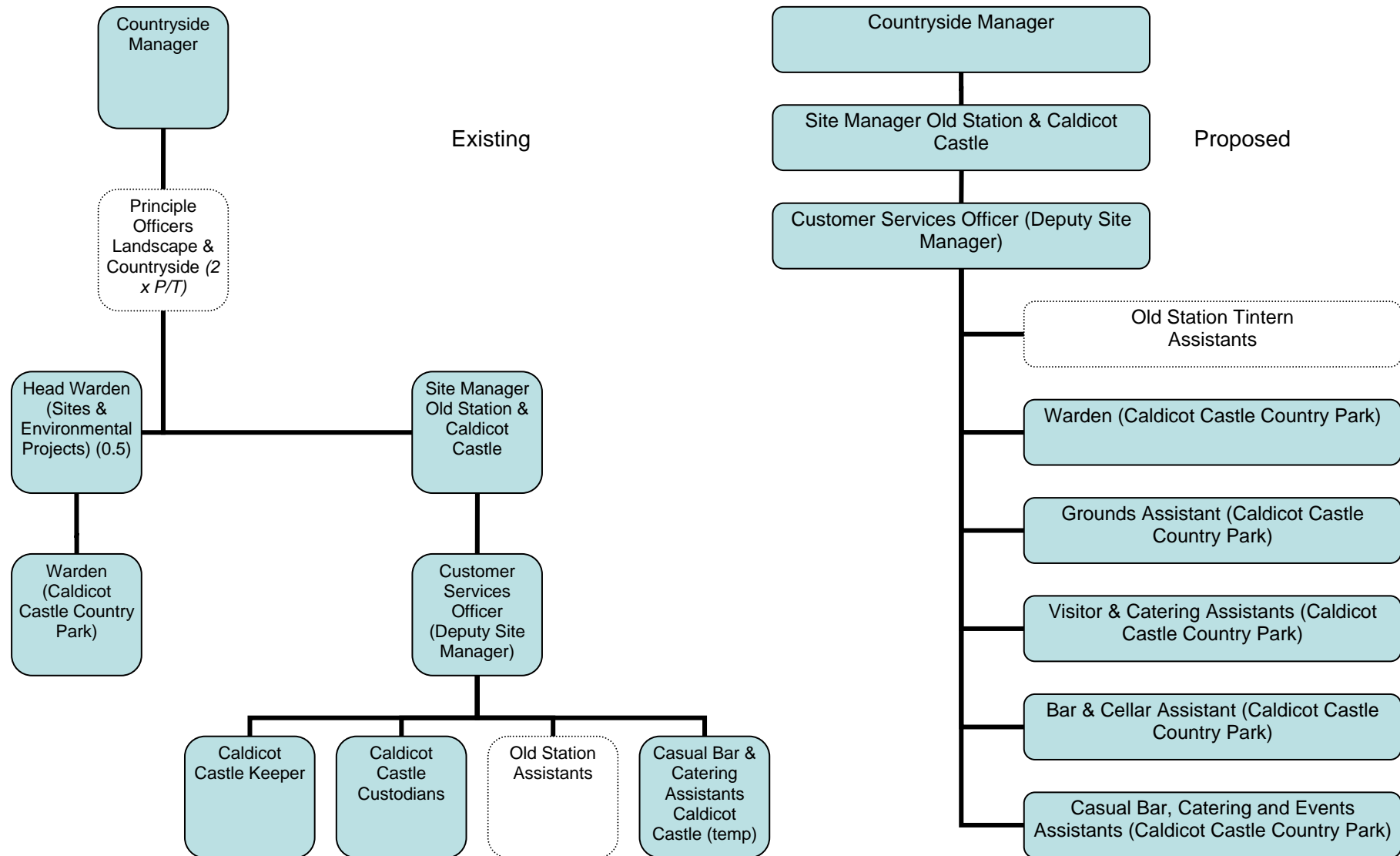
Countryside Manager

CONTACT DETAILS:

E-mail: matthewlewis@monmouthshire.gov.uk

Telephone: 01633 644855

Appendix 2: Caldicot Castle Country Park – Existing and Proposed Structure



The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Matthew Lewis	Please give a brief description of the aims proposed policy or service reconfiguration Changes to the staffing structure at Caldicot Castle Country Park required to achieve a sustainable long term business footing, as set out in the detailed business case as considered by Economy & Development Select and approved by Cabinet on 12 February 2014.		
Name of the Division or service area Countryside	Date “Challenge” form completed Reviewed 18 February 2014 (original EQIA dated 19 November 2013)		
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		x	
Disability		x	
Marriage + Civil Partnership		x	
Pregnancy and maternity		x	
Race		x	
Religion or Belief		x	
Sex (was Gender)		x	
Sexual Orientation		x	
Transgender		x	

Welsh Language		x	
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What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ None on protected characteristics	➤
➤ Reducing the opening hours of castle to members of public may have a negative effect on low income households or those who value the free entrance available on non event days, although this is likely to be limited as closure is proposed on periods of low visitor numbers.	➤ Proposed joint working with Museum service and development of existing arrangements with Countryside service, other internal and external providers should result in increased community events at no or low cost

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

n/a

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Ensure that a times of peak demand (school holidays etc.) a wide range of opportunities, including free or low cost events and activities are maintained and enhanced.

Signed Matthew Lewis

Designation Countryside Manager

Dated 18 February 2014

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Caldicot Castle Country Park Restructure	Regeneration & Culture	Countryside
Policy author / service lead	Name of assessor	Date of assessment:
Matthew Lewis	Matthew Lewis	18 February 2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

Changes to the staffing structure at Caldicot Castle Country Park required to achieve a sustainable long term business footing, as set out in the detailed business case as considered by Economy & Development Select and approved by Cabinet on 12 February 2014.

3. From your findings from the "Equality Challenge" form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

Budget Consultations, Caldicot Castle Country Park Advisory Group consulted, staff and union consultations.

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Visitor data including numbers and days, results of consultations.

6. As a result did you take any actions to mitigate your proposal? Please give details below.

Caldicot Castle is free entry on non-event days with special events running throughout the year at a cost. The budget proposal suggests that the Castle should move to a more commercial model to increase income. If a wider range of events, including functions and private events were to be organised the Castle, or parts of it, would need on occasions to close to members of public. During the community events, many residents commented that Caldicot Castle should be used as a venue to hold more events to increase revenue.

The proposed staffing restructure is designed to deliver the flexible staffing necessary to support the new operating model, including ensuring that a times of peak demand (school holidays etc.) a wide range of opportunities, including free or low cost events and activities are maintained and enhanced.

7. Final stage – What was decided?

•**No change made to proposal/s – please give details**

No change to proposals

Signed...Matthew Lewis.....**Designation**...Countryside Manager.....**Dated**...18 February 2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Matthew Lewis		Please give a brief description of the aims proposed policy or service reconfiguration Changes to the staffing structure at Caldicot Castle Country Park required to achieve a sustainable long term business footing, as set out in the detailed business case as considered by Economy & Development Select and approved by Cabinet on 12 February 2014.	
Name of the Division or service area Countryside		Date “Challenge” form completed 25 February 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		Proposals will maintain access to on site catering offer	
Improve housing quality and provision		n/a	
Reduce ill health and improve healthcare provision		n/a	
Promote independence		n/a	
Encourage community participation/action and			Proposals will support growth in events use of the castle and country

voluntary work			park
Targets socially excluded		x	
Help reduce crime and fear of crime		x	
Improve access to education and training			Proposals will support further educational use of the facilities
Have a positive impact on people and places in other countries		n/a	
PLANET			
Reduce, reuse and recycle waste and water		x	
Reduce carbon dioxide emissions		x	
Prevent or reduce pollution of the air, land and water		x	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		Proposals will maintain management of the country park and support appropriate management	
Protect or enhance visual appearance of environment		Proposals will maintain management of the country park and support appropriate management	
PROFIT			
Protect local shops and			Proposals will support economic benefits to town of events and

services			activities in the castle and country park.
Link local production with local consumption		X	
Improve environmental awareness of local businesses		X	
Increase employment for local people		X	
Preserve and enhance local identity and culture		Proposals will maintain management of the castle and country park	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		X	
Increase and improve access to leisure, recreation or cultural facilities		Proposals will maintain access to the castle and country park	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ <i>None identified</i>	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Changes to the staffing structure at Caldicot Castle Country Park are proposed to achieve a sustainable long term business footing, thereby supporting the continued delivery and development of these facilities.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

n/a

Signed Matthew Lewis

Dated 25 February 2014

SUBJECT:	CMC² - APPOINTMENT OF NEW NON-EXECUTIVE DIRECTORS TO THE BOARD
MEETING:	Cabinet
DATE:	5th March 2014
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

1.1 To report the appointment of three new Non-Executive Directors to the CMC² Board.

2. RECOMMENDATIONS:

2.1 To receive an update concerning the appointment of the three new Non-Executive Directors to the CMC² Board.

3. KEY ISSUES:

3.1 Following agreement at the CMC² Board meeting held on 7th August to appoint new non-Executive Directors to broaden the skills base of the Board, an external recruitment process was undertaken to ensure openness and transparency in line with CMC²'s Selection and Recruitment of Director's policy.

3.2 Six applications were received which were predominantly from Monmouthshire residents. In assessing the Directors Applications a comparison exercise was undertaken against the Director's responsibilities and expectations as contained within the Directors Job Description; their CV's and their covering letters.

3.3 Following the initial desk assessment a short list of candidates was prepared based on:

- Competencies and qualifications;
- Independence;
- Other Directorships held (previously and currently);
- Time availability;
- Contribution to the overall balance of the composition of the CMC² Board;
- Depth and understanding of the role and legal obligations of a Director

- 3.4 Shortlisted candidates were then invited to attend an interview on the 23rd January 2014 with the existing two Directors, Cllr Bob Greenland and Joe Hemani and Cath Fallon, Deputy CEO. All interviewees were asked the same set of questions and their responses compared.
- 3.5 Following assessment it was agreed to appoint three new Directors, in line with their existing experience and the added value that their skills could bring to the current CMC² Board. The Directors appointed were as follows:
- Delyth Harris, senior business leader in the IT industry, resident of Penallt and champion of their local community Broadband scheme;
 - Claire Morgan Director of Corporate Services at Age Cymru and resident of Raglan; and
 - Jason Smith co-founder of a software analytics company Blurr and resident of Gilwern.
- 3.6 Following their appointment, invitations to become a Director of the CMC² Board have now been accepted by all three candidates. The new Directors will stand for a period of one year, which can be renewed subject to Board approval. All will be invited to attend the next CMC² Board meeting in April.
- 3.7 Further to the last CMC² Cabinet paper dated 4th December 2013 reference was made to the need to give consideration to further Council appointments to the Board to ensure decision making reflects council ownership of the company. Since that date legal advice has confirmed that as MCC is the sole Member of CMC² (with Councillor Peter Fox as the authorised representative for all company meetings), MCC has the power to 'veto' decisions if felt they were contrary to Council policy. The situation will therefore remain under review and all future decisions made in line with the process for appointments to outside bodies via the Council's AGM.
- 3.8 In terms of on-going risks MCC have put in place appropriate financial scrutiny and legal arrangements to establish MCC rights to future income streams should CMC² cease to exist. CMC² is a company limited by guarantee and liability is therefore limited to £1 for its members.

4. REASONS

- 4.1 In a relatively short trading period CMC² has demonstrated not only an ability to generate income but also an ability to add value to existing MCC services whilst deriving a mutual benefit for Monmouthshire communities. CMC² is an innovative organisation and innovation is the key to unlocking the future by recognising new mechanisms for service delivery which will alleviate the pressure on precious MCC resources. Part of this activity includes the need to appoint new Non-Executive Directors who can offer new skills to the CMC² Board.

5. RESOURCE IMPLICATIONS:

- 5.1 As the Directors are currently voluntary and receive no remuneration other than payment of reasonable expenses there are no resource implications associated with these appointments.

6. SUSTAINABILITY AND EQUALITY IMPACT ASSESSMENT

- 6.1 This report is not requiring any decision to be taken as the report is presented to Cabinet for information. As a result there are no sustainability or equality impacts to be assessed.

7. CONSULTEES:

Cabinet Members
Leadership Team
Monitoring Officer
CMC² Board

8. BACKGROUND PAPERS:

CMC² report – Recruitment and selection of new Non-Executive Directors to Board of CMC².

9. AUTHORS:

Peter Davies, Head of Commercial and People Development – peterdavies@monmouthshire.gov.uk (01633) 644294
Cath Fallon, Deputy CEO, CMC² – cath@communitymc2.org.uk (01633) 748316

Report: Recruitment and selection of new Non-Executive Directors to Board of CMC²

To: CMC² Board

Date: 31st January 2014

Author: Cath Fallon, Deputy CEO

.....

1. Agreement to appoint new Non-Executive Directors to the CMC² Board

Following agreement at the Board meeting held on 7th August to appoint new non-Executive Directors to broaden the skills base of the Board, an external recruitment process was undertaken to ensure openness and transparency in line with CMC²'s Selection and Recruitment of Director's policy (see Appendix One). In short the procedure was as follows:

- Job Description developed and approved to assist potential candidates
- Advertisements placed in local and regional newspapers
- Candidates invited to apply by way of a CV and covering letter

*Note Directors are currently voluntary and therefore receive no remuneration other than payment of reasonable expenses.

2. Assessment and Selection Process

Six applications were received predominantly from Monmouthshire residents. In assessing the Directors Applications a comparison exercise was undertaken against the Director's responsibilities and expectations as contained within the Directors Job Description; their CV's and their covering letters:

For clarity the ***Directors responsibilities*** are as follows:

- Advise and offer leadership to CMC² staff and Board of Directors;
- Offer opinion on policies and procedures;
- Advise on the financial management of the company including adoption and oversight of the annual budget;
- Advise on CMC² Business planning and evaluation methodologies;

- Advise on personnel evaluation and staff development;
- Review organisational and periodic activity reports;
- Promote the message CMC² to a wide audience; and
- Actively seek fundraising and sponsorship opportunities.

*All Directors and Members share these responsibilities while acting in the interest of CMC². Each member is expected to make recommendations based on his or her experience and vantage point in the community.

And the ***Expectations of Directors*** are thus:

- Attend and participate in meetings on a regular basis, and special events as able.
- Participate on task and finish groups as necessary.
- Be alert to CMC²'s social aims and concerns of Monmouthshire's communities that can be addressed by CMC²'s mission, objectives, and project activities.
- Help communicate and promote CMC² to the community.
- Become familiar with CMC² budgets and financial/resource needs.
- Understand the policies and procedures of CMC².

Following the initial desk assessment a short list of candidates was prepared based on:

- Competencies and qualifications;
- Independence;
- Other Directorships held (previously and currently);
- Time availability;
- Contribution to the overall balance of the composition of the CMC² Board;
- Depth and understanding of the role and legal obligations of a Director

Shortlisted candidates were then invited to attend an interview on the 23rd January 2014 with the existing two Directors, Cllr Bob Greenland Joe Hemani and Cath Fallon, Deputy CEO. All interviewees were asked the same set of questions and their responses compared. It was then agreed to appoint three new Directors, in line with their existing experience and the added value that their skills could bring to the current CMC² Board. The Directors appointed are as follows:

- Delyth Harris, senior business leader in the IT industry, resident of Penallt and champion of their local community Broadband scheme;
- Claire Morgan Director of Corporate Services at Age Cymru and resident of Raglan; and

- Jason Smith co-founder of a software analytics company Blurr and resident of Gilwern.

3. Appointment Process

Following their appointment, invitations to become a Director of the CMC² Board have now been accepted by all three candidates. The New Directors will be expected to sign the 'Conflicts of Interest' Register and a 'Consent to Act' form which will be registered at Companies House. The Directors will also be provided with access to the Company's Articles of Association, the current CMC² Business Plan, last trading accounts and most recent submission of the Community Interest Company Regulator report. A press release will also be circulated to the local press.

The new Directors will stand for a period of one year, which can be renewed subject to Board approval. All will be invited to attend the next CMC² Board meeting in April, date to confirmed.

An announcement will be made to Monmouthshire County Council's Cabinet at the earliest opportunity, as owners and the sole Member of the company with the majority vote, detailing the new Director's skills and experience and the reason for their appointment to the CMC² Board.

Induction

All new Directors will be offered training and receive an induction appropriate to their experience to familiarise themselves with matters relating to the Company's operations, strategies and practices. To be effective, new Directors need to have great deal of knowledge about CMC² and the industry within which it operates. The induction programme will enable new Directors to gain an understanding of:

- The company's financial, strategic, operational and risk management position;
- Their rights, duties and responsibilities as Directors;
- The roles and responsibilities of senior executives;
- The role of the CMC² Board and its advisors

Responsibility

The Chair of the CMC² Board is ultimately responsible for the compliance with this procedure.

Appendix One:

CMC²

Policy and Procedure for Selection and Appointment of Directors

1. Purpose

To ensure that there are defined procedures for the selection and appointment of new Directors to the CMC² Board, the Board will follow a formal and transparent procedure for the selection and appointment of new Directors in order to ensure and promote an understanding and confidence in the process.

2. CMC² Board Composition

The CMC² Board comprises of a small number of non-executive Directors with a broad range of expertise, skills and experience which complement the Objects of the Company. The composition of the Board will be regularly reviewed to ensure that the Board continues to have the mix of skills and experience necessary for the conduct of the Company's activities. Candidates for appointment to the Board may also be considered where they hold particular experience in the activities conducted by the Board.

The Board shall ensure that, collectively, it has the appropriate range and expertise to properly fulfil its responsibilities i.e.;

- Business development and risk management;
- Development of digital communities, products and infrastructure;
- Promotion of renewable energy and sustainability practices;
- Training and education;
- Promotion and marketing;
- Industry, public and third sector experience;

3. Directors Appointment Procedure

The appointment of new Directors to the CMC² Board has been considered by existing CMC² Directors and formally approved by the CMC² Board. The appointment procedure is as follows:

- a) Identification of potential Directors

At various times during the lifetime of the project the CMC² Board may determine that there is a requirement to appoint new Directors for example following the resignation, termination of appointment or death of an existing Director, company growth, entry into a new area of business or to broaden the skills base of the Board. At this point an external recruitment process will be undertaken to ensure openness and transparency. The procedure will be as follows:

- Job Description to be developed for potential candidates
- Advertisements to be placed in local and regional newspapers
- Candidates invited to apply by way of a CV and covering letter

*Note Directors are currently voluntary and therefore receive no remuneration other than payment of reasonable expenses.

b) Selection

Following an external process a short list of candidates will be prepared based on the skills that are required. Assessment will be based on:

- Competencies and qualifications;
- Independence;
- Other Directorships held (previously and currently);
- Time availability;
- Contribution to the overall balance of the composition of the CMC² Board;
- Depth and understanding of the role and legal obligations of a Director

Following initial assessment informal interviews will be undertaken and appointments made.

c) Appointment to the CMC² Board

If an invitation to become a Director to the CMC² Board is accepted, the new Director is expected to sign a Conflicts of Interest Register and a 'Consent to Act' form which will be registered at Companies House. The Director will also be provided with access to the Company's Articles of Association, the current CMC² Business Plan, last trading accounts and most recent submission of the Community Interest Company Regulator report.

The CMC² Board will appoint the new Director at the next Board meeting who will stand for a period of one year, which can be renewed subject to Board approval.

Following the appointment of a new Director to the Board an announcement will be made to Monmouthshire County Council's Cabinet, as owners of the company, detailing the new Director's skills and experience and the reason for their appointment to the CMC² Board.

d) Induction

When appointed to the Board, all new Directors will be offered training and receive an induction appropriate to their experience to familiarise themselves with matters relating to the Company's operations, strategies and practices. To be effective, new Directors need to have great deal of knowledge about CMC² and the industry within which it operates. The induction programme will enable new Directors to gain an understanding of:

- The company's financial, strategic, operational and risk management position;
- Their rights, duties and responsibilities as Directors;
- The roles and responsibilities of senior executives;
- The role of the CMC² Board and its advisors

4. Termination of Director's appointment

A person ceases to be a Director as soon as:

- (a) that person ceases to be a Director by virtue of any provision of the Companies Acts, or is prohibited from being a Director by law;
- (b) a bankruptcy order is made against that person, or an order is made against that person in individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
- (c) a composition is made with that person's creditors generally in satisfaction of that person's debts;
- (d) the Directors reasonably believe he or she is suffering from mental disorder and incapable of acting and they resolve that he or she be removed from office;
- (e) notification is received by the Company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms (but only if at least two Directors will remain in office when such resignation has taken effect);

(f) the Director fails to attend three consecutive meetings of the Directors and the Directors resolve that the Director be removed for this reason; or

(g) at a general meeting of the Company, a resolution is passed that the Director be removed from office, provided the meeting has invited the views of the Director concerned and considered the matter in the light of such views.

5. Responsibility

The Chair of the CMC² Board is ultimately responsible for the compliance with this procedure, however it is expected that all Directors will comply with this procedure.

Policy History

Last review: November 2013
Review frequency: Annually or as required

SUBJECT: CHARGING FOR PRE-APPLICATION PLANNING ADVICE
MEETING: Cabinet
DATE: 5th March 2014
DIVISION/WARDS AFFECTED: All

1. **PURPOSE:** To provide Cabinet with details of the proposal to initiate a formal Pre-Application Planning Advice service for which there will be a charge to customers to enable the costs incurred in providing this service to be recovered.
2. **RECOMMENDATIONS:** That Cabinet approves the commencement of the proposed Pre-Application Planning Advice Service as outlined in this report.

3. **BACKGROUND:**

Pre-application advice is a discussion between a prospective applicant and the Local Planning Authority to help understand the planning application process and to improve the quality of the proposal.

Pre-application discussions are a discretionary service but due to the benefits of the discussions we encourage prospective applicants to discuss their development proposals with us at the earliest opportunity.

Officers currently provide pre-application advice free of charge, however such advice is informal and is ad hoc in nature.

Officers were tasked to consider a formal approach to pre-application discussions that recognises the benefits to the customer, the service, and the Authority when engaging and discussing all development proposals.

Customers and agents were contacted and their responses collated and data collected to determine what the customers would wish from a formal service and what they were prepared to pay for such advice. This evidence and data has been used to formulate the forms, guidance notes and service standards which are appended to this report.

The charging schedule attached to this report has been formulated from evidence collated relating to the officers' time taken, travel costs etc and is considered to be a true cost of the service to the authority.

4. **KEY ISSUES:**

A pre-application advice service is currently provided free of charge however this is an informal service and is ad hoc in nature. The current service is valued by our customers but is not always provided in the most efficient or effective way.

The Welsh Government advocates the use of pre-application discussions as being beneficial to the planning process as well as promoting that Councils recover their costs for the service. Welsh Government encourages LPA's and applicants to discuss proposals before a planning application is submitted. In its document "Welsh Government Practice Guide – Realising the potential of pre-application discussions, May 2012" it states "well managed pre-application discussions are an important part of the planning process. They can improve the quality of applications and help to reduce the time taken to deal with a formal application". It also states that where LPAs charge for a pre-app service they should provide a clear charging schedule with fees proportional to the type of development proposed.

As part of the research conducted, we experimented with delivering the service in a different way. It was found that most enquiries can be answered by the duty officer over the phone or by signposting the customer where to find the relevant information. For site specific enquiries, detailed pre-application enquiries require a dedicated period of time rather than a hurried half hour surgery appointment with a follow up site visit.

The proposed service is a formal procedure where both the Council and the customer are aware of the level of service being provided, what they will be getting and the cost of the service. The proposed service will therefore have significant benefits for both the authority and customers. The customer chooses the level of service they want, although the case officer will advise if they think another level would be beneficial. The customer is provided with a formal written report providing the Council's views on the customer's proposal with guidance as to how to proceed with an application. It will highlight any issues and policies which need to be considered as well as suggesting any improvements to the scheme to move towards a more favourable development or outcome, without prejudice.

The main benefits to the authority are that time and resources are saved. Case officers would not be required to travel to planning surgeries to answer general queries which could be dealt with over the telephone resulting in savings in travel costs and officer time. Site specific proposals will have the opportunity of a site visit and meeting on site with a subsequent written response where the background work has already been done resulting in savings in officer time as these can be scheduled in with other visits in the same area. Pre-application advice results in time savings in reducing the number of invalid applications received.

The main benefits to the customer are that they will get information and contact with an officer instantly over the telephone for general advice, and for detailed site specific queries they are provided with a dedicated appointment for an hour, either on site or in the office with a clear written response with advice as to the specifics of the proposal and what information should be submitted with an application. This written report is not currently part of the current informal service. Customers will also benefit because the improved quality of the planning application resulting from the more effective pre-application service should help to reduce the time taken to deal with the formal application.

The experiment has outlined that the alteration to the service has significant benefits for the customer and the authority. The introduction of a charge for the service would result in the claiming back the costs incurred for the time and resources taken whilst also meeting the customer's needs in providing a more customer focused pre-application planning service.

It is therefore proposed to implement a formal Pre-application service from 1st April 2014 in accordance with the service standards and charging schedule appended to this report. Payment will be upfront accompanying the initial request for pre-application advice.

5. RESOURCE IMPLICATIONS:

The projected income likely to be generated through the Pre-Application advice service has been calculated by collating evidence of the advice officers currently offer, and by differentiating between the differing levels of advice provided. The projected income likely to be created is calculated to be around £49,000 per annum. There will be recharges to other Council services such as Highways and Countryside for their input in charging levels 2 and 3. The service will be continually reviewed to assess whether any implications arise or changes need to be made.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

There are no significant equality impacts identified in this report.

7. OTHER IMPLICATIONS:

Communication: It is important that the Pre-Application Planning Advice Service procedure and charging schedule is publicly available and promoted to ensure customers are fully aware of the changes to the service.

Personnel: officers will need to receive training in the procedure to ensure the new service is effective and efficient.

8. CONSULTEES:

Highways; Countryside; Development Control Staff; Finance; Legal; Building Control; Development Plans; Tim McDermott Shirley Wiggam

9. BACKGROUND PAPERS:

Appendix 1 - Charging schedule

10. AUTHOR:

George Ashworth
Head of Planning

11. CONTACT DETAILS:

Tel: 01633 644803

E-mail: georgeashworth@monmouthshire.gov.uk

APPENDIX 1

Pre-Application Charging Levels & Rates

Householder Development

To be used for all types of householder pre-app queries whether by applicant or agent.

The service for this level will be:-

- 30mins mtg (on site or office) with DCO and a written response.
- Fee will be per site

Charge = £60

SLA - Arrange meeting within 15days from receipt of request(mtg doesn't have to be held within 15 days only arranged). Written response 5 days after mtg

Level 1

Applicant/Agent to specify if they want this level of service on the request form. This can be for any type of development other than householder.

The service for this level will be:-

- 60mins mtg (on site or office) with DCO and a written response.
- Follow up via email

Charge = £90

SLA - Arrange meeting within 15days from receipt of request(mtg doesn't have to be held within 15 days only arranged). Written response 5 days after mtg

Level 2

Applicant/Agent to specify if they want this level of service on the request form. This can be for any type of development other than householder.

The service for this level will be:-

- 60mins mtg (on site or office) with a DCO and up to 2 other officers eg: Ecology, Highways
- A written response.
- Follow up mtg of 60mins if required and written response.

Charge = £290

SLA - Arrange meeting within 15days from receipt of request(mtg doesn't have to be held within 15 days only arranged). Written response 5 days after mtg

Level 3

Applicant/Agent to specify if they want this level of service on the request form. This can be for any type of development other than householder.

The service for this level will be a Development Team approach:-

- 90mins mtg at office with a DCO and as many other officers as required eg: Ecology, Highways, Landscaping, Trees, Recreation, Affordable Housing, Dev Plans
- Site visit by DCO and any other Officer deemed necessary
- A written response.
- Follow up mtg of 60mins, resourced as required and written response.

Charge = £850

SLA - Arrange meeting within 15days from receipt of request (mtg doesn't have to be held within 15 days only arranged). Written response 7 days after mtg

Exemptions

Not for profit community facility, charitable organisations
Statutory undertakings

Trees

Local Authority's, Town & Community Council

Disabled – as per application regs

Conservation

LBC-Maintenance & repair

Discharge of conditions – except for advice on reserved matters linked to a planning application

All others are subject to charging

Appendix B

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Paula Clarke		Please give a brief description of the aims proposed policy or service reconfiguration Formalisation of the pre-application planning advice service introducing a fee structure	
Name of the Division or service area Development Control		Date “Challenge” form completed 18 th February 2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		✓	
Disability			✓
Marriage + Civil Partnership		✓	
Pregnancy and maternity		✓	
Race		✓	
Religion or Belief		✓	
Sex (was Gender)		✓	
Sexual Orientation		✓	
Transgender		✓	

Welsh Language		✓	
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What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

The formalization of the pre-application planning advice service will allow persons with disabilities to obtain free pre-app advice as they will be exempt from the fee

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Paula Clarke
Dated 18th February 2014

Designation Planning Control Manager



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Formalisation of pre-application planning advice service	Regeneration & Culture	Development Control
Policy author / service lead	Name of assessor	Date of assessment:
George Ashworth	Paula Clarke	18 th February 2014

1. Have you completed the Equality Challenge form? **Yes** . If **No** please explain why

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

Formalisation of the Council's pre-application planning advice service introducing a fee structure

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

Data collection and surveys to establish what matters to the customer with regard to pre-application planning advice

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Customer surveys including the public and agents. Data collection from other local authorities. Use of Welsh Government Good Practice Guide

6. As a result did you take any actions to mitigate your proposal? Please give details below.

Formulated the proposal to meet customer and service needs

7. Final stage – What was decided?

• **No change made to proposal/s – please give details**

Thorough research and experiments carried out before realizing the proposal

• **Slight changes made to proposal/s – please give details**

• **Major changes made to the proposal/s to mitigate any significant negative impact – please give details**

Signed...Paula Clarke...**Designation**.....Planning Control Manager.....**Dated**...18th February 2014.....

Appendix A

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Paula Clarke		Please give a brief description of the aims proposed policy or service reconfiguration Formalisation of pre-application planning advice service	
Name of the Division or service area Development Control		Date “Challenge” form completed 18 th February 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		✓	
Improve housing quality and provision			✓
Reduce ill health and improve healthcare provision		✓	
Promote independence		✓	
Encourage community participation/action and voluntary work		✓	

Targets socially excluded		✓	
Help reduce crime and fear of crime		✓	
Improve access to education and training		✓	
Have a positive impact on people and places in other countries		✓	
PLANET			
Reduce, reuse and recycle waste and water		✓	
Reduce carbon dioxide emissions		✓	
Prevent or reduce pollution of the air, land and water		✓	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			✓
Protect or enhance visual appearance of environment			✓
PROFIT			
Protect local shops and services		✓	
Link local production with		✓	

local consumption			
Improve environmental awareness of local businesses		✓	
Increase employment for local people		✓	
Preserve and enhance local identity and culture		✓	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		✓	
Increase and improve access to leisure, recreation or cultural facilities		✓	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Highlighting issues at the pre-application stage has a positive impact upon biodiversity, quality of development and the environment which helps in meeting the purpose of the development control service to achieve the best possible development

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Paula Clarke

Dated 18th February 2014

SUBJECT:	Protection of Employment Policy for School Based Employees
MEETING:	CABINET
DATE:	5th March 2014
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

The purpose of this report is to introduce the revised Protection of Employment Policy for schools based employees.

The Policy offers revised and up to date guidance on the application of redundancy procedures in schools and provides specifically a revised template and guidance document in relation to the criteria for selection of teachers for redundancy.

2. RECOMMENDATIONS:

That the revised Protection of Employment Policy be accepted and commended to governing bodies for adoption as soon as possible.

3. KEY ISSUES:

In the current financial climate, it is important to ensure that the Protection of Employment policy for schools is as robust as possible and that it:

- 1) reflects changes that are made on a corporate basis,
- 2) seeks to encourage all governing bodies to actively take responsibility for ensuring that every measure possible is taken to ensure the continuity of employment of existing staff and avoid the need for redundancy payments to be made.

3) provides relevant, clear and up to date guidance to governing bodies on the effective implementation of a redundancy procedure

4. REASONS:

The corporate Protection of Employment Policy has recently been revised and therefore there is a need to reflect these changes within the policy for schools as support staff come under local government terms and conditions of employment.

As part of the changes to the corporate policy, the local authority took the decision to offer salary protection for a maximum period of two years and therefore this change is reflected in the revised policy for schools.

The redundancy selection criteria for staff employed on teaching terms and conditions of employment requires updating in line with legislative considerations and good practice guidelines.

The criteria of length of service has for some time now been a source of debate in the employment law arena due to age discrimination legislation. Although it is not the sole criteria within the existing policy, last year MCC had a challenge from one of the teaching trade unions and although MCC won that case, it was viewed as prudent to re-examine our policy to ensure it remains as robust as possible for schools.

To this end, the criteria for the redundancy selection of those staff on teaching terms and conditions of employment has been amended in order to reflect up to date good practice methodology. (Appendix 3 in the policy).

The template for the Head Teachers Redundancy Report in Appendix 1 has also been amended and added to include guidance for head teachers on the process for re-structures also.

In view of the current financial climate and to ensure that the reporting and monitoring system into the local authority is as effective as possible, there is the addition to the policy of a request form to record the formal request by schools to the local authority for redundancy payments to be met. (Appendix 9 in the policy)

5. RESOURCE IMPLICATIONS:

For 2014/15, a budget of £300,000 has been identified to meet costs of redundancies in schools. Any costs in excess of this will be met by the ISB.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The Equality Impact Assessment is attached.

7. CONSULTEES:

All recognised trade unions
Head teachers
JAG

8. BACKGROUND PAPERS:

None

9. AUTHOR:

Sally Thomas HR Lead for education

10. CONTACT DETAILS:

Tel: 07900 651564

E-mail: sallythomas@monmouthshire.gov.uk

Appendix B

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Sally Thomas HR		Please give a brief description of the aims proposed policy or service reconfiguration To ensure that Governing Bodies adhere to employment legislation and that a good practice framework is embedded within school policies. To develop a consistent approach with regard to the management of redundancy situations in schools. To provide a fair, transparent and robust policy framework for dealing with redundancy matters in schools	
Name of the Division or service area SCHOOLS		Date “Challenge” form completed 13 January 2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		The policy will apply to all employees in the same way,	
Disability			
Marriage + Civil Partnership			
Pregnancy and maternity			
Race			
Religion or Belief			

Sex (was Gender)			
Sexual Orientation			
Transgender			
Welsh Language			

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed: Sally Thomas, People Management Lead - Education Date: 8 November 2013



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Protection of Employment Policy for SCHOOLS	SCHOOLS	
Policy author / service lead	Name of assessor	Date of assessment:
Sally Thomas	Sally Thomas	13 January 2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To ensure that Governing Bodies adhere to current legislation and good practice protocols.

To ensure that the Protection of Employment provides a framework for implementing clear and effective and transparent redundancy decisions

To ensure that schools have a Protection of Employment policy which sets out the protocols for ensuring fair treatment of all employees and that relevant procedures are undertaken within a robust and compliant framework.

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

Consultation carried out with all recognized Trade Unions, MCC Head teachers, and the JAG of MCC

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

N/A

6. As a result did you take any actions to mitigate your proposal? Please give details below.

N/A

7. Final stage – What was decided?

• **No change made to proposal/s – please give details**

• **Slight changes made to proposal/s – please give details**

• **Major changes made to the proposal/s to mitigate any significant negative impact – please give details**

Signed: Sally Thomas

Designation: People Management Lead – Education

Dated: 13 January 2014

Appendix A

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Sally Thomas		Please give a brief description of the aims proposed policy or service reconfiguration To comply with legislation and to ensure the effective implementation of good practice protocols with regard to the management of redundancy processes in schools.	
Name of the Division or service area SCHOOLS		Date “Challenge” form completed 13 January 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE		Neutral impact. Will apply to all school based employees equally.	
Ensure that more people have access to healthy food			
Improve housing quality and provision			
Reduce ill health and improve healthcare provision			
Promote independence			
Encourage community participation/action and voluntary work			

Targets socially excluded			
Help reduce crime and fear of crime			
Improve access to education and training			
Have a positive impact on people and places in other countries			
PLANET			
Reduce, reuse and recycle waste and water			
Reduce carbon dioxide emissions			
Prevent or reduce pollution of the air, land and water			
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			
Protect or enhance visual appearance of environment			
PROFIT			
Protect local shops and services			
Link local production with			

local consumption			
Improve environmental awareness of local businesses			
Increase employment for local people			
Preserve and enhance local identity and culture			
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc			
Increase and improve access to leisure, recreation or cultural facilities			

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ <i>NONE</i>	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed: Sally Thomas

Dated: 13 January 2014

PROTECTION OF EMPLOYMENT POLICY FOR SCHOOL BASED EMPLOYEES

The Governing Body of: _____

Date Adopted: _____

Version Control

Title	Protection of Employment Policy for School Based Employees
Owner	Schools HR
Approved by	JAG, Cabinet
Date	
Version Number	Policy produced: 2003 Revision 1: May 2006 Revision 2: January 2010 Revision 3: January 2014
Status	Draft
Consultation	Trade Unions, Head Teachers, JAG

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POLICY STATEMENT

The governing body is committed to the creation of as secure an employment environment as possible, and recognises the benefits of good employment practice in achieving effective organisational performance.

The governing body recognise the importance of agreed procedures which have been fully consulted upon with trade unions, and which are followed and adhered to in order to avoid claims of unfair treatment. The advice provided within this policy will aim to better protect governing bodies from challenges under employment legislation.

RESPONSIBILITIES

The local authority is the employer of the staff in community schools, but the governing body and Head-teacher have separate and particular responsibilities for selecting and managing employees. At any time when a school has a delegated budget the governing body has extensive powers over staffing. They also have responsibilities under employment law.

Decisions about staffing are both important and complex, and governing bodies will want to make sure that they make full use of the advice available to them from the Local Authority.

Schools will have separate policies to deal with issues relating to discipline and dismissal and capability issues.

The responsibility of the Head Teacher is to advise on the criteria and the process.

If a Governing Body chooses not to follow the Protection of Employment Policy and advice from the local authority, it should be noted that all liability, financial or otherwise, falls on that Governing Body. Governing Bodies should be fully aware that any challenge would be made to them, with themselves being liable for legal expenses and any costs for compensation resulting for a claim.

However, Governors should also note that in a voluntary aided/controlled school with a religious character, the governing body has the discretion to extend advisory rights over dismissals to the relevant diocesan officer. These advisory rights can apply to all staff or particular staff groups, such as the Head-teacher and Deputy Head-teacher. Where such rights have been accorded they will apply in the same way as the Chief Officer's advisory rights. It is important that Governors of County Maintained Schools appreciate that they cannot declare a redundancy as such. The contract of employment lies with the Local Authority who would have to make such a declaration. Governors may only identify a member of staff as being surplus to the requirements at the school.

THE PROCEDURE

There are a number of procedures which need to be investigated in consultation with trade unions, staff and governing bodies as follows:-



COMMUNICATION AND CONSULTATION

The trade unions will be consulted from the outset about ways of avoiding or reducing redundancies, including re-deployment.

The governing body recognises the role of trade unions in helping to minimise the need for compulsory redundancies. The governing body is committed to meaningful consultation with the trade unions and will adhere to the statutory requirements on consultation as a minimum.

ACTIONS TO AVOID REDUNDANCY

Governors should always seek resolutions which avoid the need for compulsory redundancies. When a redundancy situation arises, the governing body will consider alternatives to help minimise the impact, such as:

- Vacancy review
- Early restrictions on the recruitment of permanent staff
- Use of natural wastage
- Seeking volunteers to work part-time/job share
- Non-renewal of temporary contracts where possible
- Initial ring-fencing of internal vacancies to employees 'at risk' of redundancy
- Review of non-contractual overtime working
- Seeking applicants for early retirement or voluntary redundancy. With limited funds within the local authority, schools can explore funding options themselves with savings made from leavers
- Cross matching (if possible)
- Retraining, trial periods (at discretion of the Governing body and usually a 4 week period), and transfer to other work/re-deployment
- Termination of temporary contracts under one year or casual employees

- For voluntary redundancies/retirements. If the need for the redundancy/retirement is subsequently removed, for example by another colleague leaving prior to the local authority or Governors (Foundation and VA Schools) giving notice of redundancy/retirement in writing, the redundancy/retirement will not take effect. The whole arrangement could be cancelled if natural wastage has taken place, up to and including the last day of the relevant term.

IDENTIFICATION OF POST(S) AT RISK

Definition of Redundancy

Redundancy is defined by the Employment Rights Act 1996 as a dismissal attributable wholly or mainly to:-

- The fact that an employer has ceased, or intends to cease to carry on the business for the purposes of which the employee was employed, or has ceased, or intends to cease, to carry on that business in the place where the employee was so employed, **or**
- The fact that the requirements of that business for employees to carry out work of a particular kind, in the place they were so employed, have ceased or diminished, or are expected to cease or diminish.

Identification of post(s) will be based on the following criterion:-

That the requirement for a specific post or posts no longer exists and that the holder(s) of such post(s) is/are identified as being 'at risk' of redundancy. Further information on selection and identification of posts is contained within Appendix 2.

REDEPLOYMENT AND SUPPORT

- Employees who may be affected by the discontinuance of their work are given fair and equitable treatment;
- Minimum disruption is caused to employees and the school;
- Such changes are effected where possible with the agreement of the trade unions and employees concerned.
- Avoids redundancy payments being made through securing continuity of employment.

Although the local authority is not able to require a governing body to employ an individual who is 'at risk' of being made redundant, the governing body recognise that providing opportunities for redeployment is beneficial for all schools in times of redundancy. The governing body will participate in giving 'prior consideration' for vacancies at their school to employees who are 'at risk' of being made redundant.

Where there are a limited number of positions available, an employee on maternity must be offered suitable alternative employment in preference to other employees who are similarly affected by the redundancy situation.

The benefits of redeployment are recognised by the governing body and as such the governing body will:-

- Give prior consideration for a vacant post to employees, who meet the person specification criteria, and who are 'at risk' of redundancy. Head-teachers will inform the local authority of their vacancy and the local authority will notify all 'at risk' employees. 'At risk' employees will have five days in which to apply for the vacant post.
- prior consideration means that, if the 'at risk' employee meets the relevant person specification criteria, the employee will have an interview before other candidates are interviewed for the vacant post.

If a decision is made not to appoint 'at risk' employee(s), it is important that records of interviews provide reasons for not appointing which can be objectively justified.

Certain posts may be brought to the attention of employees on the 'at risk' list as potential suitable alternative employment. In such circumstances, unreasonable failure to apply for, or accept an offer of the post, may prejudice the employee's entitlement to redundancy pay.

The governing body recognises that employees who are 'at risk' of redundancy have a statutory right to time off to look for alternative work and therefore the governing body will support employees to seek new employment by:-

- granting reasonable time off with pay to seek other work and attend interviews
- arranging, via the local authority, for notification of job vacancies to be provided
- agreeing early release, where requested and practicable
- arranging for counselling and support to be available for employees

Salary Protection/Detriment

Employees who are re-deployed to a lower graded post will have salary protection for the maximum period of two years, on a standstill basis. There will therefore be no incremental progression or pay awards during this period of time.

The local authority will assess each case in terms of 'suitable alternative employment' taking into account the cost and impact on the local authority budget. In each individual case of agreed suitable alternative employment, there will be an assessment made by the local authority in order to determine funding.

It would be reasonable for employees to apply for suitable vacancies of a higher grade, within other schools or the local authority, in order to minimize the cost of salary protection. Unreasonable failure to apply for any vacancy identified to them as suitable could result in the loss of part or the entire protected element of their remuneration.

At the end of the period, the employee will revert to the grade of the post held.

There will be no protection for a reduction in hours as this is not redeployment to a lower graded post, however, consideration will be given on a case by case basis by the local authority

Costs

The local authority would normally bear the cost of any redundancy unless it was considered that the governing body had acted unreasonably e.g. where there was doubt as to whether this was a genuine case of redundancy or where alternative courses of action had not been explored first. Where the local authority considers that the governing body has acted unreasonably, any resultant costs will be borne by the school's budget. All governing bodies are, therefore, strongly advised to consult with HR within the local authority HR before making any steps towards making a member of staff redundant in order to ensure that all procedures are followed correctly and resultant costs are not charged to the schools budget.

A redundancy request form must be completed by the Head teacher on behalf of the governing body and submitted to the local authority. (Appendix 9)

All costs relating to redundancy of staff in schools must be reported to and agreed by local authority.

Schools may wish to fund redundancy costs in cases where the local authority cannot.

Redundancy Pay

Redundancy payments are made in accordance with the Burgundy Book terms and conditions of employment for Teachers and the corporate Protection of Employment policy for staff employed under Local Government terms and conditions of employment.

REDUNDANCY PROCEDURE

Whenever the Head-teacher or Governing Body/Finance Sub-Committee considers an issue which may require reductions in staffing levels or changes in the staffing structure at the school the process is as follows:-

- A meeting (extraordinary if necessary) of the Finance Sub-Committee is convened. The Finance Sub-Committee then recommend that the full Governing Body meet.
- The full Governing Body then meet to consider the recommendation from the Finance Sub-Committee and based on the financial information decide whether to put the redundancy procedure into effect. Individuals should not be discussed at this meeting.
- A meeting with the Head Teacher, a Governor, a representative of the Chief Officer for Children and Young People (usually HR), and Trade Unions is arranged to discuss the situation and to consult on the options available,

including ways of avoiding redundancy, and if redundancy proves to be unavoidable, the means of selecting the post (s). (See Appendix 2). Where possible, a timetable is drawn up for any necessary meetings that may be required under the later stages of this procedure.

- All responses and comments put forward by employees and trade unions during the process will be responded to by the governing body.
- The Headteacher meets with ALL employees and informs them of the redundancy situation. At this stage, the Headteacher will explore all measures to avoid the need for compulsory redundancies. Any employees who are absent due to sickness or on maternity or career break a letter will be sent (Exemplar letter 3) to inform them
- Head Teacher will produce a Redundancy/Re-structure report, with advice from the local authority (usually HR and Finance). (see Appendix 1). The report is circulated to the representative of the Chief Officer for Children and Young People (usually HR), and trade unions for comment.
- The Headteacher will then contact Governor Services to arrange for the 1st Staff Dismissal Committee to meet. The Head Teacher's report will be provided to all members attending the 1st Staff Dismissal Committee meeting 7 school days before the meeting.
- The Clerk to the Governors will write to the Trade Unions and inform them that the 1st Staff Dismissal Committee has been called (Exemplar letter 2). The clerk will provide Trade unions with a copy of the Head Teacher's report for comment.

1st Meeting of the Staff Dismissal Committee

The purpose of the Staff Dismissal Committee meeting is to consider the Head teachers report and determine the organisation needs of the school. The Staff Dismissal Committee considers and approves the agreed selection criteria.

The Committee consider any comments received from the trade unions as part of the consultation process. The Committee will identify any post(s) which maybe 'at risk' of redundancy.

The role of the Head Teacher is to advise on the selection criteria and the process.

A representative/s of the Chief Officer for Children and Young People (usually HR and Finance), will attend the meeting to advise the committee. Such advice will be recorded by the Clerk.

Decision made by the committee will take account of the Head-teacher's Redundancy/Restructure report and the agreed criteria for selection.

The procedure that should be followed as detailed in **Appendix 5**.

Following the meeting, the Head-teacher and a representative of the Chief Officer for Children and Young People (usually HR) will meet with the individuals selected and explain to them the various options available and their right to make representation against their selection.

The Clerk to the Governors will provide the employee with a letter – **Exemplar letter 1**.

2nd Meeting of the Staff Dismissal Committee - Representations against redundancy

Employees who have been selected for redundancy should inform the Head-teacher, in writing, within 3 days of being advised of their selection of their intention to make representations.

The Head-teacher will contact Governor Services and ask them to convene the 2nd Staff Dismissal Committee. The employee will be invited to attend this meeting. The employee is informed of their right to be accompanied at this meeting by a trade union representative or work colleague.

The procedure that should be followed is detailed in **Appendix 6**.

A minimum of 7 days notice should be provided to all attending the meeting and copies of the agenda distributed to members of the Committee and employees who are making the representations.

No later than 5 days before the meeting, the employee should provide the Clerk to the Governors with a short written submission outlining their reasons for making representations. These papers will then be forwarded to members of the Staff Dismissal Committee and the representative from the local authority (usually HR)

At its meeting the Staff Dismissal Committee should follow the previously agreed selection criteria and a clerk will be present to take the minutes of the meeting.

A representative of the Chief Officer for Children and Young People (usually HR/Finance) will attend the meeting to advise the committee. Such advice will be recorded by the clerk.

The Committee must, orally inform the employee/s mentioned in the report and their trade union representative of the outcome of the hearing immediately, or failing that, within 24 hours.

The Clerk to the Governors will inform the employee, in writing, of the decision of the Staff Dismissal Committee on the following working day. - **Exemplar letter 4** (copy to the Chair and HR)

The draft minutes of the meeting should be sent to the Head-teacher, Staff Dismissal Committee, the employee and his/her trade union representative and the local authority representative (usually HR), by the clerk, within 7 days of the Staff Dismissal Committee's meeting.

An employee who wishes to appeal against the Staff Dismissal Committee's decision should inform the Chair in writing stating the grounds of appeal within 7 days of the date of the 2nd Staff Dismissal Committee meeting.

Appeals

The appeal will be heard by the Staff Dismissal Appeals Committee no earlier than 5 days and no later than 10 days after the date the appeal is lodged, unless both parties agree otherwise. The date of the appeal hearing must be set in consultation with the representative from the local authority (usually HR) and be conducted in accordance with the Policy. Its decision will be final. The Appeal will be by way of a complete rehearing.

The Staff Dismissal Appeals Committee should satisfy itself that:

- Adequate information was available to enable the Staff Dismissal Committee to make an objective decision
- Having regard to all the circumstances the decision to select the employee was reasonable.

The Appeals procedure that should be followed is detailed in **Appendix 7**.

The draft minutes of the appeal hearing should be sent to the Head-teacher, Staff Dismissal Appeals Committee, the employee and his or her trade union representative and the local authority (usually HR) by the Clerk within 10 days of the Appeals Committee hearing.

The Clerk to the Governors will confirm in writing to the employee – **Exemplar letter 5** (copy to the Chair and HR within the local authority) the decision of the Staff Dismissal Appeals Committee.

School Closures and School Amalgamations

For school closures and school amalgamations, please refer to Appendix 8 for information on the Redundancy Procedure.

Notice Requirements

The notice requirements for each type of employee are given in their respective national conditions of service documents.

The timescales applicable for notice under the "National Conditions of Service for School Teachers in England and Wales" (Burgundy Book) are as follows:

Date of Termination Of Employment	Date Notice is required	
	Head-teachers	Deputy Head-teachers/Teachers
31 December	30 September	31 October
30 April	31 January	28 February
31 August	30 April	31 May

Where a teacher has been continually employed for more than eight years, he or she shall be entitled to receive additional notice, as specified in the Employment Protection (Consolidation) Act 1978. This may be up to twelve weeks' notice being required.

The timescale applicable for notice under the National Joint Council for Local Government Services (Green Book) are as follows:-

The minimum periods of notice to be given by an employer are governed by the Employment Rights Act 1996:

Continuous Service	Period of Notice
One month or more but less than two years	Not less than one week
Two years or more but less than twelve years	Not less than one week for each full year of continuous employment
Twelve years or more	Not less than twelve weeks

These are the legal requirements. Actual contractual provisions may be different. For those employees paid on a monthly basis, the minimum period is one month, and for those employees paid on a 4 weekly basis – 4 weeks.

APPENDIX 1

EXEMPLAR HEADTEACHER'S REDUNDANCY/RESTRUCTURE REPORT

A Purpose

The purpose of this report is to provide the Governing Body with information about the budget situation at the school; the curricular requirements at the school; the staffing structure requirements of the school; the restructure/organisational needs of the school, and the needs of the agreed school development plan, ESTYN action plan. The report identifies the need for the governing body to implement the Protection of Employment policy and identifies those staffing changes which need to take place.

The report details the categories of employees identified as requiring a reduction, the amount of financial saving required and thereby the predicted full time equivalent number of employees which the governing body propose to remove.

All costs must be reported to the local authority and approval authorised by the local authority.

RESTRUCTURES:

If a restructure, this report needs to be completed and for CONSULTATION purposes, provided to employees, trade union representatives, Employee Services (HR) and the governing body for a period of no less than 14 days. All comments received will be considered by the governing body and if necessary a further period of consultation (1 week) maybe required.

The report will include information on the existing staffing structure (no names) and the proposed staffing structure (no names), identifying those post(s) which may be at risk of being declared redundant and any new post(s) in the structure and the mechanism by which any new post(s) will be filled (ie, by slotting in or via a recruitment and selection process). Once the report is finalised and the proposed staffing structure is agreed by the governing body, the redundancy procedure (as detailed in this policy) takes place for any postholder(s) who may have been declared 'at risk' of redundancy via the implementation of the restructure report:-

B Timeline for the implementation of the Protection of Employment Policy:-

1. A meeting of the **Finance Sub-Committee** was convened. The Finance Sub-Committee then recommended that the full Governing Body meet.

Completed on _____

2. The **full Governing Body meeting** met to consider the information and recommendations from the Finance Sub-Committee.

Completed on _____

3. As part of meaningful consultation, as Head Teacher I have **met with all trade union representatives, HR and a governor** to discuss the situation and to look at ways of avoiding redundancies. (if applicable: I attach comments received to date). The agreed redundancy selection criteria has been prepared.

Completed on _____

4. As Head-teacher, I have **met with ALL staff** and informed them of the situation, and have asked them for their comments and views. (if applicable: I attach comments received to date). At this stage, in line with the policy, I have **explored actions to avoid redundancies** being made. This includes:

A review of temporary contracts in consultation with HR. Consideration to terminating all temporary contracts.

(If appropriate) Written requests for voluntary redundancy, job shares or part-time working are considered.

5. **Funding of any redundancy costs.** Acceptance of the LA to fund costs (attach Appendix 9). Or: confirmation that the school will fund.

Completed on _____

If at this stage the volunteer/s is/are accepted then the Headteacher and Committee considers whether there is a requirement for any compulsory redundancies. If there is no need for compulsory redundancies then the process ceases at any point in the process.

Completed on _____

6. As Head teacher I have written to all trade unions to inform them of the situation and have provided relevant and meaningful information on which they can provide their comments back to the governing body.

Completed on _____

7. The Head-teacher's Redundancy/Restructure Report will be provided to all members attending the first Staff Dismissal Committee meeting, and trade union representatives (Exemplar letter 2) at least 7 days before the meeting.

Completed on _____

8. The **first Staff Dismissal Committee** will meet on _____ to consider the Head-teacher's Redundancy/Restructure report and identify which staff have been identified as being 'at risk' of redundancy.

9. Immediately after the first Staff Dismissal Committee, the Head-teacher will **meet individually with the staff identified to inform them of the decision. The Head-teacher will provide them with a letter** confirming the decision, advising them of their right to make representation to the 2nd Staff Dismissal Committee and their right to be accompanied by a trade union or workplace colleague.
10. (If applicable) No later than 5 days before the meeting, the employee should provide the Head-teacher with a short written submission outlining their reasons for making representations. These papers will then be forwarded to members of the Staff Dismissal Committee and HR. Received date: _____

A minimum of 7 days notice should be provided to all attending the meeting and copies of the agenda distributed to members of the Committee and employees and their trade union representatives who are making the representations.

11. (If applicable) A minimum of 7 days after identification the **second Staff Dismissal Committee** will sit to hear any representation that staff wish to make. Date: no later than _____
12. (If applicable) Immediately after the meeting of the second Staff Dismissal Committee, a **letter will be sent to the employee/s to inform them whether or not their representation** has been upheld or rejected. The staff will also be informed of their right to appeal, in writing, to the Chair of Governors within 7 days of the date of the 2nd Staff Dismissal Committee meeting, stating their grounds of appeal.
13. (If applicable) No earlier than 5 and no more than 10 school days after the second Staff Dismissal Committee, the **Staff Dismissal Appeals Committee** will meet to rehear the case.
14. (If applicable) Any Appeal meeting will be concluded by (date) _____. The employee/s will be provided with a letter to confirm whether their appeal was accepted or rejected. The decision of the Appeals Committee will be final. However, any notices of redundancy can be withdrawn by the employer at any time up to (date) _____.

C School Roll Information

- 1 The projected Primary school roll numbers:

	Present	Projected from 1 Sept
Nursery		
Reception		
Year 1		
Year 2		

Year 3		
Year 4		
Year 5		
Year 6		
Total		

The projected Secondary school roll numbers:

	Present	Projected from 1 Sept
Year 7		
Year 8		
Year 9		
Year 10		
Year 11		
Year 12		
Year 13		
Total		

- D **Number of Staff Currently Employed** Please see Appendix 1 which confirms the present school's staffing structure.

Senior Management Team:

Head-teacher ____

Deputy Head ____

Leadership ____

Total (fulltime equivalent F.T.E): ____

Teachers:

Full Time ____

Part Time ____ = ____ (F.T.E)

Total (full time equivalent F.T.E): ____

Support Staff	Posts	People
---------------	-------	--------

Administration	____	____	(F.T.E: ____)
----------------	------	------	---------------

Teaching Assistants	____	____	(F.T.E: ____)
---------------------	------	------	---------------

Caretakers	____	____	(F.T.E: ____)
------------	------	------	---------------

Midday Supervisors	____	____	(F.T.E: ____)
--------------------	------	------	---------------

Total:	____	____	
--------	------	------	--

1. **Current Pupil: Teacher Ratio for the school is 1: ____**

E Budget

Please refer to attached **Appendix 2 referring to school budget** which includes details of amount of projected deficit.

Finance recommends that from (date) _____ onwards, this should be reduced.

Criteria for Selection of Teaching/Support employees

This is confirmed in the Protection of Employment Policy and **the selection criteria is attached in Appendix 2.**

F Recommendations

1 There is a clear need to reduce the proposed budget deficit and this can only be achieved through reductions in staffing in the areas below:-

2 It is proposed that the areas identified should be (please delete as appropriate):

- Teaching staff – _____ (number of hours or posts to be reduced)
- Support staff – _____ (number of hours or posts to be reduced)

Please see Appendix 4 which confirms the Proposed New Structure.

3 Potential savings to the budget as a result of these reductions would be in the order of

£ _____ in a full year.

APPENDIX 2

SELECTION CRITERIA FOR REDUNDANCY OF SCHOOL BASED EMPLOYEES

The criteria for selecting member of staff for redundancy must, so far as is possible, be objective. In addition, the criteria used should not inherently discriminate against employees, either directly or indirectly, on grounds prohibited by the Equalities Act 2010 which covers age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

The selection criteria is designed to identify staff “at risk” of redundancy. Scoring systems will remain anonymous throughout the process.

The selection criteria established must be:

- made known to staff in advance
- relevant to the posts in question
- tailored to meet each individual school’s needs
- objective
- consistently applied
- capable of explaining why a nomination was made
- agreed in the meeting of the nominated governor, Head Teacher, representative from the local authority (HR) and the trade union representative

Governing Bodies need to determine criteria relevant to the school’s needs to sustain the school into the future.

The head teacher must ensure that any information used in completing the selection criteria can be evidenced.

Curricular and organisational needs of the school as set out in the School Strategic Plan or any Governors' Action Plan as a result of a report of ESTYN. This will require a full curriculum and school structure audit to determine any area(s) of over provision.

Selection Process

The selection should be based on the extent to which individuals can demonstrate how they have used their skills, knowledge, competencies and experience to improve outcomes for all learners.

Examine the operational needs of the school to identify any surplus provision.

A review of temporary contracts in consultation with HR within the local authority.
Consideration to terminating all temporary contracts.

It should be noted that the selection criteria relates to posts not individuals thus avoiding targeting.

The Staff Dismissal Committee will apply a selection process that will identify the employee(s) whose contracts of employment will be terminated at the school.

The Staff Dismissal Committee will decide how each of the requirements will be tested. Lesson observations will not be appropriate for selecting staff for redundancy. An interview process/overall length of service in England & Wales is an option in the event of a tie-break situation. Once the selection criteria have been identified, a relevant scoring system will need to be adopted.

Representation/Appeal

The employee(s) identified as at risk of redundancy will have the right to make representation to the Staff Dismissal Committee and if unsuccessful will also have the right to appeal to the Appeals Committee.

SUPPORT STAFF

Groupings/pools of support staff include the following:

- School Administrators
- Teaching Assistants (general and classroom)
- Teaching Assistants (specialising with individual pupil/s)
- Higher Level Teaching Assistants
- Laboratory Technicians
- Caretakers (employed directly by school)
- Cleaners (employed directly by school)

This list is not exhaustive and could include other post titles.

For Teaching Assistants who are providing one-to-one support with one pupil self-selection should take place. Therefore if a pupil is leaving the school then the Teaching Assistant supporting that pupil will then leave the school.

If a number of children leave or the Teaching Assistants were not allocated to individual children then pooling would apply.

APPENDIX 3 SELECTION CRITERIA FOR TEACHERS (including those paid on the Leadership spine and TLR holders)

Selection criteria must be agreed according to the following:

- Qualifications and specialist skills relevant to the current and known future needs of the school
- Current and known future curriculum needs of the school, in the next academic year
- Current and known future management and organisational needs of the school
- Maintaining current statutory requirements placed on the school
- Previous experience of value to the current and known future needs of the school
- Contribution to the current needs of the whole school

Selection criteria for teachers should not include issues in relation to sickness/absence records, disciplinary matters or capability matters. These are dealt with under different policies and risk conflating a redundancy situation with other reasons for dismissal. Trade unions would not agree to their use and the likelihood of appeals is high if they are used as selection criteria.

CRITERIA	SCORING (refer to appendix 2 for legislative considerations)
<u>Responsibility for co-ordinating the teaching and learning of a subject area eg Maths. (The Governing body must clarify whether this contribution is a part of a teacher's professional responsibilities or whether it falls within a TLR definition)</u>	3 points = current responsibility (current academic year) 2 points = recent but not current (within last 2 academic years) 1 point = evidence of but not recent 0 points = no evidence
<u>Impact and contribution of developing the teaching and learning of a subject area.</u>	3 points = current contribution 2 points = recent but not current contribution 1 point = evidence of some impact/contribution 0 points – no evidence
Responsibility for co-ordinating priority initiatives under the school development action plan.	3 points = current responsibility 2 points – recent but not current 1 point = evidence of but not recent 0 points = no evidence
Contributions to the development of priority initiatives under the school development plan. What is meant by 'contributions'. How are they measured? (Contributions identified as actions on school action plan measured by objectives and targets based on plan and the school SER).	3 points = current contribution 2 points = recent but no current contribution 1 point = evidence of but not recent 0 point = no evidence
Co-ordinating the teaching and learning across the school of x (non-core subject) within the curriculum. (The governing body must clarify whether this contribution is part of teacher's professional responsibilities).	3 points current responsibility 2 points = recent but not current responsibility 1 point = evidence of but not recent 0 points= no evidence
Contributions to the teaching and learning of x (non-core subject) within the curriculum.	3 points = current responsibility 2 points recent but not current 1 point = evidence of but not recent 0 points = no evidence
Responsibility for pastoral support across year groupings and school.	3 points = current responsibility 2 points = recent but not current 1 point = evidence of but not recent 0 points = no evidence
Demonstration of relevant continuous professional development and/ or additional qualifications gained that have impacted upon standards of teaching and learning.	3 points = recent but not current 2 points = evidence of but not recent 1 point = some evidence 0 points = no evidence

The criteria listed in the above table (on page 20) is suggested criteria only. Schools will formulate their own criteria based on their particular circumstances, and always in consultation with staff and trade unions.

REDUNDANCY SELECTION CRITERIA SCORE SHEET - TEACHERS

Criteria should be listed in priority order.

NAME OF SCHOOL:
POST NUMBER (NOT NAME):

CRITERIA (any number of criteria can be used)	SCORE	TOTAL SCORE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
Total points on job specification		
TOTAL REDUNDANCY SCORE (Checked by HR)		

APPENDIX 4

SELECTION CRITERIA FOR SUPPORT EMPLOYEES

In accordance with the corporate Protection of Employment Policy, if the number of employees at risk exceeds the number to be made redundant, selection for redundancy will be made using a combination of the following criteria:

- relevant skills / competencies / qualifications / aptitudes / attitudes
- disciplinary records
- attendance records

Affected employees will receive clear details of the selection criteria and weightings as well as their own score against these criteria. The standard score sheet with weightings is provided below:

REDUNDANCY SELECTION CRITERIA SCORE SHEET – SUPPORT STAFF

Job Knowledge, Skills, Competencies, Experience, Qualifications
(To be assessed by Head teacher against the current job specification criteria)

NAME OF SCHOOL:
POST NUMBER (NOT NAME):

CRITERIA	SCORE	WEIGHTING	TOTAL SCORE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Total points on job specification			
+ Discipline score			
+ Attendance score			
TOTAL REDUNDANCY SCORE (checked by HR)			

Job Knowledge, skills and competencies

To be assessed against the current job specification criteria

The extent to which the post holder fulfils each criterion of the person specification for their job should be scored as follows:

Fully meets the requirements = 2

Partially meets the requirements = 1

Does not meet the requirements = 0

This score will count for 60% of the total assessment. Marks in this section should therefore be calculated by dividing the score achieved by the total marks available and multiplying by 60. e.g. 16 marks out of a possible 20 would be $16 \div 20 \times 60 = 48$

Discipline

This category will count for 20% of the total score.

Points to be awarded as follows:

No disciplinary record = 20 points

Recorded verbal warning = 15

One written warning = 10

More than 1 written warning = 5

Final written warning = 0

Attendance

This category will count for 20% of the total score.

Points to be awarded on the basis of the average number of days of self-certified sickness per year (excluding industrial injury) based on the last five years or actual number of years' service where this is less than five, as follows

0 – 5 days = 10 points

6 – 10 days = 8

11 – 15 days = 6

16 – 20 days = 4

21 – 25 days = 2

26 or over = 0

In exceptional circumstances, such as a course of treatment involving regular attendance over an extended period of time, and of which the employee's immediate line manager is aware, such absence will be disregarded for the purposes of this element of the selection criteria. The Equalities Act requires that 'reasonable adjustment' is made in dealing with absence connected with a disability under the Act.

APPENDIX 5

1st STAFF DISMISSAL COMMITTEE PROCEDURE

- Chair to introduce those present
- Head-teacher presents the report, outlining the reasons for the selection and the criteria used in identifying the post(s) in question
- Determine the staff group(s) (e.g. Teachers, Teaching Assistants, HLTAs and Midday Supervisors) from within which the redundancies will be made and any post(s) within the chosen group(s) which are to be excluded for consideration for redundancy. Please refer to **Appendix 2** for selection criteria.
- Headteacher informs the Committee of any written requests for voluntary redundancy, Job Shares or Part-time working etc.
- The Headteacher confirms that s/he has the acceptance of the LA to fund this redundancy or if this will be funded by the school – Appendix 9.
- If at this stage the volunteer/s is/are accepted then the Headteacher and Committee considers whether there is a requirement for any compulsory redundancies. If there is no need for compulsory redundancies then the process ceases at this point.
- Identify the post(s) for redundancy/reduction of contractual hours based upon the recommendations in the report submitted by the Head-teacher.
- Questions from the Committee for clarification
- Head-teacher and LA representatives withdraw for the Committee to consider the information presented.
- Head-teacher and LA representatives return and the Chair informs all present of the decision of the Committee
- The decision of the Committee will be communicated to the employee in writing by the Clerk to the Governors.
- Agree a timetable to be followed. Please note that the periods between stages are expressed in school days, i.e. weekends and holidays are excluded.

APPENDIX 6

2nd STAFF DISMISSAL COMMITTEE PROCEDURE

Employees meet individually with the Committee and have the right to attend with their workplace colleague or Trade Union representative.

- Chair to introduce those present
- Head-teacher presents Redundancy/Restructure report, outlining the reasons for the selection and the criteria used in identifying the post(s) in question
- Headteacher informs the Committee of any written requests for voluntary redundancy, Job Shares or Part-time working etc.
- The Headteacher confirms that s/he has the acceptance of the LA to fund this redundancy or if this will be funded by the school – Appendix 9.
- If at this stage the volunteer/s is/are accepted then the Headteacher and Committee considers whether there is a requirement for any compulsory redundancies. If there is no need for compulsory redundancies then the process ceases at this point.
- Questions from the Committee for clarification
- Committee to consider the representations from the employee and representative
- Questions from the Committee for clarification
- Both parties to sum up – Head-teacher first then employee and representative
- All parties to withdraw for the Committee to consider representations
- All parties return and the Chair informs all present of the decision of the Committee
- The decision of the Committee will be communicated to the employee in writing by the Clerk to the Governors.

APPENDIX 7

APPEALS COMMITTEE PROCEDURE

Employees meet individually with the Committee and have the right to attend with their workplace colleague or Trade Union representative.

- Chair to introduce those present
- Head-teacher presents Redundancy/Restructure report, outlining the reasons for the selection and the criteria used in identifying the post(s) in question
- Questions from the Committee for clarification
- Committee to consider the representations from the employee and trade union representative
- Questions from the Committee for clarification
- Both parties to sum up – Head-teacher first then employee and trade union representative
- All parties to withdraw for the Committee to consider representations
- All parties return and the Chair informs all present of the decision of the Committee
- The decision of the Committee will be communicated to the employee in writing by the Clerk to the Governors.
- A decision of the Appeals Committee is final.

APPENDIX 8

REDUNDANCY PROCEDURE FOR SCHOOL CLOSURES/AMALGAMATION

In cases of school closure/amalgamation, the Chief Officer of Children and Young People will ensure that appropriate advice is afforded to the relevant Governing Bodies.

Communication and Consultation:

All recognised trade unions must be fully consulted and invited to all staff consultation meetings held by the local authority.

Local Authority officers will meet with all employees to offer advice and support. In the case of closure/reorganisation involving statutory notices, trades unions will be considered part of the statutory consultation process.

When employees have been identified as being 'at risk' of redundancy, the status of temporary employees should remain unchanged. Temporary employees who have less than two years' continuous local government service should not be offered permanent contracts as this may affect the employment position for those employees who attract employment rights due to length of service.

School Closures

Redundancy Procedure:

All employees, with over one years' continuous local government service are identified as being 'at risk' of redundancy in any of the following situations:-

- 1) at the date of the Minister's letter to close a school (if applicable)
 - 2) following a Cabinet decision where there have been no statutory objections
 - 3) on publication of a statutory notice to close/amalgamate a school
- Letters to all employees, from the local authority, giving notice that posts are 'at risk' of redundancy and informing of the right of representation and appeal.
 - The Head teacher and a representative from the local authority (normally HR) will meet with all employees on an individual basis ('at risk' interview). Employees are informed of their right to be accompanied by a Trades Union representative or work place colleague.
 - Employees are able to make representations to their existing Governing Body.
 - Employees are able to exercise their right to appeal to the existing Governing Body and to the local authority (as ultimate employer) and have the appeal concluded by 31st May.
 - Redeployment opportunities explored up until 31st August.
 - Redundancy effective 31st August.

School Amalgamation/Reorganisation

Redundancy Procedure:

This refers to schools which are closing in order that one or more new schools are established.

- All employees, with over one years' continuous local government service, are identified as being 'at risk' of redundancy in any of the following situations:-
 - 1) at the date of the Minister's letter to close/amalgamate a school
 - 2) following a Cabinet decision where there have been no statutory objections
 - 3) on publication of a statutory notice to close/amalgamate a school
- Letters to all employees, from the local authority, giving notice that posts are 'at risk' of redundancy and detailing that should a representation and/or Appeal meeting be required, this process will be concluded before 31st May and will be held after any appointments process for a new school.
- All posts in the new structure for a new school will initially be ring fenced to those employees (with over one years' continuous local government service) employed in the schools being amalgamated/reorganised.
- The Head Teacher and a representative from the local authority (normally HR) will meet with all employees on an individual basis ('at risk' interview). Employees are informed of their right to be accompanied.
- Staffing structure of new school determined by Governing Body, Head-teacher and local authority and appointment procedures implemented.
- Employee(s) who are not successful are able to make representation to their existing Governing Body
- Employee(s) are able to exercise their right to an appeal to their existing Governing Body and to the local authority (as ultimate employer) and have the appeal(s) concluded by 31st May.
- Redeployment opportunities explored up until 31st August
- Redundancy effective 31st August

APPENDIX 9**REDUNDANCY REQUEST FORM**

To be completed by the Head-Teacher.

To be sent to Chief Officer, Children and Young People Directorate

Name of School: _____

Name of Head teacher (please print): _____

Signature of Head teacher: _____

Date: _____

Justification for redundancy (please state reasons for redundancy):

Number of staff to be made redundant: _____

COST of redundancy: _____

Please answer YES/NO to the following:

Policy followed: _____

HR consulted: _____

Finance consulted: _____

TO BE COMPLETED BY CHIEF OFFICER:

Approved: _____

Not Approved: _____

TO BE COMPLETED BY HR/FINANCE:

Date School Advised: _____

APPENDIX 10:

EXEMPLAR LETTERS FOR REDUNDANCY

EXEMPLAR LETTER NO 1

Letter to Employee

School Name:

Date:

Dear

You will be aware that the Governing Body of _____ school has identified the need to reduce the staffing levels at the school as a result of budgetary pressures. All measures to avoid to the need for compulsory redundancies have been considered by the Governing Body.

As a result of the above, the first Staff Dismissal Committee of the Governing Body met on _____ *(insert date of meeting)*.

The role of the Staff Dismissal Committee is to consider a report which is produced by the Head Teacher and to determine the organisation needs of the school. As part of this process, the Committee identifies any post(s) which is no longer required at the school and which therefore maybe 'at risk' of redundancy.

The redundancy selection criteria have been determined in accordance with the Protection of Employment Policy for school based staff which has been adopted by the Governing Body.

The criteria for selection were agreed by the Staff Dismissal Committee at it's meeting held on _____ *(insert date of meeting)*.

According to the criteria adopted by the Governing Body the requirement for staffing reduction identified i) that the post selected was the one which you presently occupy or ii) that there is a requirement for your contractual hours being reduced to _____

I am writing on behalf of the Governing Body to advise you of your right to a Representation Hearing with the second Staff Dismissal Committee which will be held on _____ *(date)* at _____ *(time)* in the school.

You should inform the Head-teacher, in writing, within 3 working days of being advised of your selection, of your intention to make representations.

You have the right to be accompanied at that meeting by a Trade Union representative or work colleague. The Committee will consider any representations which you would wish to make against the selection of your post as being no longer required at the school.

I attach the Protection of Employment Policy for school based employees for your information.

You also have a right of appeal to the Staff Dismissal Appeals Committee of the Governing Body which would conduct a complete rehearing of the case. The members of the Governing Body who sit on that committee will not have been involved in the initial decision. Once more you are welcome to attend with a trade union representative or workplace colleague.

You may make representations to either or both of these Committees.

Should your representation and/or Appeal be unsuccessful the Governing Body would, reluctantly, have to advise Monmouthshire County Council that you would not be required at the school after _____(date). This does not mean that you will automatically be made redundant.

Monmouthshire County Council as the ultimate employer must make effort to find suitable alternative employment for you by placing you on the Council's "At Risk" Register. For further information, please do not hesitate to contact HR within the local authority. The Governing Body will advise the Council of your situation.

May I assure you that the Head Teacher will be working closely with the Council to resolve your individual situation and would be pleased to afford you whatever time or advice you may wish over this difficult period of time.

Yours sincerely,

Clerk

On behalf of the Governing Body

EXEMPLAR LETTER NO 2

Letter to Chief Officer, Children and Young People

School Address

Date

Chief Officer - CYP
Monmouthshire County Council
@ Innovation House
PO Box 106
Caldicot NP26 9AN

Dear

I am writing to inform you that at a meeting of the governing body of the _____
_____ School held on _____(date) the Head-teacher's report was presented.

As a result of that report the Governing body agreed that a reduction in staffing levels at the school was recommended.

Accordingly the first Staff Dismissal Committee has been asked to meet and have agreed to do so on _____(date)

Should they agree that a reduction in staffing is necessary they will consider all measures to avoid the need for compulsory redundancies. These measures include: considering the termination of appropriate temporary contracts, job share and part time working requests, volunteers for redundancy, and retirements of employees.

The Head Teacher has commenced consultation with the recognised trades unions by writing to: _____(fill names of trade unions here)

and has outlined the following:

- The reason for the proposals
- The number and description of the employees at risk
- Total numbers of staff at the school

The Head Teacher has asked for initial observations by _____(date) which is in advance of the initial meeting of the Staff Dismissal Committee.

The Head Teacher, on behalf of the governing body, has also commenced consultations with employees at the school by *holding a staff meeting*. The Head Teacher is happy to meet with individuals who may have concerns over their position.

The Governing Body *has/has not* requested that a representative of the Chief Officer of Children and Young People (usually HR) attends the Staff Dismissal Committee meeting.

The Head Teacher will keep you, the staff and the trade unions fully informed of developments throughout the process.

Yours sincerely,

Clerk
On behalf of the Governing Body

EXEMPLAR LETTER NO 3

Letter 1 to all relevant recognised Trade Unions

School Name:

Date:

Dear

I am writing to inform you that the Governing Body of _____ School met on _____ (date) to receive to consider the recommendations of the Finance Committee.

As a result of that meeting, the Governing Body has determined that it is necessary to enter into a formal redundancy process.

As part of the consultation processes and in line with the Protection of Employment policy (attached) , I would like to provide you with the opportunity to discuss the situation with the Head Teacher, a representative of the Chief Officer of Children and Young People (usually HR) and a governor at the school at the earliest possible stage.

I am looking to convene this meeting as soon as possible in order that we can look at ways together to avoid redundancies and also agree the redundancy selection criteria.

The Staff Dismissal Committee will then determine and approve the redundancy selection criteria.

Please therefore let me know your availability in the week commencing _____.

As it is necessary to adhere to strict deadlines within the redundancy process and in order for the school not to incur any additional costs as a result of not adhering to timescales, I would be grateful if you would arrange for a substitute representative to attend if necessary. Non attendance at this meeting will not mean that the redundancy process will be halted or compromised in any way and written comments can also be provided by trade unions throughout the redundancy process.

In line with the Protection of Employment policy, the Head Teacher is required to produce a Head-teacher's Redundancy/Restructure report. As soon as this is completed I will forward a copy to you, for comments. All comments will be provided to the relevant Governing Body Committee who will respond accordingly.

I will write to you again to update you with the situation as it progresses.

Yours sincerely,

Clerk

On behalf of the Governing Body

Letter 2 to all relevant Trade Unions

School Name:

Date:

Dear

Further to my letter dated _____, I would like to inform you that the first Staff Dismissal Committee will have their first meeting on _____(date)

As part of the consultation process, I would welcome your comments on the enclosed Head-Teacher's report, which will be considered by the Staff Dismissal Committee.

For your information, the Head Teacher has consulted employees within the school by means of a staff meeting and will arrange to hold individual employee consultations if requested.

In accordance with the agreed Protection of Employment Policy for redundancies amongst school employees, I am attaching the following information:

- The reason for the proposals
- The number and description of the employees at risk
- Total numbers of staff at the school
- Budget information

The Head Teacher has informed the Chief Officer for Children and Young People and *has/has not* requested advice from the local authority.

Please forward any observations to me no later than _____(date) so that the Staff Dismissal Committee may take account of them in their initial deliberations.

The Staff Dismissal Committee will, of course, consider all measures to avoid the need for compulsory redundancies at the school.

Yours sincerely,

Clerk

On behalf of the Governing Body

EXEMPLAR LETTER NO 4

To Employee

School Name

Date

Dear

I am writing to confirm the decision of the second Staff Dismissal Committee, which met on _____(date), that they were able/unable to support your case against your post being identified as no longer being required at the _____School /or your contractual hours being reduced to _____

Delete if necessary

The reason(s) why your argument(s) could not be supported is/are:

_____(insert reasons)

The Governing Body, however, would wish to remind you that you have a right of appeal to the Staff Dismissal Appeals Committee of the Governing Body.

The Appeals Committee consists of governors who have not taken part in the original decision to identify your post as no longer required at the school.

The committee will conduct a complete rehearing of the case **and I attach, for your information a copy of the Protection of Employment Policy for school based employees.**

The meeting is scheduled for _____(date) at _____(time) in the School.

You are of course welcome to be accompanied by a trade union representative or workplace colleague.

Would you please advise the Chair of Governors in writing by _____(date) whether you wish to appeal to the Governing Body, stating your grounds for appeal.

Yours sincerely,

Clerk

On behalf of the Governing Body

EXEMPLAR LETTER NO 5

To Employee

School Name

Date

Name

Address

Dear

I am writing to confirm the decision of the Staff Dismissal Appeals Committee, which met on _____(date), that they were able/unable to support your case against your post being identified as no longer required at the _____School. (Delete if not appropriate) Please accept this letter as notice that your post will end on

Delete if not appropriate

The reason(s) why your argument(s) could not be supported is/are:

_____(insert reasons)

Yours sincerely,

Clerk

On behalf of the Governing Body



SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS

MEETING AND DATE OF MEETING: Cabinet – 5th March 2014
TITLE OF REPORT: Staffing Matter
AUTHOR: Joy Robson

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:
Paragraph 12 of part 4 of schedule 12A Local Government Act 1972

FACTORS IN FAVOUR OF DISCLOSURE:
All information is in the public domain

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:
An individual's personal circumstances are disclosed

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:
Outweighed by the need to exempt

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:
To apply exemption

Date: 19/2/14

Signed: J Robson

Post: Head of Finance

I accept/do not accept the recommendation made above

Proper Officer: P. Matthews

Date: 19/2/14