



Borough of Telford and Wrekin

Full Council

Thursday 13 July 2023

6.00 pm

Telford Theatre, Limes Walk, Oakengates, Telford, TF2 6EP

Democratic Services: Jayne Clarke / Stacey 01952 383205 / 384382
Worthington

Media Enquiries: Corporate Communications 01952 382406

Committee Members: Councillors E Aston, S Bentley, K T Blundell, M Boylan, A J Burford, S P Burrell, E M Callear, L D Carter, G H Cook, E Davies, S Davies, P Davis, F Doran, N A Dugmore, A J Eade, A R H England, N A M England, S Handley, Z Hannington, C Healy, T L B Janke, A S Jhavar, J Jones, G C W Latham-Reynolds, L Lewis, G Luter, A D McClements, R Mehta, K Middleton, H Morgan, T J Nelson, G L Offland, R A Overton, L Parker, L Powers, I Preece, S J Reynolds, S A W Reynolds, H Rhodes, R Sahota, P J Scott, S Syrda, G Thomas, P Thomas, B J Thompson, W L Tomlinson, K T Tomlinson, K Tonks, C R Turley, R Tyrrell, J Urey, O Vickers, P Watling and D R W White

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To confirm the minutes of the last meeting of the Council.

ANNOUNCEMENTS

5.0 Leader's Report & Announcements

The Leader of the Council may give an oral report on matters of significance to the Borough, comment upon the Cabinet decisions or make any announcements.

6.0 Mayor's Announcements

9 - 10

To note the Mayoral Engagements undertaken since the previous Council meeting.

QUESTIONS

7.0 Public Questions

To receive any questions from the public which have been submitted under Council Procedure Rules 7.11 and 7.12. The session will last no more than 15 minutes with a maximum of 2 minutes allowed for each question and answer. Questions can be asked of the Leader and Cabinet Members.

The following question to Councillor L D Carter, Cabinet Member: Place (The Economy & Neighbourhood Services):

Has Telford Council done any analysis on 15/20 minute C40 cities/neighbourhoods and/or LTNs with reference to possibly implementing such schemes in Telford and district?

8.0 Councillor Questions On Notice

To answer questions received under Council Procedure Rule 6.2.

NB In accordance with the provisions of Council Procedure Rule 6.2.9 there will be a maximum of 30 minutes allowed for questions and answers. Any question not answered within the 30 minute time limit will receive a written reply within 5 working days.

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DEBATE

13.0 Notices of Motion

13.1 Councillor S Bentley will propose the following Motion :-

“This Council notes with great concern that a recent residents meeting, arranged by Telford & Wrekin Council, refused entry to the Elected Ward Member and local Parish Councillor who were both also residents. However, while acknowledging the apology later offered to the two elected representatives, this Council gives an absolute guarantee that such an instance will not happen again and that all Elected Members regardless of any political affiliation or none will not be prevented from speaking on behalf of their communities.”

The Motion will be seconded by Councillor A J Eade.

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FULL COUNCIL

Minutes of a meeting of the Full Council held on Thursday 25 May 2023 at 6.00 pm in Telford Theatre, Limes Walk, Oakengates, Telford, TF2 6EP

Present: Councillors E Aston, S Bentley, K T Blundell, M Boylan, A J Burford, S P Burrell, E M Callear, L D Carter, G H Cook, E Davies, S Davies, P Davis, F Doran, N A Dugmore, A J Eade, A R H England, N A M England, S Handley, Z Hannington, C Healy, T L B Janke, A S Jhawar, J Jones, G C W Latham-Reynolds, L Lewis, G Luter, A D McClements, R Mehta, K Middleton, H Morgan, T J Nelson, R A Overton, L Parker, L Powers, I Preece, S J Reynolds, S A W Reynolds, H Rhodes, R Sahota, P J Scott, S Syrda, G Thomas, P Thomas, B J Thompson, W L Tomlinson, K T Tomlinson, K Tonks, C R Turley, R Tyrrell, J Urey, O Vickers, P Watling and D R W White

Apologies: Councillors G L Offland

1 Declaration

Councillor O Vickers read the following declaration:

“Colleagues, aware of our responsibilities to promote democracy and the wellbeing of all local people, on behalf of the Council, I make this commitment to our office as elected representatives.

Elected to serve the public good, we recognise that public office is a privilege granted by the people and not a right.

We, elected representatives of the people of Telford & Wrekin, declare that we will, to the best of our ability, uphold the Council’s constitution and serve the community above any private or personal interest.”

Members signified their affirmation of the Declaration.

2 Prayers and Reflections

Ms N Headley, representing the Telford African and Afro-Caribbean Centre, said prayers.

3 Election of Mayor

It was moved by Councillor P R Watling, seconded by Councillor H Morgan, that Councillor A R H England be elected as Mayor of the Council.

RESOLVED – that Councillor A R H England be elected as Mayor of the Council for the municipal year 2023/24.

4 Election of Speaker

It was moved by Councillor A D McClements, seconded by Councillor G H Cook, that Councillor P Davis be elected as Speaker of the Council.

RESOLVED – that Councillor P Davis be elected as Speaker of the Council for the municipal year 2023/24.

5 Election of Deputy Speaker

It was moved by Councillor L Lewis, seconded by Councillor E Aston, that Councillor Z Hannington be elected as Deputy Speaker of the Council.

RESOLVED – that Councillor Z Hannington be elected as Deputy Speaker of the Council for the municipal year 2023/24.

6 Election of Deputy Mayor

It was moved by Councillor R Mehta, seconded by Councillor L Parker, that Councillor I Preece be elected as Deputy Mayor of the Council.

RESOLVED – that Councillor I Preece be elected as Deputy Mayor of the Council for the municipal year 2023/24.

7 Vote of Thanks to Retiring Mayor

A vote of thanks to the retiring Mayor, Councillor R Mehta, was proposed by Councillor C Healy and seconded by Councillor R A Overton.

RESOLVED – that the Council record its thanks to the retiring Mayor, Councillor R Mehta for his service over the 2022/23 term of office.

8 Reply to Vote of Thanks

In response, the retiring Mayor thanked Members for their kind words and stated that it had been an honour to serve as Mayor. He highlighted a number of engagements that he had attended, such as riding in a hot air balloon and visiting the Borough in Santa's sleigh. He had enjoyed the honour of hosting the Queen Consort and the Lord Lieutenant during their visits and engagements in the Borough.

The retiring Mayor noted that he had raised over £12,000 which would be used to support the work of the Telford Interfaith Council. He expressed his thanks to the Council staff, his deputy, the Mayoress and his family for all the support he had received during his mayoral year.

9 Election of Leader of the Council

It was moved by Councillor R A Overton, seconded by Councillor G C W Latham-Reynolds, that Councillor S Davies be elected as Leader of the Council for a four year term of office.

RESOLVED – that Councillor S Davies be elected as Leader of the Council for a four year term of office from 2023/24 – 2026/27.

10 **Appointment of Deputy Leader**

The Leader confirmed that he was appointing Councillor R A Overton as Deputy Leader for a four year term.

11 **Declarations of Interest**

None.

12 **Minutes of the Previous Meeting**

RESOLVED – that the minutes of the meeting held on 2 March 2023 be confirmed and signed by the Mayor.

13 **Announcements**

The Leader advised that he had first been elected to the Council 12 years ago and that he was proud to represent the community he was born and brought up in. The Leader expressed his congratulations to the newly elected Councillors and thanked those Members who were not returned or decided not to stand for election for their time, energy and passion while undertaking their duties.

The Leader reflected on his time in office. He noted that one of his first actions in post as a Cabinet Member had been to halt the privatisation of the Ice Rink and noted that it was a magnet for children and young people in the Brough and generated income which was invested back into services across the Borough.

The Leader highlighted a number of achievements, which included the Pride in Your High Street Programme, the Telford Land Deal, the designation of 17 Local Nature Reserve and Children’s Services being rated as Outstanding by Ofsted.

Councillor A J Eade, Leader of the Conservative Group, noted that this was a civic occasion. Councillor Eade discussed his first Full Council Meeting and that it had been said at that meeting that Members were there to do their best for the Borough.

Councillor W L Tomlinson, Leader of the Liberal Democrat Group, welcomed initiatives that the Council had introduced to support residents in the Borough. Councillor Tomlinson stated that Members should strive that at the end of the four year term of office that every ward should be a better place to live in than when the term of office began.

14 **Appointment of Cabinet**

Councillor S Davies notified the meeting of his Cabinet appointments.

15 Delegation Scheme

Councillor N A M England proposed that the Council reassert the delegation scheme as detailed in the Council Constitution.

RESOLVED - that the discharge of Council functions by Committees as set out in the Council's Constitution dated 5 March 2020 be approved under the provisions of Section 101 of the Local Government Act 1972.

16 Appointment of Committees and Boards

Proposals for the appointment of Committees, Commissions and Boards, etc in accordance with the political balance of the Council had been submitted. It was noted that there was a typographical error in the report, however, the calculations were correct.

RESOLVED – that the committees and bodies for the municipal year 2023/24 (including the appointment of Chairs and Vice-Chairs) be appointed as set out in the report.

17 Programme of Ordinary Meetings of the Council

The programme of dates for ordinary meetings of the Council for 2023/24 would be as set out in the report.

The meeting ended at 7.07 pm

Chairman:

Date: Thursday 13 July 2023

MAYORAL ENGAGEMENTS **25 May 2023– 5 July 2023**

JUNE			
	3	M	Broad Oaks Fitness Track Opening, Donnington
	4	M	Telford Walking Festival, Telford
	8	M	Carers Event – Reaching out to all, Telford
		M	ROC Conversation, Telford
	17	M	Chinses Community Gathering, Telford
		M	Priorslee Residents Association, Priorslee
	19	M	Opening of New Dominoes Pizza Branch, Overdale
	21	M	103 rd Birthday Celebration, Telford
	22	M	University of Wolverhampton ENGV Conference, Wolverhampton
		M	Electrification & Sustainability Conference, Wellington
	23	M	RBSL Engagement Event, Telford
	24	M	Veterans Trail Launch, Telford
		M	Armed Forces Day 2023
	25	M	Mayor of Newport’s Civic Parade and Service, Telford
	27	M	Make a Change competition presentation event, Telford
	29	M	MPFT’s Big Awards Night, Telford
	30	M	Age UK Screening of ‘ All the Lonely People’, Telford

JULY

3

M

Harper Adams Visit, Telford

M

Opening of Trackman Driving Range,
Telford



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Full Council

Thursday 13 July 2023

CSE Inquiry - Update

Cabinet Member:	Cllr Lee Carter - Cabinet Member: Place (The Economy & Neighbourhood Services) & Cllr Shirley Reynolds – Cabinet Member: Early Years, Children & Young People
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Anthea Lowe - Director: Policy & Governance
Officer Contact Details:	Tel: 01952 383219 Email: anthea.lowe@telford.gov.uk
Wards Affected:	Not Applicable
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Not Applicable

1.0 Recommendations for decision/noting:

It is recommended that Full Council:-

- 1.1 Notes the progress made by the Council against the actions contained within the report of the Independent Inquiry into CSE in Telford published on 12 July 2022;
- 1.2 Notes the Annual Report of the CSE Joint Review Action Group attached at **Appendix A** to this report; and
- 1.3 Notes the update provided by those with lived experience as to the progress of implementation of recommendations.

2.0 Purpose of Report

- 2.1 The purpose of this report is to enable Council to gain an understanding as to the work that has been undertaken in relation to the recommendations contained within the report of the Independent Inquiry (“the Report”).

3.0 Background

- 3.1 In 2018, the Council commissioned an Independent Inquiry into CSE within Telford. The Independent Chair of this Inquiry, Tom Crowther KC (a former Judge) was appointed in 2019 and work on the Inquiry commenced in the summer of 2019.
- 3.2 The Independent Chair published his report, comprising more than 1,240 pages on 12 July 2022. This report comprised 47 recommendations, which can be broken down into 148 actions. These recommendations and actions are shared across the Council, West Mercia Police, West Mercia Police & Crime Commissioner and the Integrated Care System (including health providers).
- 3.3 The Council has sole responsibility for implementing 29 recommendations/82 actions with a further 6 recommendations/30 actions requiring involvement from the Council.
- 3.4 The Terms of Reference for the Inquiry included provision for the Independent Chair to return 2 years’ post-publication of his report to assess the progress of those organisations in implementation of his recommendations. Following publication of the Report, the Leader confirmed that the Council would ensure all of its recommendations are implemented by the end of 2023.
- 3.5 Following the publication of the Report, the Council considered the best method for ensuring recommendations were implemented whilst, at the same time, providing some independence to the process. The Council has engaged an independent chair of the strategic implementation group (the group monitoring progress comprising those with lived experience, elected members, senior officers of the Council and other organisations) and an independent chair of the partners’ group which oversees the implementation of the joint partner actions.
- 3.6 Since publication of the Report, the Council has engaged with three individuals with lived experience to support it through the implementation process. Each of these individuals have experience of working in the field of CSE, providing support to others with experience of CSE, training professionals across the country and providing advice to government on matters relating to CSE, modern slavery and trafficking.
- 3.7 These individuals provide valuable insight through their lived experience (and that of those that they have contact with), present constructive challenge and contribute information, research and examples of best practice that can be incorporated into the work that the Council has undertaken and continues to undertake. They have also been consulted in relation to some of the recommendations that fall to partner agencies.

- 3.8 These individuals with lived experience have provided the Council with a video reflecting on their involvement in this work (<https://youtu.be/GZUDaLUViE>). They also wanted to commend the Independent Chair coming on board after the team had been established. This would have been quite daunting however she has exceeded all expectations and hasn't shyed away from confronting and raising challenges amongst the partners.
- 3.9 Of the actions that are ready to be reviewed, many of them are related to the taxi licensing and night-time economy recommendations made by the Inquiry. This responsiveness and desire from the Council's Licensing Team to progress their actions should be commended and has meant greater awareness within the community about the work of the licensing team, how to identify a taxi licensed in Telford and Wrekin and how to make complaints. Those with lived experience wished to express their thanks to the team for this work which they believe can only help protect children, young people and the wider community.

4.0 Summary of current position

- 4.1 As set out above, the Independent Chair will be returning to Telford and it is intended that the Council will issue an invitation for him to return at the end of this calendar year.
- 4.2 With that in mind, it has been important that the Council can see progress on an ongoing basis. As at the time of publication of this report:-
- 42 / 82 (51%) actions are ready for assessment by the Independent Chair;
 - 13 further actions are on track to be ready for assessment by the Independent Chair by the end of July.

This will mean that 67% of actions will be ready for independent assessment by the end of July.

- 4.4 It is recognised that there remains a lot of work to do to achieve the earlier timescale of the end of the year and this also requires input from partners. We are, however, cautiously confident that we are on track to send an invitation to the Independent Chair at the end of this year.
- 4.5 Across the 47 recommendations, 5 related entirely to the publication of an Annual Report from the 'Joint CSE Review Group', a partnership group, required by the recommendations. In addition, some actions for other recommendations also require information to be published in the annual report. This report is crucial in ensuring a multi-agency understanding of CSE within Telford, the profile of victims and the profile of suspected perpetrators. Attached at **Appendix A** is the Annual Report of the Joint CSE Review Group.

5.0 Council Priorities

5.1 This report links to the following Council priorities:-

- Every child, young person and adult lives well in their community;
- All neighbourhoods are a great place to live; and
- A community-focussed innovative council providing efficient, effective and quality services.

6.0 Financial Implications

6.1 Any financial implications arising from this report will be managed through the usual budget-setting process. Advice on individual proposals has been, and will continue to be, provided throughout the implementation process.

7.0 Legal and HR Implications

7.1 There are no legal and / or HR implications directly relating to this report. Advice has been given, and will continue to be given, on individual proposals throughout the implementation process.

8.0 Ward Implications

8.1 Whilst there are no ward implications directly relating to this report, individual proposals arising out of the implementation of recommendations may have ward implications and, where appropriate, these will be reported to Cabinet and / or Council in the usual way.

9.0 Health, Social and Economic Implications

9.1 Whilst there are no health, social or economic implications directly relating to this report, individual proposals arising out of the implementation of recommendations may have ward implications and, where appropriate, these will be reported to Cabinet and / or Council in the usual way.

10.0 Equality and Diversity Implications

10.1 Whilst there are no equality and diversity implications directly relating to this report, individual proposals arising out of the implementation of recommendations may give rise to equality, diversity and inclusion considerations. Where appropriate, these will be reported to Cabinet and / or Council in the usual way. It is considered that the involvement of those with lived experience will support the Council's inclusivity aims.

11.0 Climate Change and Environmental Implications

11.1 There are no climate change and environmental implications directly relating to this report.

12.0 Background Papers

- 1 Report of the Independent Inquiry into CSE in Telford available [here](#)

13.0 Appendices

- A Annual Report of the Joint CSE Review Group

14.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Finance	05/07/2023	05/07/2023	MLB
Legal	05/07/2023	05/07/2023	RP

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**REPORT OF JOINT CSE REVIEW GROUP
ANNUAL REPORT
JULY 2023**

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INTRODUCTION

1. In 2018, Telford & Wrekin Council agreed to commission a judge-led independent inquiry (“IITCSE”) into historic child sexual exploitation (“CSE”) within the Borough. Further to this agreement, the Council engaged international law firm Eversheds Sutherland in January 2019 as an Independent Commissioning Body to appoint an independent Chair of the Inquiry. The Independent Chair, Tom Crowther KC, was appointed in July 2019 and his work commenced shortly thereafter.
2. Supported by the Independent Commissioning Body, the appointment of the Independent Chair of the Inquiry was carried out through joint working between a cross-party group of elected Members and survivors. This group also agreed the terms of reference for the Inquiry.
3. On 12 July 2022, the Independent Chair of the Inquiry published his report (“the Report”) which contained 47 recommendations and 148 specific actions.
4. Recommendations 1 to 5 called for the creation of a Joint CSE Review Group to collate and analyse data and produce an annual report:
 - Recommendation 1: *Establishment of a ‘Joint CSE Review Group’*
 - Recommendation 2: *‘Joint CSE Review Group’ to publish an annual CSE Report*
 - Recommendation 3: *WMP to prepare mapping and prevalence data to be shared with the Joint CSE Review Group*
 - Recommendation 4: *Council to prepare Children Abused Through Exploitation (“CATE”) data to be shared with the ‘Joint CSE Review Group’*
 - Recommendation 5: *Schools and colleges to prepare data to be shared with the ‘Joint CSE Review Group’*
5. In addition, this annual report should also include information relating to four other recommendations:
 - Recommendation 7: *Ring-fencing of CATE Team resource - The Council should publish information regarding the resourcing and workloads of the CATE Team as part of the ‘Joint CSE Review Group’s’ Annual Report.*
 - Recommendation 18; *The Council should annually review its CSE therapeutic support offering, to include services it provides directly and services it commissions and the review should be published annually as part of the ‘Joint CSE Review Group’s’ Annual Report.*
 - Recommendation 22: *Council to review its CSE complaints procedure and publish a summary of CSE complaints as part of the Joint CSE Review Group’s Annual report.*
 - Recommendation 26: *Council to collate data relating to complaints against taxi drivers as part of the Joint CSE Review Group’s Annual report.*
6. This report is the first annual report produced by the Joint CSE Review Group. Its development has strengthened collaborative work between Telford & Wrekin Council, West Mercia Police, Shropshire, Telford & Wrekin ICB and the Office

of the West Mercia Police and Crime Commissioner focused on sharing information and data.

7. Part one of this report presents a profile of CSE in Telford and Wrekin to:-
 - explore the scale of CSE;
 - set out what support is provided to both victims, and those at risk of becoming a victim, of CSE;
 - create a profile of victims, and those at risk, of CSE;
 - set out the outcome of criminal investigations;
 - show locality analysis; and
 - provide a profile of suspects.
8. This report is very much seen as the start of ongoing work and a baseline in profiling CSE. In draft form, the profile has been shared and discussed with key stakeholders and has stimulated rich debate and discussion on meaning and future lines of enquiry to support the safeguarding of children and young people. Reflecting this, to inform further analytical work and future editions of this report, ten actions have been identified to improve the understanding of CSE in Telford and Wrekin, how those at risk are safeguarded, and enhance multi-agency safeguarding arrangements to protect and safeguard victims of CSE.
9. Part two of the report presents the additional information required by the IITCSE Report Recommendations.
10. The Joint CSE Review Group will next meet formally in July 2023. A full progress report will be published in July 2024 and each year thereafter.

DEFINITION OF CSE

11. The definition of CSE used throughout this report is that adopted by the IITCSE:-

“Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.”

JOINT CSE REVIEW GROUP

12. The Review Group met formally, for the first time on 1st February 2023 (following earlier informal meetings) to consider initial findings from analysis of incidents of CSE in the borough by West Mercia Police and Telford & Wrekin

Council and to agree an Action Plan to develop and deliver this Annual Report. Since then, the members of the group have worked to bring this first report together.

13. The group will continue to meet to progress and implement the recommendations identified in this report.
14. The terms of reference of the Review Group and the minutes of the first meeting are set out in Appendix A and Appendix B respectively.

PART ONE: CSE PROFILE

15. Recommendations 1 to 5 require data and information to be shared and analysed to profile CSE in Telford and Wrekin using a broad range of data and information from West Mercia Police, schools and colleges and Telford & Wrekin Council.
16. In developing this CSE profile, the CSE Review Group has built their analysis around the multiagency safeguarding arrangements developed and implemented by the Telford & Wrekin Safeguarding Children Board. These arrangements describe how all relevant agencies should assess, and the action that should be taken, when indicators of CSE are identified for a child or young person. This approach has been taken to test these processes and decision making to ensure that the right action is taken and that the right information is shared at the right time. It also looks at the characteristics of the children and young people who are considered to be at risk of becoming a victim of CSE or have been a victim of CSE exploring age, gender, ethnicity, SEND status, missing episodes and school and college attendance. It follows confirmed cases of CSE through to criminal justice outcomes and profiles suspects where known.
17. It specifically focusses on those children and young people that live in Telford and Wrekin.

Multi-agency Safeguarding Arrangements

18. Telford & Wrekin Council, West Mercia Police and the NHS Shropshire, Telford & Wrekin have a statutory duty to instigate multi-agency safeguarding arrangements that ensure vulnerable children are protected and supported. This responsibility is discharged through the Telford & Wrekin Safeguarding Children Board. Membership of the Board includes representatives from:
 - Telford & Wrekin Council including Education & Skills (representing early years, schools and colleges) and Children's Safeguarding and Family Support
 - Shropshire, Telford & Wrekin ICS (NHS)
 - Shrewsbury and Telford Hospital NHS Trust
 - Midlands Partnership University NHS Foundation Trust
 - Shropshire Community NHS Trust
 - West Mercia Police

- Shropshire Fire & Rescue Service
- Probation
- Youth Justice Service
- Housing
- Community & voluntary organisations.

19. Telford & Wrekin Safeguarding Children Board works to:

- create an environment where Child Exploitation (CE), and specifically CSE, is prevented, identified, and challenged, and;
- ensure that children, young people and families whose lives are affected by CSE will receive a high level of support as well as protection, and the perpetrators are held accountable for their actions, and brought to justice.

20. Since the publication of the IITCSE report, linked to IITCSE Recommendation 9: *The Council should review its subgroups*, a review of the partnership has been completed and the review recommendations are now being implemented.

Threshold Guidance

21. The Safeguarding Children Board has developed and adopted updated “threshold guidance” to ensure that anyone who works alongside children, young people, their families and carers work together, share information and ensure that effective support is provided.

22. The guidance describes a range of different needs and the intervention that will meet that need. Consistent application of threshold for statutory intervention and early help provision is crucial in identifying and meeting the needs of families and maintaining quality of provision of support across all services.

23. This approach should ensure that all partners respond to concerns about CSE in the same way. It enables partners to understand each individual report or case, share information with partners and ensure that those who have been subject to CSE, and those at risk of CSE, are receiving the right support.

24. The document describes factors associated with CE:

- Running away/going missing
- Coercion/control
- Contacts with abusive persons and/or risky environments
- Substance misuse
- Education
- Use of social media/technology
- Emotional & physical health and sexual health
- Accommodation and family relationships
- Offending/criminal activity
- Community/social isolation factors

25. The CE Threshold Guidance has four levels of need. For each of the above factors the guidance sets out the relevant signs and behaviours for each of these levels of risk (threshold descriptors).

Universal - a child or young person's needs are adequately met by universal services and no additional support is required.

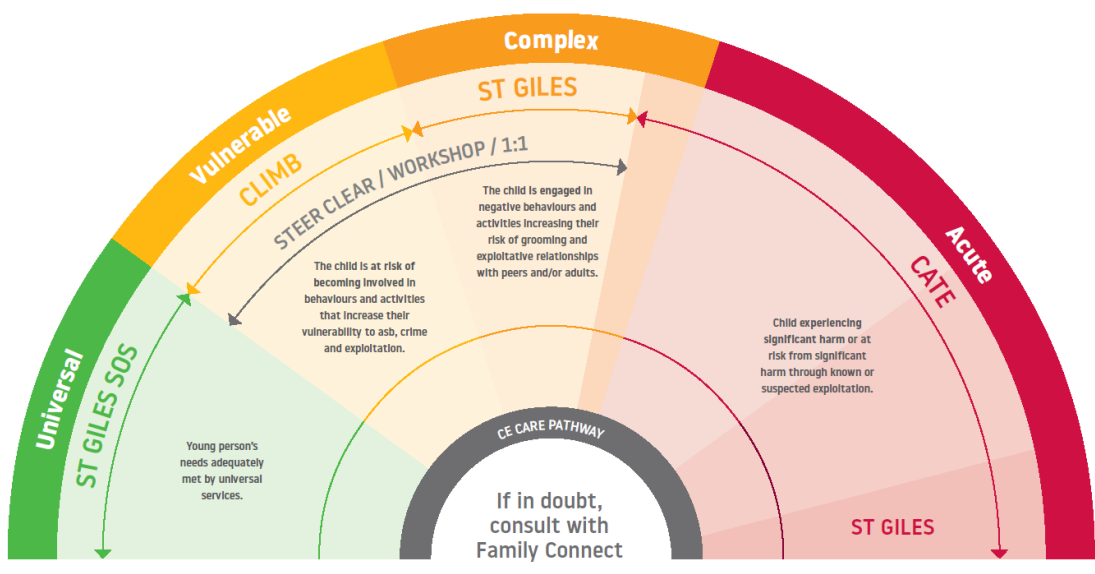
Vulnerable - children and young people defined as needing some additional support as there are early indicators of potential exploitation. Without support, these issues may develop into more worrying concerns. An Early Help Assessment may be undertaken to identify need and the support required to be undertaken by a single agency.

Complex - the child or young person remains vulnerable to exploitation. They are potentially at risk of developing acute/ complex needs if they do not receive targeted intervention. A multi-agency response will be provided.

Acute - exploitation is known or suspected and there are urgent and immediate safeguarding concerns for the child or young person. A multi-agency response will be provided, informed by specialist assessments.

26. These four levels form a continuum of need described as a "windscreen" as set out in diagram 1.

Diagram 1: CE continuum of need



27. The document sets out the concept of significant harm and how harm should be understood and managed. In the context of CSE and CE, the guidance sets out how harm outside the home should be assessed through "contextual safeguarding".
28. When an agency or practitioner has safeguarding concerns about a child or young person, they assess the information known to them to identify the level of risk and harm. Where the risk is assessed as "complex" or "acute" then this

information is shared with Family Connect. As well as practitioners from partner organisations, members of the public, family and friends share safeguarding concerns with Family Connect.

Family Connect

29. Family Connect is the Safeguarding Children Board's multi-agency safeguarding hub (MASH) run by qualified professionals from the Council, NHS (including mental health services, hospitals and "0 to 19" services), West Mercia Police, Youth Justice, Probation, education, Wrekin Housing Group and the Local Authority Designated Officer (responsible for managing allegations against adults who work with children). They work to build a picture of a child or young person's safeguarding risk. This is developed from the information that comes directly to Family Connect and their own organisation's information systems. This picture is screened by qualified social workers to identify what immediate action should be taken to safeguard the child or young person.
30. Each time an organisation or individual shares information with Family Connect, this is described as a "contact". When a contact into Family Connect is received it is recorded on an IDT case management system, Protocol. This is the single database used across children safeguarding services in Telford & Wrekin Council to manage cases and ensure that the right practitioners have access to relevant information and the case history for a child.
31. When a contact is received by Family Connect and CSE risk indicator(s) are identified, a specific "tick box" is selected on Protocol. This enables those contacts with CSE risk indicators to be readily identified and appropriate action taken.
32. In March 2023, the Threshold Guidance was refreshed and adopted by the Safeguarding Children Board. As part of the roll-out of the refreshed Guidance, a launch conference was held with over 170 practitioners from the NHS, Police, local authority, schools and colleges participating. This conference has been followed-up by a series of workshops to embed the way of working described by the Guidance. To date, 290 practitioners have participated with a further five workshops scheduled in autumn 2023. An essential part of the conference and workshops was training on when and how practitioners share information and contextual safeguarding case studies.

Child Abused Through Exploitation (CATE)

33. The CATE team and "CATE pathway" are a core part of the Safeguarding Children Board's response to CSE and CE more widely. Research has established that to support children and young people where risks are external to living circumstances, solely using traditional safeguarding procedures as set out in Children Act 1989 is not always effective for all young people who may be suffering/at risk from exploitation. To address this, the Child Exploitation Care & Support Pathway is a process for safeguarding children underpinned by a contextual safeguarding approach to understand and respond to children and young people's experience of significant harm beyond their family and outside

the family home. This pathway has been reviewed in line with Inquiry Recommendation 10.

34. The Council's CATE Team, alongside the local Child Exploitation Police Team from West Mercia Police, take a central position within this pathway. For the children and young people where it is not appropriate for them to be supported solely by this pathway, they also receive support by statutory children's safeguarding services. It is not uncommon for children and young people to receive support from both the specialised CATE team and statutory safeguarding services.

Methodology

35. To develop a profile and baseline report as required by Recommendations 1 to 5 of the IITCSE, West Mercia Police, Telford & Wrekin Council and the school and college CSE Lead Network have worked together to explore the following questions:
- How many contacts were made to Family Connect with indicators of CSE? Has the annual number of these contacts changed?
 - Who/which organisations made these contacts?
 - What was the outcome of these contacts? What support was provided?
 - What was the key characteristics of those who were provided with support? What was their age, gender, ethnicity, special education needs and disability ("SEND") status and school or college attendance, have they been "missing"?
 - How many of those that received support were at risk of becoming a victim of CSE and how many were victims of CSE based upon the definition adopted by the IITCSE Report
 - What criminal investigations were undertaken into the confirmed cases of CSE and what were the outcomes?
 - Where did the criminal activity take place?
 - What were the key characteristics of identified suspects?
 - How many children and young people have been identified with indicators of CSE by schools and colleges – whether assessed as vulnerable and provided with Early Help support or acute and complex and referred to Family Connect.
 - What risk indicators did schools or colleges identify?
 - What were the key characteristics of these cases including age, gender, ethnicity, SEND status and school or college attendance?
 - What support did the schools or college provide?

Diagram 2: CSE Contacts to Family Connect and their outcomes 2022/23

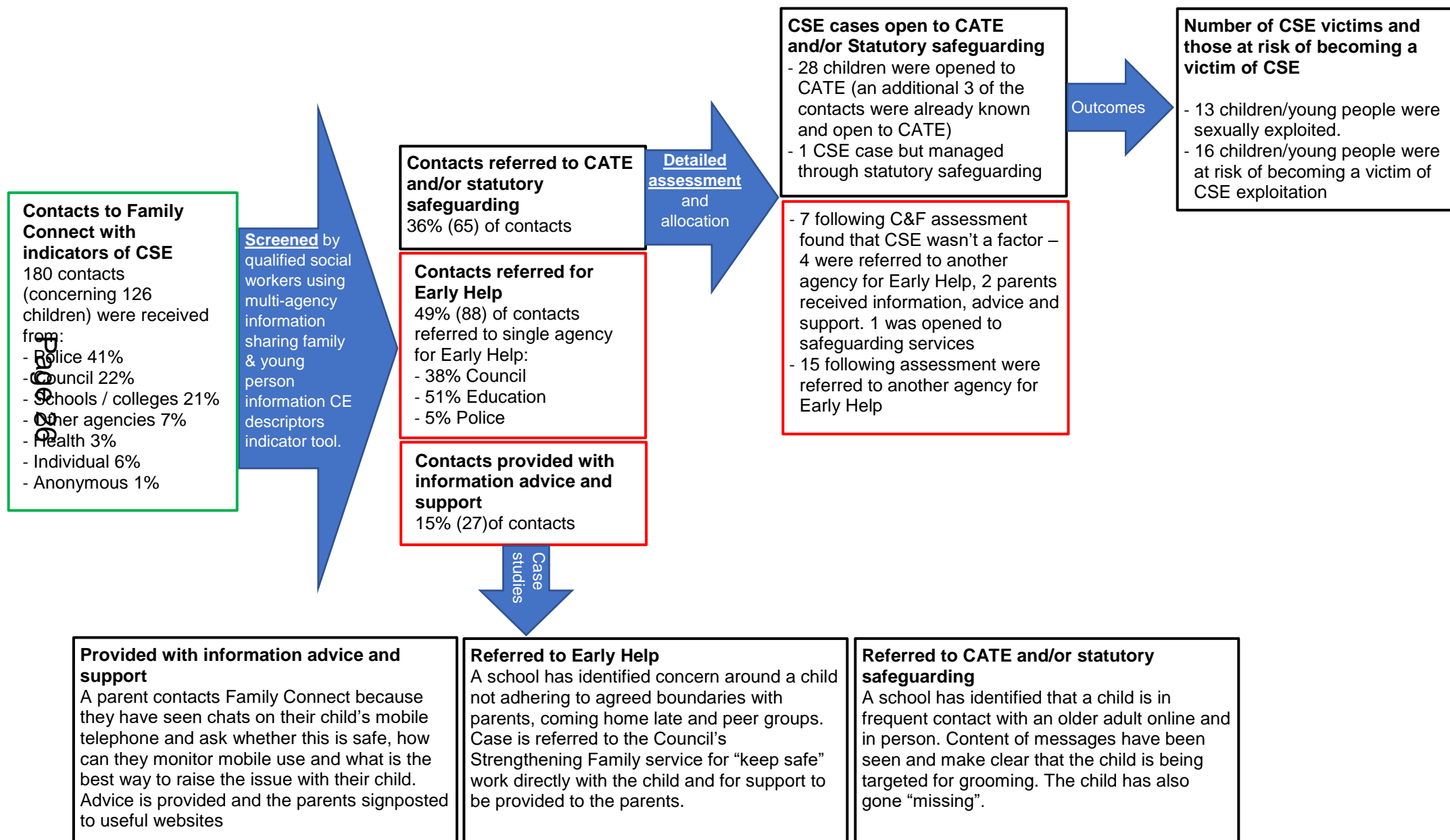


Diagram 3: CSE Contacts to Family Connect and their outcomes 2021/22

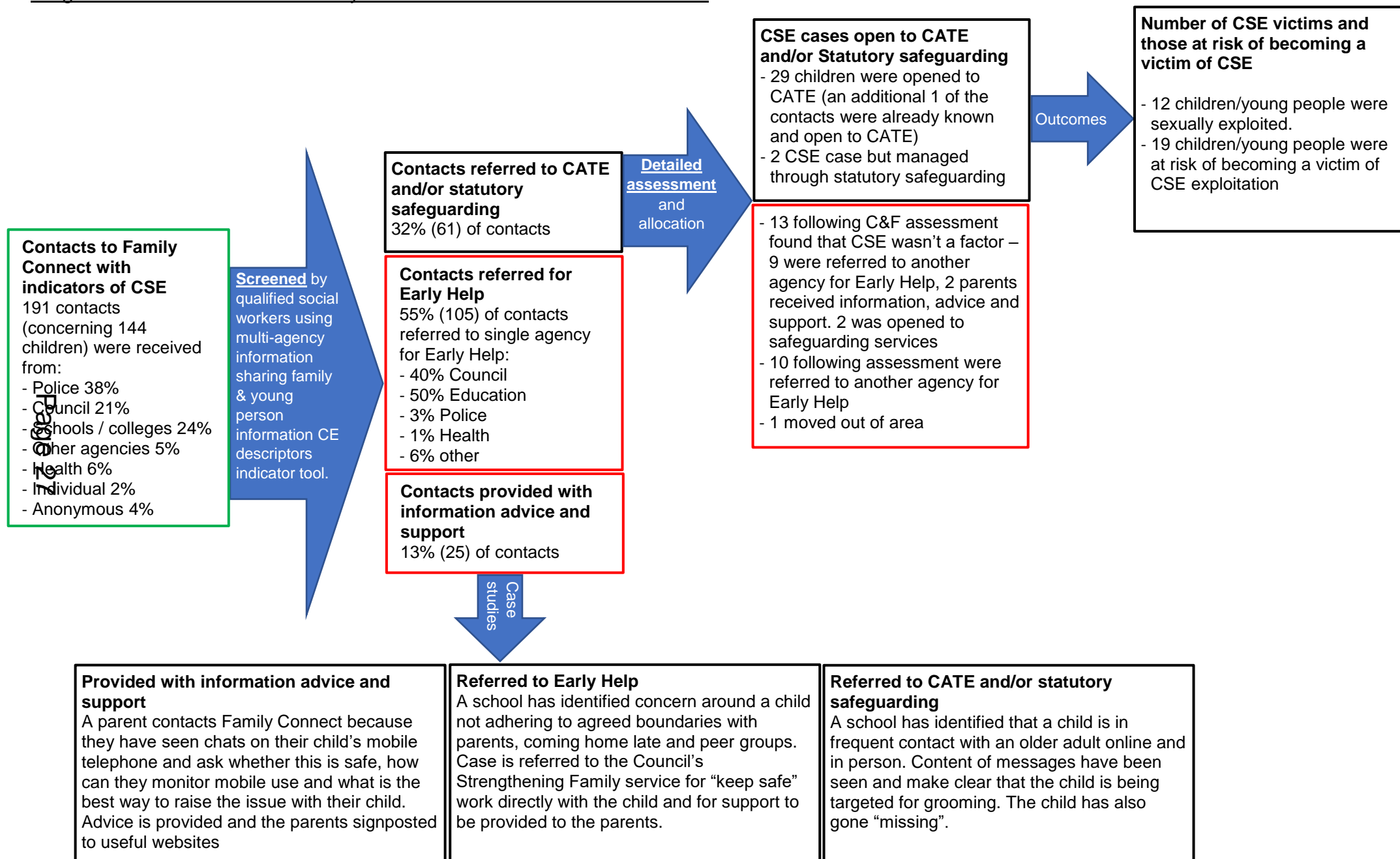
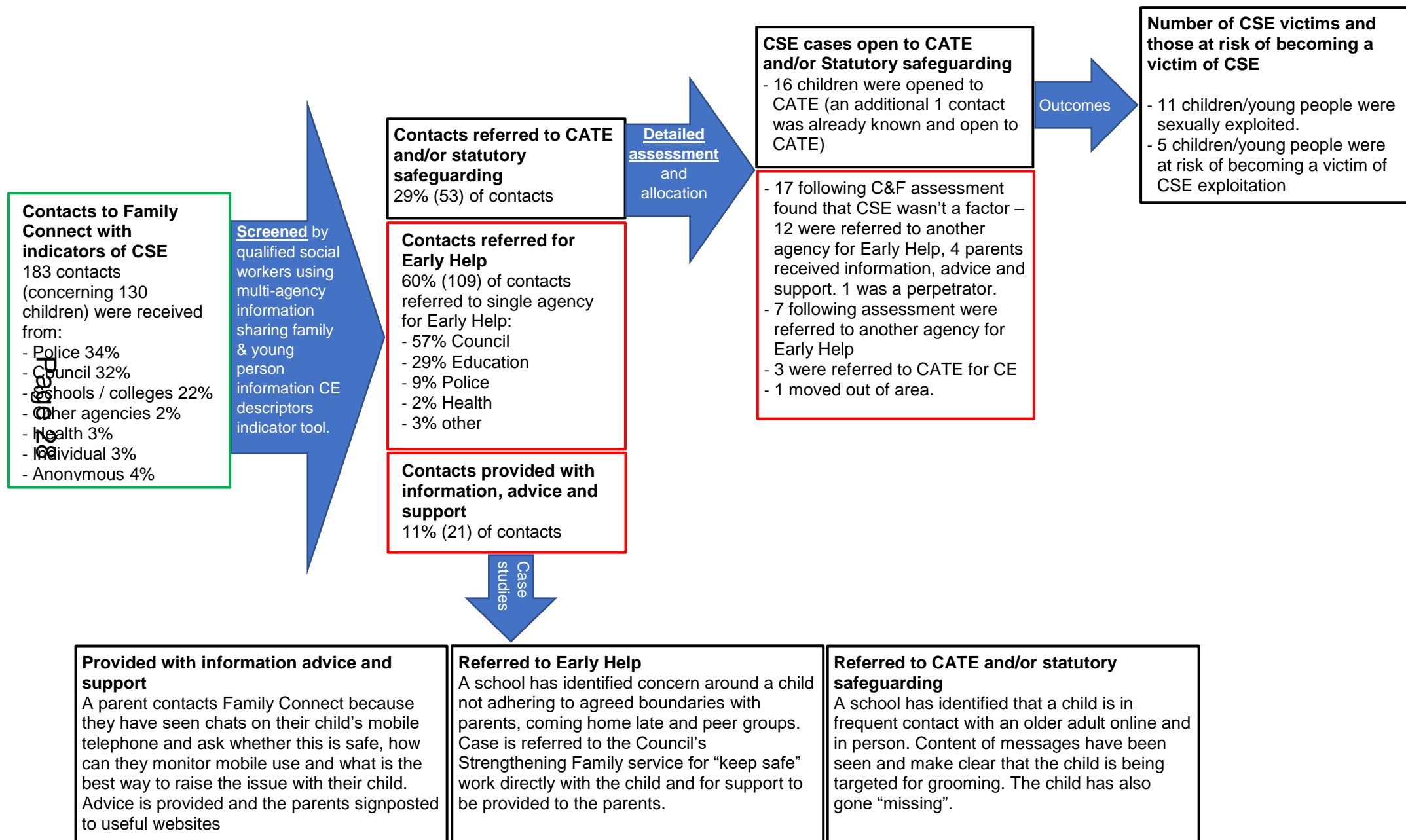


Diagram 4: CSE Contacts to Family Connect and their outcomes 2020/21



36. Diagram 2 above describes the contact with indicators of CSE into Family Connect during the year 2022/23, the outcomes of these contacts, including the number referred to CATE. In terms of the analysis below, this focuses on 2022/23 as the baseline year.
37. Diagrams 3 and 4 provide the same information in respect of the years 2021/22 and 2020/21 to provide some historic context and support in the identification of any trends. Where relevant, the analysis below provides data relating to the three-year average in brackets.

CSE Contacts into Family Connect

38. In 2022/23 there were 180 contacts into Family Connect with indicators of CSE. These 180 contacts accounted for 1.4% of all 12,865 contacts into Family Connect. The three-year average for such contacts was 185.
39. It is not unusual for there to be more than one contact into Family Connect about a child or young person as the referrer may call again with additional advice or contacts may come from two separate sources for example the Council and a school. In 2022/23, the 180 contacts related to 126 children and young people. In this year, the source of these contacts was as follows:-
 - Police accounted for 41% (38%);
 - Council 22% (25%);
 - Schools / colleges 21% (22%);
 - NHS accounted for 3% (4%);
 - “Anonymous” referrals 1% (3%); and
 - Individuals 6% (4%).
40. Following initial screening by qualified social workers in Family Connect:
 - 49% (55%) of contacts were referred to another agency for Early Help. This support is given to a family when a problem first emerges to avoid the concerns escalating, with the objective to improve outcomes for the child or young person. The support provided can take many forms and might include home visiting programmes, school-based programmes and mentoring schemes. For example, a school has identified concern around a child not adhering to agreed boundaries with parents, coming home late and peer group association. This case would be referred to the Council's Strengthening Families service for work around being safe, risks to safety and wellbeing and similar. The Strengthening Family service will also provide support to parents.
 - 15% (13%) of CSE contacts were provided with information, advice and support. This occurs when the risk of CSE is deemed to be very small. For example, a parent contacts Family Connect as they are concerned about their child's mobile phone use and want to know how best to monitor usage and broach the issue with their child. The parent would be provided with relevant information and advice and with links to appropriate websites.
 - 36% (32%) of the contacts met the threshold for referral to CATE and/or statutory safeguarding. This happens when the child who is the subject of

the contact is deemed to be at significant risk of becoming a victim of CSE. For example, the child has been contacted by adults online or in person and the content of messages makes clear that the child is being targeted for grooming. The child is known to have gone missing. In such a case, the contact is referred to CATE and/or statutory safeguarding for additional detailed assessment and allocation. This second assessment process is a very detailed analysis of the context of the referral and the child's family dynamics.

41. Following this process, 29 children or young people were opened to CATE and/or statutory safeguarding services as an open CSE. An additional three cases were already open to CATE and receiving support; that is, a contact had come in for a child or young person who was already receiving support from CATE or statutory safeguarding services. One case was opened solely to statutory safeguarding.
42. The outcome of the other 22 children and young people that were referred to CATE and/or safeguarding by Family Connect following detailed assessment were:
 - 15 were referred to another agency for single agency Early Help as they had not met the threshold for CATE and/or statutory safeguarding services.
 - CSE was not found to be a factor in 7 cases, and the following support was provided:
 - 4 were referred to another agency for Early Help;
 - 2 parents were provided with information, advice and support; and,
 - 1 was provided with support from statutory safeguarding services.

CSE Cases

43. As part of this review, detailed qualitative case analysis was undertaken by senior managers in the CATE and safeguarding service to ascertain which of the cases met the definition of CSE as set out by the Independent Inquiry and which were at risk of becoming a victim of CSE. This analysis identified that of cases opened in 2022/23 there were 13 confirmed cases of CSE and 16 children and young people who were at risk of becoming a victim of CSE.
44. Across the 2020/21 to 2022/23 period, there was an average of 12 new confirmed cases each year and an average of 13 new children and young people at risk of becoming a victim of CSE.

CSE Caseload

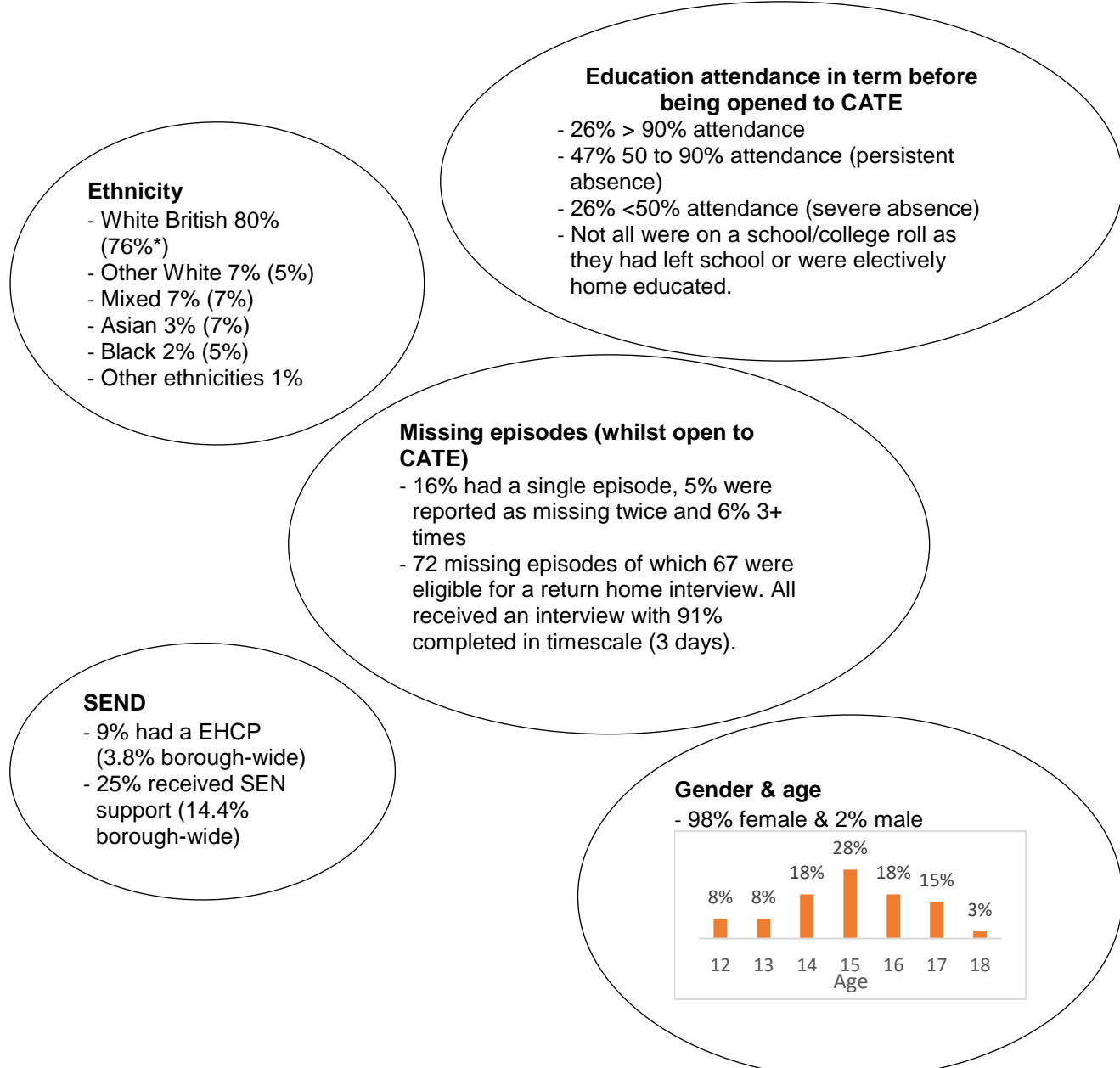
45. Across the three-year period, there were 129 CSE cases open to either CATE and/or statutory safeguarding. This is made-up of the new contacts each year and the pre-existing caseload at the start of the reference period.
46. Within the three-year period, 91 CSE cases were closed with all other cases continuing to receive appropriate support. On average, cases were closed after receiving service for 20 months.

Table 1: Open and closed CSE cases

	2020/21	2021/22	2022/23
Cases open at start of year	53	25	39
Cases closed in year	45	17	30
New cases opened in year	16	31	29
Cases open at end of year	25	39	38

Profile of open CSE cases (“at risk” and confirmed victims)

47. An important objective of this report was to describe the characteristics of those children and young people receiving CATE or safeguarding support because of CSE, with reference to identifying vulnerabilities. It was agreed by the group that, in order to present a fuller picture across a wider group of children and young people, it would be helpful to consider a three-year period. Across the 2020/21 to 2022/23 period, the profile of children and young people open to either CATE or statutory safeguarding services was as follows:-



48. Ninety-eight percent of these cases were female, with an average age of 15. The youngest cases were 12 and the oldest 18.
49. The majority, four fifths, were White British (80%), a further 7% were “Other White”, 7% mixed ethnicity, Asian 3%, Black 2% and “other ethnicities” accounted for 1%. It has not been possible to produce an ethnicity profile for the borough’s 12 to 18 year old population from the 2021 Census for comparative purposes. The “best fit” is the 0 to 15 population which suggests that White British (76%) and “Other white” (4.6%) were overrepresented with Black (5%) and Asian (7%) underrepresented.
50. Compared with the borough’s school population, this cohort of children and young people were more likely to have SEND support with 9% in an Education, Health and Care Plan (“EHCP”) (3.8% borough-wide) and 25% receiving SEN support (14.4% borough-wide).
51. Analysis of education attendance in the term prior to referral to Family Connect found that 47% had either persistent absence (attendance <90% and >50%), 26% had chronic absence (<50% attendance), just 28% had satisfactory attendance. Support for pupils with absences may be in the form of early help or more targeted support and can take a variety of forms, including working with other agencies, consideration of an adapted timetable to support a return to school or referral to a local authority student engagement programme or targeted work with the child and family.
52. After being opened to CATE, 16% had a single missing episode, 5% were reported as missing twice and 6% 3+ times. In total there were 72 missing episodes recorded of which 67 were eligible for a return home interview. Return home interviews are undertaken to help identify any support that children and young people might need to help keep them safe. All (100%) received an interview with 91% completed in timescale (3 days). Reasons why return home interviews are not completed within the 3-day target include there being back-to-back missing episodes or when episodes occur over a bank holiday period.
53. Sixty one percent of the CATE CSE cases were also open to statutory safeguarding on one or more occasion. This is an important element of the CATE pathway model, that a child or young person can receive specialist support from CATE and statutory safeguarding services. Of the cases that were open to statutory services, 56 opened as a “Child in Need”, 26 “Child Protection”, and 20 “Looked after child”.

Criminal Justice

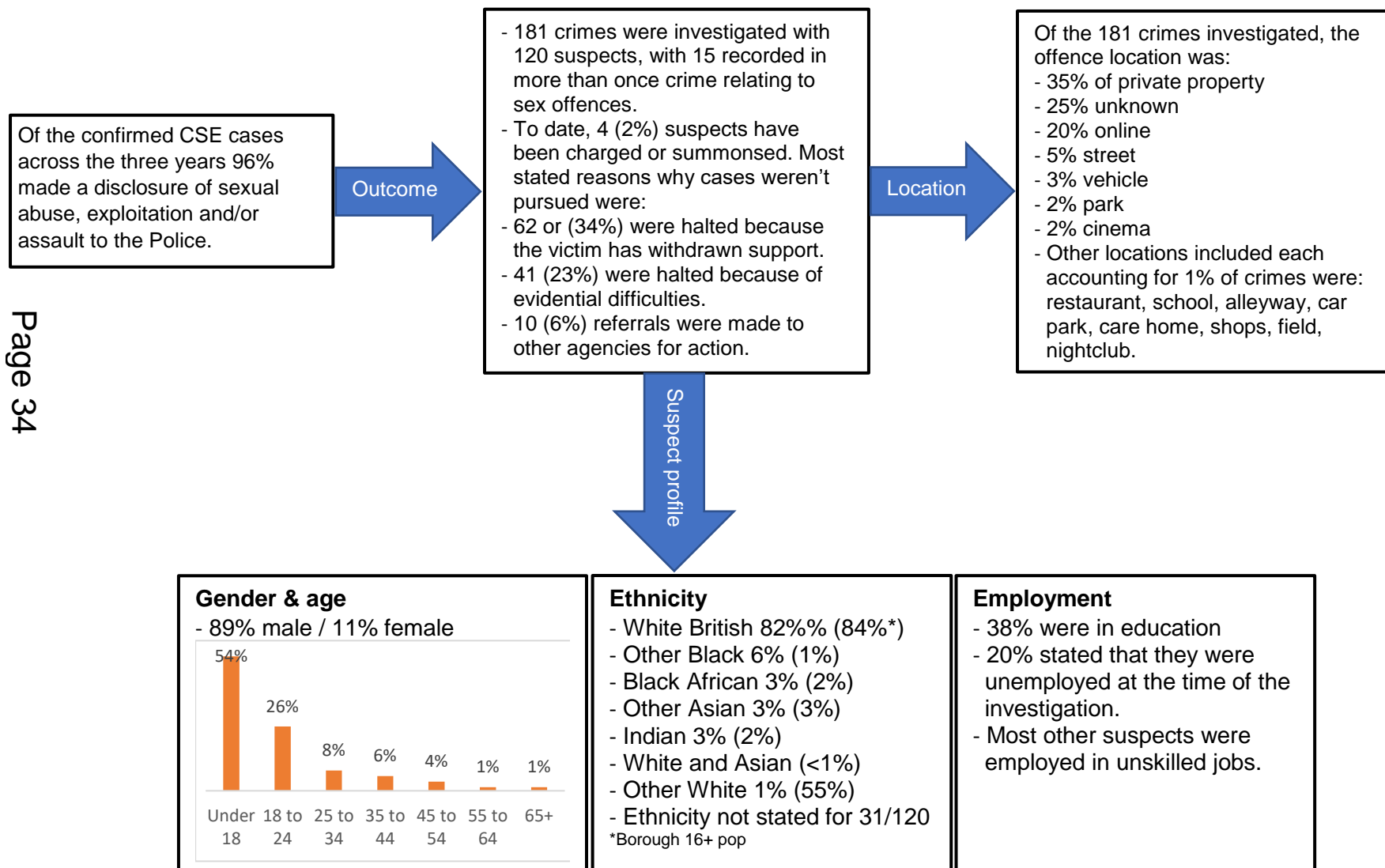
54. As part of the development of this report, details of the confirmed CSE cases from the three-year research period were shared between Telford & Wrekin Council and West Mercia Police analysts to:
 - ensure that all relevant cases were known to the Police and that relevant investigations were undertaken and their outcome;
 - identify and profile suspects; and,
 - identify the location of criminal activity.

55. Following analysis, West Mercia Police confirmed that all cases were known to their Child Exploitation Team in line with multi-agency safeguarding procedures and that 96% made a disclosure of sexual abuse, sexual exploitation and/or sexual assault to the Police. From this, 181 crimes were investigated with 120 suspects identified. Fifteen suspects were identified in more than one criminal investigation relating to sex offences.
56. To date, 4 (2%) suspects have been charged or summonsed. Nationally, the Office for National Statistics has found that in the year ending 2019, 4% of child abuse offences resulted in a charge or summons. The two main reasons why cases weren't pursued are:
- 62 or (34%) were halted because the victim no longer felt able to proceed; and,
 - 41 (23%) were halted because of evidential difficulties.
57. To improve the outcomes of rape and serious sexual offence investigations, West Mercia Police has adopted the key principles of a national end to end review of such investigations called "Op Soteria". This includes the recruitment of seven new Detective Sergeants within the West Mercia area. On a geographic basis (north and south) two will work as "gatekeepers" with the Crown Prosecuting Service ("CPS") to ensure timely and quality submissions of evidential files to increase detections and improve outcomes for victims of these crimes. In each of the Force's five local policing areas, a Detective Sergeant will work to support the "gatekeepers" and provide support for reviewing cases and ensuring best practice in the support provided to victims so that they feel able to continue with the prosecution. In addition, the force is rolling out a training programme to improve investigations and detection rates.

Suspect profile

58. Analysis by West Mercia Police of the characteristics of the 120 suspects found:
- 89% of suspects were male, with 11% female.
 - Four fifths of suspects were aged under 24, with 54% being aged under 18. The oldest suspects were aged 65+.
 - Where ethnicity was identified, 83% were White British or White Other (89% 16+ borough population), with 9% Black African or Black Other (2.4%), 3% Indian (2.4%) and a further 3% White and Asian (<1%).
 - In terms of employment, reflecting the age profile of the suspects, 38% were students. Twenty percent stated that they were unemployed. Most other suspects were employed in unskilled jobs. No suspects were taxi drivers.
59. This criminal justice analysis by West Mercia Police is set out in Diagram 5 below.

Diagram 5: Criminal Justice 2020/21 – 2022/23



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Crime Spatial Analysis

60. Case analysis was undertaken of each of the 181 crimes to identify details of where the criminal activity took place. It was not possible to identify a location for 25% of the crimes, the locations that were identified across the remaining reported crimes were:
- 35% private property
 - 20% online
 - 5% street
 - 3% vehicle
 - 2% park
 - 2% cinema
 - Other locations included each accounting for 1% of crimes were: restaurant, school, alleyway, car park, care home, shops, field, nightclub.
61. West Mercia Police has confirmed that, as part of the investigation into these crimes, details of the nightclub and restaurants had been referred to “MATES” or Multi-agency Targeted Enforcement Strategy partnerships, which brings together relevant Police and Council services with other enforcement agencies to share information and drive tactical operations to reduce, disrupt or deter criminal activity in the borough.

NRM Referrals

62. The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support. Modern slavery is complex and may involve multiple forms of exploitation.
63. West Mercia Police has identified 511 NRMs between 01 April 2020 and 31 March 2023. 304 of these NRMs related to children, 65 of which were exploited in Telford. Of the confirmed CSE cases, 9% have been subject of NRMs.
64. Partners recognise that the number of NRM referrals could be higher, particularly given the support that can result for those referred. Work is underway to implement Recommendation 39: *Multi-agency approach to NRM referrals to be reviewed* which will ensure that all necessary referrals are being made. In addition, where CSE training more widely is being reviewed by statutory safeguarding partners, information about the NRM is being included.

Schools & Colleges

65. As part of the development of this report, work has been undertaken through the secondary schools and colleges “CSE Lead” network to develop a process for collating and sharing information about those young people who have indicators of CSE and receive Early Help in secondary schools and colleges. These are cases which are not typically referred to Family Connect as they have been assessed by secondary schools and colleges as “vulnerable” (that is, of low risk) and a single agency response is appropriate.

66. A questionnaire was developed to capture this information because secondary schools and colleges do not have common IDT systems which would enable them to identify relevant historic cases and, because a child's record follows them when they move school or onto college, there is a risk of double counting.
67. Education settings were asked to identify all cases where a child had indicators of CSE and to provide the following information relating to those children/young people:-
- Age, gender and ethnicity
 - Indicators of CSE
 - Location of incident
 - Attendance record
 - SEND support
 - Details of support provided.
68. The timeline for this information was all new cases identified since the start of the current academic year in September 2022.
69. There are 24 secondary schools and colleges in the CSE Lead network; 16 provided case information and 8 provided a nil return. A total of 130 pupils were identified. The greatest number of cases identified from a single setting was 37.

CSE Risk Indicators

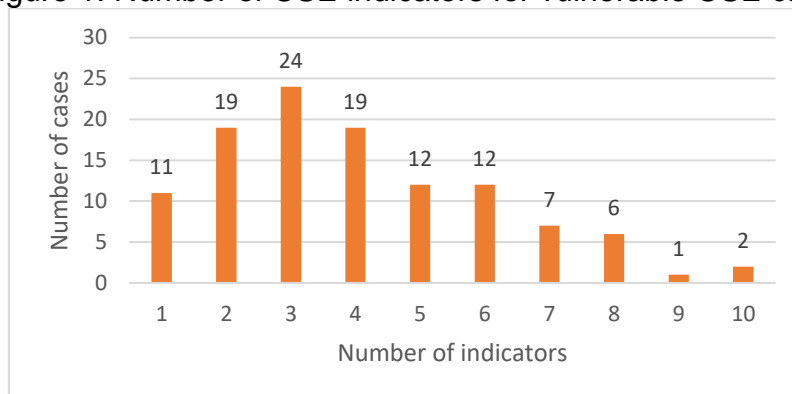
70. The risk indicators identified by secondary schools and colleges for the 130 vulnerable CSE cases are presented in table 2 with an average of 4 indicators per child. The most stated indicator was education based including engagement, deteriorating achievement or exclusions, followed by contact with abusive persons and/or risk environments and then emotional and physical health. The least stated indicators were "running away/going missing" and "offending/criminal activity".

Table 2: Indicators of CSE identified by schools and colleges

Indicator	Number of pupils	% of all pupils
Education (changes in engagement with education, changes in achievement and exclusions or suspensions)	63	55.8
Contact with abusive persons and/or risky environments	61	54.0
Emotional and Physical (inc. sexual) health	60	53.1
Substance Misuse	49	43.4
Use of social media/ technology	47	41.6
Accommodation and family relationships	41	36.3
Community/ social isolation factors	41	36.3
Coercion/ Control	36	31.9
Running away/ Going missing	34	30.1
Offending / criminal activity	23	20.4
Total	455	

71. There was an average of 4 indicators per case, with two cases identifying ten indicators.

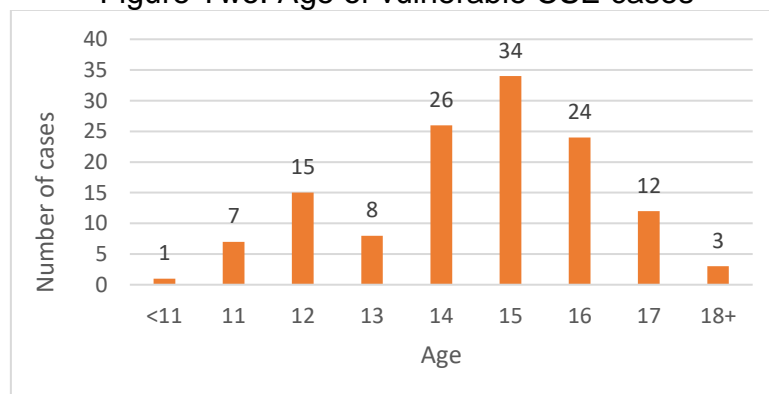
Figure 1: Number of CSE indicators for vulnerable CSE cases



Characteristics

72. In terms of the 130 vulnerable children and young people identified by secondary schools and colleges their key characteristics were:
- In terms of gender, 59% of cases were female and 41% male.
 - The average age was 14 years. 2% of cases were aged 18+ with one case aged less than 11.

Figure Two: Age of vulnerable CSE cases



- Four fifths of the children and young people were of a White ethnicity (71%), a further 6% were identified as “Other Mixed” ethnicity, 5% were of a White and Black ethnicity, 4% Black British, Caribbean or African and 3% “Other white”. The other children (11%) were from a range of other ethnicities.
- With regard, to SEND, 7% had an EHCP plan (compared to 3.8% borough wide) and 28% had SEN support (14.4% borough).

Early Help

73. As 130 of these children and young people were identified as vulnerable to CSE, they should all have been offered Early Help support by their secondary school or college, or from other agencies. 105 cases were offered Early Help and support.

In three of these cases, parents declined the help and support offered. Of the 25 other cases:

- Ten were referred to Family Connect for support
- Six were visited by school staff when the child was not in school
- Three were already receiving support from a social worker
- Two were assessed to be receiving good support from their family.
- One was receiving support from the Council's Strengthening Families service
- One had a managed move to another school.

Next Steps and Future Actions

74. This is the first-time that analysis of this breadth has been undertaken to explore CSE in Telford & Wrekin. Its development has strengthened data sharing and analysis between the Council, schools, colleges and West Mercia Police.
75. The research in this first annual report has focussed on developing a baseline position of CSE in Telford and Wrekin, including contact and referrals to Family Connect and the outcome of these contacts in terms of the support provided and the outcome of criminal investigations. The position against this baseline will be monitored every six months to identify any changing patterns or emerging trends which will be reported to the Safeguarding Children Board and its CE subgroup.
76. The subsequent discussions that have taken place throughout the development of this report, has informed a series of actions for further analysis and research which will shape the development of future reports by the Joint CSE Review Group.

Action One

77. That this research is shared with other local authorities and police forces and that they are invited to share data for the purposes of benchmarking and mapping CSE across England. The data collected should include:
 1. CSE contacts into their multi-agency safeguarding hub;
 2. Open CSE caseloads;
 3. Confirmed cases of CSE and those at risk of becoming a victim of CSE;
 4. Profile of confirmed cases of CSE and those at risk of becoming a victim of CSE to include demography and risk factors including SEND, missing and education absence;
 5. Number of CSE crimes committed, profile of identified suspects and the outcome of any criminal investigations.

Action Two

78. That anonymous contacts to Family Connect are monitored to understand the impact of changes to the Family Connect online contact form in line with IITCSE Recommendation 21 which called for a review of the online form and removal of the requirement to register on the Telford & Wrekin Council site.

Action Three

79. That analysis is undertaken to benchmark the number of CSE contacts that are received from health providers. The analysis has shown that, currently, a relatively small number are received each year. This analysis should include which health providers such contacts are from (e.g. pharmacies, GPs, hospital, sexual health providers). Shropshire, Telford & Wrekin ICB are currently rolling out a new CSE awareness training programme and this detail should inform any analysis of the impact of the training.

Action Four

80. That further work should be undertaken through the secondary school and college CSE Lead Network to raise further awareness of the signs and indicators of CSE and monitor the number of “vulnerable” cases that are being identified by each setting. To support this, the online questionnaire that captures this data should be revised and subsequently completed on a real time basis by secondary schools and colleges as new cases are identified. Additional professional development should be undertaken with schools and colleges on contextual safeguarding thresholds and the provision of Early Help.

Action Five

81. That re-referrals of cases that have been provided with support for CSE, whether Early Help or CATE, are monitored to understand how frequently re-referrals occur and the reasons for such re-referrals.

Action Six

82. That further work should be undertaken to profile the specific Special Education Need and Disability (SEND) support that is provided to the victims, and those at risk of becoming a victim, of CSE. This analytical work undertaken by the CSE Joint Review Group has demonstrated that SEND is a potential vulnerability for CSE. This was apparent from the cases that were open to CATE and statutory safeguarding services and from the “vulnerable” cases identified by schools and colleges.

83.

Action Seven

84. That further work should be undertaken to profile suspects, including their education attendance levels, SEND information, NEET status (not in education, employment or training), to understand their modus operandi and any evidence of CE to inform the development of early intervention programmes and how they can be targeted.

Action Eight

85. The locality profile of criminal activity should inform both the evolution of ongoing CSE awareness training programmes with specific reference to relevant businesses and cyber security for young people.

Action Nine

86. That Return Home Interviews should be analysed to identify any common patterns or trends in the reasons why children and young people who are a victim or at risk of becoming a victim of CSE go missing and any other common features, for example localities. Further analysis of missing incidents that have taken place before a child or young person receives support from CATE should be undertaken.

Action Ten

87. That NRMs are monitored to understand the impact of training programmes that have been revised to include the NRM and ensure increased NRM referrals. Such monitoring will also identify the impact of the implementation of IITCSE Recommendation 39 and the review of the multi-agency approach to NRM.

PART TWO: ADDITIONAL INFORMATION

88. In addition to the CSE profile and analysis set out in Part One of this report, the IITCSE Inquiry recommendations stipulated other information that should be included in this report. Part Two of this report sets out that information.

Recommendation 2.3: Staffing Workloads Telford & Wrekin Council CATE & West Mercia Police CE team

89. For information on Telford & Wrekin Council CATE team workload please see Part 2 Recommendation 7 later in this part of the report.

West Mercia Police Child Exploitation Team

90. The structure of the team is currently:
- A Detective Inspector
 - Two Detective Sergeants
 - Eight Detective Constables – with four reporting to each of the two Detective Sergeants. Of these, one Detective Constable is currently on maternity leave and one other post is vacant.
 - A CE coordinator
 - Analyst (shared with county-lines)
91. As at March 2023, the team had the following case load:
- 36 investigations
 - 4 cases
 - 20 child allocations.

Recommendation 2.5: Collaboration and Support Sought from Third Sector Organisations

92. A key first step in collaboration with the third sector has been to undertake a survey of the third sector organisations that have been identified as potentially providing support to victims of CSE whether current or historic.
93. The purpose of the survey is to understand the scale and scope of the support that these organisations are providing to victims and those at risk of CSE. From this, it is intended that the three statutory agencies can explore how they can collaborate with, and support, these organisations more effectively.
94. The survey commenced in May 2023 and invited 11 organisations to participate. It is expected that the outcome of the survey will be reported to the statutory partners in September 2023.

Recommendation 2.6: Details of steps taken in relation to CSE training and awareness campaigns

Training

95. An audit of training relevant to CSE has been undertaken of Telford & Wrekin Council, West Mercia Police, the NHS and that provided to schools and colleges by the Council's Education Safeguarding service on behalf of the local safeguarding partnership.
96. This has identified a common training package across all three organisations. Raising Awareness of Exploitation and Vulnerability is delivered by specialist trainers from West Mercia Police. The course focuses on county lines, human trafficking, sexual exploitation and modern slavery and aims to upskill professionals to feel confident in recognising the signs and symptoms of exploitation and to know how to report concerns, ensuring best practice is embraced. In summary, this course covers:-
 - Highlighting personal and situational factors of vulnerability and the impact these have on risk and harm;
 - Understanding the definitions covering vulnerability, exploitation and sexual exploitation, modern day slavery and human trafficking;
 - Developing an understanding of indicators that may show within various forms of exploitation;
 - Identifying the key considerations necessary when receiving a disclosure and the impact of trauma on any disclosure;
 - Understanding the individual's professional accountability and responsibility for sharing information and the legal basis for doing so under the GDPR;
 - Recognising the importance of documentation and record keeping in the effective protection of those identified as vulnerable, ensuring non-victim blaming language is used; and,
 - Understanding the process to get the right help, at the right time, for the identified vulnerable person(s).

97. This course has been delivered to employees of the Council, NHS and West Mercia Police and education settings, as well as local business and organisations including taxis drivers, hotels, pubs, religious organisations, sports clubs and shops.
98. Set out overleaf are the current training offers from West Mercia Police, NHS, and Telford & Wrekin Council. Where IITCSE Recommendations stipulated further development of CSE training, this is flagged where relevant before the detailed table describing current training.

99. In addition to the training offer set out below, Recommendation 12 calls for specific training of the CATE Team and social workers. Implementation of this has commenced.

Table 3: Telford & Wrekin Council CSE Relevant Training

Title and brief description of course	Who/what role(s) is this course targeted at?	How is this course delivered? (e.g. face to face, online etc.)
<p>Child Sexual Exploitation (CSE) Awareness All employees and Councillors are expected to complete the course every two years. Employee completion is monitored by Directors. The course is designed to raise awareness of what CSE is and how participants should report their concerns.</p> <ul style="list-style-type: none"> • The signs of CSE • What grooming is • The impact on young people • How protecting young people is everyone's business and what you need to do <p>NB. The course content is currently being revised and will include additional information on NRM and also 'Identifying a Complaint', as per IITCSE Recommendation 22 The content of the report will be reviewed by independent lived experience consultants.</p>	<p>All employees of the council and all Councillors.</p>	<p>Online</p>
<p>Child Protection - An Introduction This course provides basic awareness training and is aimed at anyone that might directly or indirectly come into contact with children - this would include those staff going into homes and business premises to undertake work.</p>	<p>All employees of the council</p>	<p>Online</p>
<p>Raising Awareness of Child Protection</p> <ul style="list-style-type: none"> • Highlight the legal influences to current child protection practice • Consider Working Together 2015 definitions of abuse • Develop an awareness of the indicators of abuse in a child's life and the implications for the child • Identify the considerations necessary when receiving a disclosure of abuse • Understand the individual's professional accountability and responsibility for sharing information with regards to child abuse • Recognise the importance of documentation and record keeping in effective protection of children • Understand the process to get the right help at the right time for the child if there are concerns for their wellbeing 	<p>All employees of the council and Telford & Wrekin Safeguarding Children Board</p>	<p>Virtual and face-to-face</p>
<p>"7 point briefings" - training resources developed by the Telford & Wrekin Safeguarding Children Board Child Safeguarding Practice Review Panel, including:</p> <ul style="list-style-type: none"> - Voice of the Child - Professional Curiosity 	<p>Relevant employees and the Telford & Wrekin Safeguarding Children Board</p>	

West Mercia Police

Table 4: West Mercia Police CSE Relevant Training

Title and brief description of course and its purpose.	Who/what role(s) is this course targeted at?	How is this course delivered? (e.g. face to face, online etc.)
CSE training for student officers: • Understand the nature of risks and vulnerabilities facing children and young people • Knowledge of the differing models of CSE and how children may be affected. • Understand the link between child trafficking and other forms of exploitation • Comprehend how agencies work together to address the exploitation of children	Student officer	Face to face
Professional Curiosity 13 Strands of PVP - 1 week course (CSE included aimed at staff in relevant roles, investigators and senior officers up to Supt)	All police officers and staff performing an investigative role in this area of business.	Face to face
Specialist Child Abuse Investigators Programme (SCAIDP). A specialist course aimed at developing investigators working within the child abuse investigation arena. The course covers psychology (understanding sexual offending behaviour), legislation, multi-agency working, safeguarding and trauma regarding all types of child abuse including CSE.	Child Abuse Investigators	Face to face
Planned CPD on Child Exploitation for 2023. Looking to incorporate: • NRM • Disruption • Inclusive Practice • Effective Engagement	Frontline/Investigators	On-line

Shropshire, Telford & Wrekin ICB

100. Recommendation 42 calls for a review of CSE training delivered to NHS providers and practitioners (see further information under Recommendation 2.9). This has been undertaken and a single programme is being implemented across NHS providers except for the acute hospital trust. Independent lived experienced consultees have been engaged on the content of this training.

Table 5: NHS Shropshire, Telford & Wrekin CSE Relevant Training

Title and brief description of course and its purpose.	Who/what role(s) is this course targeted at?	How is this course delivered? (e.g. face to face, online etc.)
<p>“7 point briefings” training resources disseminated to all staff:</p> <ul style="list-style-type: none"> • CSE • Exploitation • Stages of recruitment • Grooming line diagram • Professional curiosity and challenge. • Highlights the voice of the child and listening to the child. 	<p>The 7 point briefings are aimed at healthcare professionals.</p>	<p>Emailed to all staff</p>
<p>“Safeguarding children level 3 training including CSE” online training via Teams This interactive session contains case studies and explore:</p> <ul style="list-style-type: none"> • Contextual safeguarding • Risks and vulnerabilities • Information sharing and consent, • Dealing with disclosure, referral, documentation • Threshold document <p>The training is at Level 3 safeguarding children training in accordance with the Royal College of Nursing (RCN) Intercollegiate document</p>	<p>It is targeted at healthcare professionals who provide care directly to CYP and their caregivers – further defined within the intercollegiate document.</p>	<p>Online via MS teams</p>
<p>SSCP Shropshire Exploitation and Vulnerability Presentation WM Police April 2022</p> <ul style="list-style-type: none"> • Professional curiosity • Victim blaming • Vulnerabilities and risks • ACEs • County lines • Practice guidance and protocol • Group work included • In depth CSE and associated risks and vulnerabilities training – specific to Shropshire. 	<p>This training provided by West Mercia Police and is aimed at Multi agency professionals who work in Shropshire. There is a focus on Shropshire in this session as it is run through the SSCP.</p>	<p>Online via zoom</p>
<p>“ACEs” delivered via MS teams which includes information regarding CSE, trauma, resilience. Recognising Trauma, trauma informed practice/care.</p>	<p>Healthcare professionals within the specific provider trust.</p>	<p>Online via MS teams</p>

Title and brief description of course and its purpose.	Who/what role(s) is this course targeted at?	How is this course delivered? (e.g. face to face, online etc.)
<p>Encourages professionals to consider what is behind behaviour. ACES video includes ways to engage children and promotes professional curiosity. Vulnerabilities, resilience. Vicarious trauma, re-traumatising, self-care. Fight and flight video</p>		
<p>Exploitation 2021 MS teams PowerPoint HEE spotting the signs of exploitation video link: Professional curiosity, victim blaming, use of language by CYP and by professionals. CE: CCE and CSE, Contextual safeguarding, human trafficking, MDS, county lines, grooming line. Parental account; C4 news video debt bondage, terminology. Spotting the signs of CSE HEE video. Victim blaming language. IITCSE, operation chalice, checklist, to do list Interactive. Active chat. Opportunity for Q&A. Quizzes. Video links</p>	<p>Healthcare professionals within specific provider trust. Part of safeguarding children level 3 training (RCN Intercollegiate document 2019)</p>	<p>Online via MS teams</p>
<p>Exploitation workbook Unsure if this is instead of MS teams training or alongside it. Includes: CE: CCE, CSE, county lines, case study, link to HEE spotting the signs of CSE video. Language. Professional curiosity Use of quiz, case studies, question and answer sections.</p>	<p>Healthcare professionals within specific provider trust. Part of safeguarding children level 3 training (RCN Intercollegiate document 2019)</p>	<p>Online via trust safeguarding/training page</p>
<p>CCE safer 7 briefing Professional curiosity Written disseminated information</p>	<p>The 7 point briefings are aimed at healthcare professionals.</p>	<p>Emailed to staff.</p>
<p>Banardos Language matters presentation - training resource Banardos Training Package slides Use of victim blaming language and impact of it Highlights inappropriate use of language CSE, CCE, county lines, vulnerabilities, grooming, trauma informed</p>	<p>Shropshire multiagency professionals who have access to leap into learning.</p>	<p>Available to access as a resource, self-accessible and self-directed</p>

Schools and Education Settings

Table 6: School and Education Settings CSE Relevant Training

Title and brief description of course and its purpose.	Who/what role(s) is this course targeted at?	How is this course delivered? (e.g. face to face, online etc.)
Newly appointed DSL training. This a statutory training course for all new DSL in schools and colleges to train them on their safeguarding roles and responsibilities, which includes identifying and responding to exploitation..	Newly appointed DSL training in schools and colleges	Face-to-face
DSL and safeguarding governor termly update. This is a termly briefing to DSL's and safeguarding governors to provide updates. Exploitation is a regular agenda item. All DSLs should attend one update per year. AS CSE Leads have to be a trained DSL they receive this information too.	DSLs and safeguarding governors	Online
Raising Awareness of Child Protection and Safeguarding training – should be completed by the children's workforce every three years. This is statutory training. Most of our schools tend to book training annually based on their SLA free session entitlement, as there is an acknowledgment that we update our training every summer (not all schools access every year however) CSE, CCE addressed and covered within this training. Signs, indicators, local context and priority is emphasised throughout, both in terms of curriculum expectation and culture of safeguarding.	All staff in education settings/governors.	Both
Managing Sexual Violence and Harassment. To train DSLs, senior leaders and governors in managing reports and incidents of sexual violence and harassment between children.	DSLs, senior leaders and governors	Face-to-face
Statutory DSL refresher training every two years. To provide statutory one day training every two years to DSLs. Bi-annual update of content with ongoing reference to exploitation.	DSLs	Face-to-face
Raising Awareness of Prevent - Target audience all staff in education settings. Exploitation is referenced as a parallel to grooming/exploitation in terms of vulnerability. Statutory expectation staff attend once, no requirement to attend an update.	All staff in education settings/governors.	Both
Raising Awareness of Sexual Violence & Sexual Harassment. Coercion and threats within SV&SH are included as indicators of potential entrapment into exploitation. Training includes grooming through SV&SH.	All staff in education settings/governors.	Both
Safeguarding governor training. Statutory training to train all those in education governance on their responsibilities.	Governors/Trustees	Face to face

Awareness Campaigns

101. In March 2023, as part of the national CSE Awareness Week, over 60 practitioners from Telford & Wrekin Council, NHS, Police and local schools and colleges participated in a conference to raise awareness of CSE with a particular emphasis on highlighting how the Council’s CATE team, the West Mercia Police CE team, education settings and NHS work together to safeguard those at risk of CSE and victims. The conference had a particular focus on case studies. As well as statutory partners, representatives from the Holly Project shared case studies from their work illustrating how they support victims of CSE, including those adults who were victims of exploitation as children/young people.
102. Analysis of CSE contacts into Family Connect (see Part One of this report) has shown that there are, annually, only a small number of contacts from members of the public and anonymous contacts. The online form for contacts to Family Connect has been revised in line with Inquiry Recommendation 21 which states that the Council should refresh its system for reporting of concerns.
103. To raise awareness with members of the public to contact Family Connect if they have concerns about CSE or call 999 where appropriate, a CSE awareness campaign will be launched by the Telford & Wrekin Safeguarding Children Board this summer. This will promote the signs of CSE and how these should be reported. The content of the campaign is being developed with independent lived experience consultees and through engagement with parents and carers to ensure the messages are age-appropriate and have impact. Further details of this campaign will be reported to the Joint CSE Review Group and in the next annual report.

Recommendation 2.7: Details of PCC funded resources and initiatives and Recommendation 40. PCC to commit to continued funding of CSE initiatives: Taxi Marshall scheme and Street Pastors.

104. West Mercia Police & Crime Commissioner (“WMPCC”) has, over the past three years, directly funded a range of initiatives and projects to support victims and survivors of CSE in Telford and Wrekin and the wider West Mercia area.

Table 7: West Mercia Police & Crime Commissioner CSE Investment

Organisation & Project	2020/21	2021/22	2022/23
West Mercia Rape and Sexual Assault Centre “the Branch Project”: to provide education, intervention and support to children and young people (CYP) who are at risk of or have been a victim of CSE in Worcestershire, Shropshire, and Herefordshire.	£305,735	£305,735	£305,735
Child Independent Sexual Violence Adviser Service (ChISVA) - to provide support to any child aged 5-10 who has experienced sexual abuse regardless of whether there is an ongoing Criminal Justice Process or not. In addition, to conduct introductory	£38,647	-	-

Organisation & Project	2020/21	2021/22	2022/23
sessions for 4 year olds to familiarise them with the ISVA, with a view to their 1-to-1 support commencing when they turn 5.			
Paediatric SARC to the West Midlands Paediatric Sexual Assault Service (SARC) (renamed NHS England Sexual Assault and Referral Service (SARS) which is a region-wide service providing expert care for children and young people who have disclosed sexual assault, or who may have been subject to sexual abuse. Clients are seen by an experienced paediatrician with specialist training in forensic examination and are supported by a crisis worker.	£118,277	£129,169	£155,161
AXIS To fund 1 x additional Counsellor to reduce the waiting list @ 4 days per week each for the whole year, plus counselling support officer to support them @ 1 day per week.	-	-	£147,466
For a consultant to undertake a RIBA Stage 2 Design Report into the development of the site to provide a new build SARC Facility with additional user requirements.	-	-	£29,322
Total investment	£434,904	£460,896	£608,361

105. In addition to the direct funding of CSE initiatives and projects by the WMPCC, for the past four years, the WMPCC has made available funding against which the Telford & Wrekin Community Safety Partnership has bid. The Community Safety Partnership brings together representatives from the Council, NHS, Police, Probation, Youth Justice to tackle crime and anti-social behaviour. Through this bidding process, WMPCC funding has been secured to support two key schemes focussed on the night-time economy to protect the welfare of adults as they leave licensed premises. These are:

- Taxi Marshalls (£16,000 annual funding) - an essential part of keeping people safe within the night-time economy, especially when leaving the area and looking for taxis. The Taxi Marshalls play a vital role in supporting the Street Pastors in the early intervention of potential incidents. The Taxi Marshalls also support our local approach in managing touting & 'plying for hire'. Main Activities include:
 - Controlling, supervising & segregation of passengers & vehicles.
 - Effective dispersal of night time economy users
 - Prevention of disorder
 - Ensuring a safety of vulnerable and lone adults
 - Assisting the taxi trade to ensure lawful use of their vehicles
 - Promotes good partnership working and best use of resources.
- Street Pastors (£7,190 annual funding) - volunteers who work with the police to help keep those enjoying a night out safe, whether that be

providing water, a pair of flip flops or even a chat and making sure people can get home safe.

106. At its March 2023 meeting, the Telford & Wrekin Community Safety Partnership committed to fund both these projects whilst the PCC continued to make funds available against which the Partnership can bid.

Recommendation 2.9: *Updates as to work undertaken to improve relevant services to children within the health and education sectors*

107. The primary focus of both health and the education sector has been to deliver those IITCSE recommendations that they have the lead responsibility for.

Education

108. Recommendation 32: *All schools and colleges to review and refresh training around CSE.* An audit is currently underway of schools and colleges to assess completion of this recommendation. CSE awareness for staff, parents and children to be delivered in September/October. Curriculum audit complete.
109. Recommendation 33: *All secondary Schools and colleges to appoint a CSE Lead.* All appropriate schools and colleges have appointed a CSE Lead. The next work meets monthly and has led the development of processes to collate and share case information to inform the CSE profile set out Part One of this report. Nursery, infant, junior and primary schools receive a termly exploitation update
110. Recommendation 34: *Schools to review CPOMS policy and systems for information sharing.* All schools have appropriate policies that cover their use of CPOMs.
111. Recommendation 35: *Schools and Colleges to carry out an annual review of site security.* All schools and colleges have completed this review and analysis of the findings is currently underway and will be completed by the end of July 2023. Findings will be reported to the Strategic Implementation Group and fed back to all schools and colleges for action.

Health

112. Recommendation 42: *Quality of CSE training delivered to NHS providers and practitioners.* There has been changes to how training is devised and implemented and this includes being more creative with training opportunities, encouraging curiosity, practical exercises, tests and a method of assurance and 7-point briefings which staff read and embedded in practice. The training is reviewed for content and format and linked through ESR, Safeguarding passport, supervision and items for meetings with six monthly evaluations and monitoring of referrals.
113. A training platform will shortly be implemented for all staff to access and will give staff a variety of different training opportunities. This includes CSE training

and this training has been reviewed with the lived experience consultees with recommendations for some alterations to ensure it has the most appropriate and relevant training information. Once this has been agreed it will be available on the platform for staff to access.

114. Recommendation 43: *Improvements to trauma-related mental health services for victims and survivors of CSE in Telford & Wrekin.* Currently children, young people and adults can access mental health services via MPFT and Axis, both of which have a trauma informed approach. There is further scoping in place to identify what other commissioned services are available for children and young people including identifying gaps which will be discussed with NHS England for their support and input.
115. Recommendation 46: *GPs in Telford & Wrekin to be consulted about CSE data collection.* A self-assessment has been completed by GP surgeries across Telford and Wrekin and this highlighted some really positive work in relation to identifying, recognising and training around CSE. There is still some further work needed including how surgeries can share their good practice amongst each other and some work has already been commenced with discussions at regular GP forums. The audit is due to be re-evaluated in early 2024.
116. Scoping is in place to establish a link between the CATE team and GPs to ensure any cases discussed in their exploitation meeting are shared with the so an alert can be placed on their GP record. A standard operating system will be devised for guidance and monitoring of this will part of the self-assessment audit.
117. Recommendation 47: *GPs to implement review system for children moving to a different practice.* There is currently no standardised practice for alerting a new practice if a child or young person transfers their care and are at risk of CSE. This issue has been shared with NHS England as well as the regional GP forum who have given support for this issue to be presented to the national safeguarding GP forum. The aim is to ensure there is a coding system in place to alert the new practice so they can offer the appropriate support from registration.
118. This has also been raised with NHS Digital and work is underway to ascertain how this may be part of the Child Protection-Information Sharing phases, and links are also being made to understand if this could link with the updated summary care record.

Recommendation 2.10 A summary of any complaints received by any of the member authorities regarding the handling of a CSE matter. Each member organisation should publish a copy of the report on its website.

Telford & Wrekin Council

119. A search has been undertaken over the past three financial years to identify complaints relevant to this recommendation as set out in table 8:

Table 8: Number of complaints with a CSE matter (Telford & Wrekin Council)

	2020/21	2021/22	2022/23
Number of complaints	2	1	1

120. The outcome of each of these complaints are set out in table 9.

Table 9: Outcome of CSE complaints (Telford & Wrekin Council)

Date & reference	Complaint	Outcome
July 2020- TWC-55699	Complainant raised by a step-parent who had referred a concern regarding child for whom they do not have parental responsibility. Due to the nature of the communication between them and the child, they could not satisfy themselves that the child was not being trafficked as part of a conspiracy. Complaint related to interaction with Council 5 years previously.	Not upheld.
September 2021- TWC-60274	Complaint about the actions taken by Family Connect following allegations made by young person who had previously received support from CATE which resulted in the complainant being arrested.	Outcome: this was a two-part complaint, how Family Connect responded to the allegations was not upheld. The unrelated second part of the complaint was partly upheld.
September 2021- TWC-59921	That the child's social worker was focused on child exploitation when there has been no evidence of that happening'.	Not upheld.
June 2022- TWC-63336	Complainant was a child at the time their family was involved with Children's Services in 2002. The complainant considers that the Council did not do enough to safeguard them from sexual exploitation, following an incident where a taxi driver asked her to carry out a sexual act..	In progress

West Mercia Police

121. Following a keyword search of the professional standards system, for CSE, Hydrant and Exploit, 18 complaints were identified. Of these, four related specifically to CSE; two are live and as such outcomes cannot be provided, the number of complaints in each year are set out in table 10.

Table 10: Number of complaints with a CSE matter (West Mercia Police)

	2020/2021	2021/2022	2022/2023
Number of Complaints	0	0	4

Table 11: Outcome of CSE complaints (West Mercia Police)

Reference	Complaint	Outcome
CO/1184/22- Nov 2022- Sch 3-(Telford)	Complainant states dissatisfaction with the service received from West Mercia Police regarding a failure to record / lack of recording of incidents reported to the police by the complainant, in relation to their experiences of Child Sexual Exploitation (CSE) in Telford. Complainant believes this could have been prevented if professionals had intervened at an early stage.	Service acceptable
CO/301/23- Mar 2023- Live (Worcestershire)	Complainant states dissatisfaction with the service received from West Mercia Police regarding the police investigation of an incident involving the complainant's child (victim) during their time at a school in Worcestershire.	Complaint live
CO/504/23- May 2023- Live (Worcestershire)	Complainant states dissatisfaction with the service received from West Mercia Police in regard to the actions of a police staff member in the handling of a Victim Right to Reply case involving CSE and the complainant.	Complaint live
CO/563/23- May 2023- Non-Resolved (Shropshire)	Complainant states dissatisfaction with the service received from West Mercia Police regarding the police response to the complainant's report of a missing person (looked after child) at high risk of CSE.	Referred to Safeguarding Advice Team to review both the contact record and complaint and to contact the complainant to discuss.

122. No complaints have been made to NHS Shropshire, Telford & Wrekin about the handling of a matter relating to CSE.

Recommendation 7. Ring-fencing of CATE Team resource and Recommendation 2.3 Staffing Workloads Telford & Wrekin Council CATE & West Mercia Police CE team

123. Alongside calling for the Council to commit to the continued existence of the CATE Team within Telford at no less than its current strength in both numbers and budget (adjusted for inflation), for a period of no fewer than five years from the date of publication of the IITCSE report, this recommendation stipulates that the Council should publish information regarding the resourcing and workloads of the CATE Team as part of this report.

124. The current structure of the team is:

- 10 CATE workers (case holder)
- 1 Social worker (case holder)
- 1 Team Leader (case holder)
- 1 Group Manager

125. In March 2023, Telford & Wrekin Council approved a three-year budget strategy which included the commitment required of Recommendation 7.

126. As to creating a benchmark for the current strength and workloads of the CATE team, the baseline has been taken as July 2022 when the IITCSE report was published.

127. In developing a baseline for the CATE team, an assessment of all cases held by the team has been undertaken and not just CSE cases. Processes have been put in place to monitor monthly the caseloads of the CATE workers by the Director: Children's Safeguarding and Family Support.

128. Table 12 sets out the CATE team's caseloads as at July 2022 and for March 2023 as a first date point. This shows that the caseload for the team has reduced over this period.

Table 12: CATE team caseload

Report date	Average Caseload	Max Monthly Cases for a worker	Open involvements	Workers
July 22	8.0	14	96	12
March 23	6.5	11	78	12

Recommendation 18: Council to review annually all CSE therapeutic support services

- 18. Council to review annually all CSE therapeutic support services*
- 18.1 The Council should annually review its CSE therapeutic support offering, to include services it provides directly and services it commissions, to ensure that:*
- 18.2 The offering is sufficiently broad in scope, encompassing mental health support and specialist trauma based support;*
- 18.3 The support is available for victims/survivors as children, when transitioning to adulthood, and ongoing support for victim/survivors in adulthood, including a focus on relationships and parenting;*
- 18.4 Such support is sourced from a range of providers, including national and local third sector groups;*
- 18.5 The support offering as a whole is clearly signposted to CSE victims/survivors and their families; and that*
- 18.6 The allocated budget is sufficient for need.*
- 18.7 The review should be published annually as part of the 'Joint CSE Review Group's' Annual Report.*

Introduction

129. NHS guidelines recommend a range of therapeutic interventions to support people who have experienced trauma, including child sexual exploitation and for those with specific diagnoses associated with their trauma such as anxiety. These include the guidance for health professionals regarding the treatment and management of Post Traumatic Stress Disorder for example <https://www.nice.org.uk/guidance/ng116> which recommends trauma focused CBT (a psychotherapy) or EMDR for adults who experienced trauma in their past. Some experienced practitioners are able to use a combined approach – using a range of counselling and therapeutic approaches tailored to the individual need, presentation and engagement.
130. This report was prepared by the officers responsible for mental health commissioning in Telford & Wrekin across health and social care, with contributions from the Clinical and Care Director, Midlands Partnership Foundation Trust. It provides an overview of current therapeutic provision in Telford for adults and children, and planned developments which aim to increase capacity.

The Local Offer

131. The local offer comprises a range of mental health service and specialist counselling services for those in need of therapeutic interventions following trauma as demonstrated below:

Table 13: Local Provision

Service Name	Provider Type	Service Type	Funded by:	Referral	Referral options	Age Range	Support Provided			Onward signposting
							Face to face	Virtual	Group	
Specialist Therapeutic Support (Trauma Informed Counselling / Psychological Therapies)										
Axis	Charity	Counselling	ICB	Self Third Party	Telephone Email	11 plus	✓	✓	✓	✓
Base25	Charity	Counselling	LA	Self	Telephone Email	18 plus	✓	✓		✓
BeeU (CAMHS, MPFT)	NHS and Charity	General MH - Psychological Assessment and Therapy	Joint	GP	Telephone Letter	0-25 service	✓	✓	✓	✓
CAFS Framework	Private	Psychological Assessment and Therapy	LA / Joint	Private	CATE team via Brokerage	Up to 18	✓			
Improving Access to Psychological Therapies (MPFT)	NHS	Psychological Therapy	ICB	Self	Telephone Email	16 plus	✓	✓	✓	✓
Secondary MH services psychology offer – part of community team offer	NHS	General MH - Psychological Assessment and Therapy	ICB	GP	Telephone Letter	18 plus	✓	✓	✓	✓
Specialist CSE Support Service										
CATE Team, Children's Social Work	LA Team	Local Authority	LA	Self Third Party	Telephone Email	13 plus	✓			✓
Holly Project	Charity	Emotional and Practical Support	LA	Self Third Party	Telephone Email Online form	18 plus	✓	✓	✓	✓

132. Access to the right therapeutic / psychological support at the right time is of paramount importance, as are the support services which work with people to assist them to develop the confidence to access psychological services. In almost all service areas listed above there are development plans in place to improve capacity and support more people either through Community Mental Health Transformation or through the children's local transformation plan for children's mental health.

Quality Assurance

133. All commissioned services deliver against a service specification which includes outcome measures and key performance indicators. Quarterly activity data is submitted to the relevant commissioner including information such as: referrals, current case load, waiting list, case closure, onward signposting or referrals, number who disengage with support. Contract reviews are determined within each contract and most often occur on a quarterly basis.

134. Anonymised case studies are requested as part of the quarterly report as these best evidence the impact the service can have on people, and the real changes and outcomes in improved emotional health and wellbeing that it can result in, as well as evidencing the complexity of need that people present with.

135. Feedback from people who have used the services is also regularly requested, as well as to understand how their feedback informs service improvement. For example, the Holly Project consistently provides case studies highlighting the profound impact on people's lives.

136. Base25 have provided this quote as an example of some recent feedback they received after initial contact with someone: *'Thank you for your email, it brought tears to my eyes, I feel you truly understand what I have been through'*.

137. Reported data from Axis indicates good recovery in both anxiety and depression scores for clients. Most clients felt their wellbeing had improved after the intervention. The provider manages safeguarding issues well and ensures all staff are well trained. The ICB reports excellent client feedback.

Conclusion

138. Locally there are a range of trauma focused support by the NHS, the local authority, charitable and private organisations, and available to young people and adults and more activities are planned to raise awareness across the community of the need to be trauma informed. Specific psychological / counselling assessments and therapies are commissioned, on the whole, by the NHS.

139. Nationally and locally, demand has typically historically exceeded supply for these specialist therapeutic services however recent service improvements and planned developments should result in an improved position locally. The true

impact of these will start to be evident in information supplied to NHS commissioners as part of their contract reviews over the next 6 months, and you would expect this to be complimented by improved service user feedback.

140. The Inquiry report action plan identified five key questions in relation to Recommendation 18 in which the Council should annually review its CSE therapeutic support offering, to include services it provides directly and services it commissions. Based on the information considered as part of this report, the summary responses are below.

Table 14: Summary Responses to Recommendation 18

Recommendation	Children & Adults	Adults
The offering is sufficiently broad in scope, encompassing mental health support and specialist trauma-based support	Yes pending LTP intentions	Yes
The support is available for victims/survivors as children, when transitioning to adulthood, and ongoing support for victim/survivors in adulthood, including a focus on relationships and parenting;	Yes	Yes
Such support is sourced from a range of providers, including national and local third sector groups;	Yes	Yes
The support offering as a whole is clearly signposted to CSE victims/survivors and their families	Yes	Yes
The allocated budget is sufficient for need.	Yes – specialist support via the LA is commissioned on an individual basis. Pending the priorities and actions outlined in the LTP.	Yes for Inquiry support service and other related services. Yes pending full implementation of the developments outlined.

Recommendations

- a. For a full demand and capacity review to be carried out by the ICB focused on all of its commissioned services in order to assess the impact of the planned developments. This could include the impact on waiting list size and duration for therapeutic support, and feedback from people who have been referred for the service.

- b. The Board may wish to request further information regarding the outcome of the bid focused on the mental health needs of victims of sexual violence to see how this might benefit those who have experienced CSE.

Recommendation 26.1 The Council should publish annually, as part of the ‘Joint CSE Review Group’s’ Annual Report, a taxi licensing review to include:

- 26.2 How many complaints it has received about taxi drivers;
 26.3 How many of those complaints related to drivers licensed by the Council;
 26.4 How many complaints related to sexual behaviour, including use of sexualised language or harassment, and of those, how many related to complaints involving such behaviour towards children; and
 26.5 How many complaints resulted in action by the Licensing Team, and what action resulted.*

141. Table 15 sets out the number of complaints that have been received for each of the years 2020/21, 2021/22 and 2022/23. A total of 168 complaints were received. As context, it is estimated that there are around 900 taxis operating in Telford & Wrekin, of which around a third are licensed by Telford & Wrekin Council with the remainder licensed by other authorities.

Table 15: Taxi Complaints

	2020/21	2021/22	2022/23
Total number of complaints	35	65	68
Number of complaints investigated relating to drivers licensed with Telford & Wrekin Council	7	15	15
Number of complaints referred relating to drivers licensed with other local authorities	17	31	37
Number not investigated due to either insufficient information or because the complainant did not want to take any further action.	11	19	16

142. Across the three-years, the 37 complaints about drivers licensed with Telford & Wrekin Council, one was a safeguarding complaint of a sexualised nature involving a child. This case is currently under investigation by the Licensing Team in partnership with the Council’s CATE team and West Mercia Police Child Exploitation team. The driver has been suspended.
143. Under the Taxi and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022, there is a duty on a licensing service from 31 May 2022 to refer to the relevant licensing authority and action complaints about taxi drivers in a specified time which relate to safeguarding or road safety matters. This covers relevant information indicating that a person has committed a sexual offence (regardless of whether the person was charged with, prosecuted for or convicted of the offence). All complaints referred to other authorities are followed-up by Telford & Wrekin Council Licensing team for a response on the outcome of the complaint.
144. On conclusion of a complaint, the Council can take the following actions:

- For a new or renewal application, the authority can refuse to grant a licence or put conditions / time limits on a licence.
- Once licensed the council can suspend a licence, issue warnings, retrain drivers and revoke a licence.

145. Table 16 sets out the actions that have been taken in each of the past three financial year.

Table 16: Taxi Licence Action

Action	2020/21	2021- 2022	2022-23
Licence refused: not compliant with taxi policy	2	1	1
Revocation	1		1
Warning: breach of licence conditions	1	5	
Suspension:	4		1
Additional training	1	2	
Annual total	9	8	3

APPENDICES

Appendix A: CSE Review Group Terms of Reference

Telford & Wrekin Council

Joint CSE Review Group Terms of Reference

Terms of Reference

1. Introduction

- 1.1. The Independent Inquiry Telford into Child Sexual Exploitation (CSE) Report published July 2022, made 47 recommendations for Telford & Wrekin Council, West Mercia Police, NHS Shropshire, Telford & Wrekin ICS (referred to as the CCG within the Report) and West Mercia Police & Crime Commissioner to implement.
- 1.2. Recommendation 1 called for the establishment of a Joint CSE Review Group to meet six monthly to:
 - Consider data and information gathered – such data to include: the incidence, trends and locations of CSE within the borough; missing persons/truancy data; referral numbers and investigations/complaints; licensing and night-time economy information; and any other data considered relevant;
 - Analyse such data and information in order to provide a reliable set of statistics against which the threat/risk and prevalence of CSE can be measured, and any apparent increase or decrease in the number of CSE cases considered;
 - Maintain minutes of each meeting, with appropriate action plans attached; and
 - Publish a report setting out the results of the analysis and accounting to the public for the action being taken in response.
- 1.3. Recommendation 2, called for the Joint CSE Review Group to publish an annual CSE Report (the Annual Report). This report should include, at a minimum:
 - The output of the statistical analysis carried out in accordance with Recommendation 1;
 - Current staffing numbers/caseload ratios within the WMP CE Team and the Council's CATE Team;
 - The extent of collaboration and support sought from third sector organisations, including transparency about the level of funding ring-fenced for such support;
 - Details of steps taken in relation to CSE training and awareness campaigns;
 - Details of PCC funded resources and initiatives relevant to CSE;
 - Statistics regarding the number of NRM referrals;
 - Updates as to work undertaken to improve relevant services to children within the health and education sectors; and

- A summary of any complaints received by any of the member authorities regarding the handling of a CSE matter. Each member organisation should publish a copy of the report on its website.

1.4. The specific purpose of the Joint CSE Review Group is to discharge these recommendations.

2. Membership & Roles

2.1. Telford & Wrekin Council representatives

- Service Delivery Manager: Policy & Development
- Insight Manager
- Service Delivery Manager: Assessment, Children Protection & Family Support
- Education Safeguarding Coordinator
- Customer Relationship and Quality Assurance Team Leader
- Public Protection Group Manager (Trading Standards, Licensing & Night-Time Economy)

2.2. West Mercia Police representatives

- Head of Analysis and Insight

2.3. NHS Shropshire, Telford & Wrekin representatives

- Deputy Director of Nursing and Quality NHS STW

2.4. Midlands Partnership NHS Foundation Trust

- Head of Strategic Safeguarding

2.5. Those named above will be able to send substitutions to attend meetings where they are not able to attend in person although every endeavour should be made to attend.

2.6. The Joint CSE Review Group will also invite attendance from other individuals relevant to their area of expertise. There may also be times when the Group may wish to hear from organisations and groups who have particular skills, knowledge and experience in the field of Child Sexual Exploitation who can offer advice, support and guidance on the Group's programme of work.

2.7. The Group meetings will be supported by the Council's Partnership Team.

3. Chair

3.1. The Chair and Vice Chair of the Group will be elected at the first substantive meeting with their term being four years unless they resign the position at an earlier juncture.

4. Frequency of Meetings

4.1. The Joint CSE Review Group will meet every six months.

5. Purpose and Function

5.1. The purpose and function of the Joint CSE Review Group is to discharge the recommendations described in part one of this document.

6. Information Sharing

6.1. A fundamental purpose of the Joint CSE Review Group is for the identified agencies to share information about CSE incidents that occur within the Borough of Telford & Wrekin and/or incidents that involve residents that may have happened outside of the Borough.

6.2. The legal basis to share this information is to safeguard and promote the welfare of children. The Children Act 2004, as amended by the Children and Social Work Act 2017, places duties on the Police, Council, health services and education settings to safeguard and promote the welfare of all children in their area. In line with the requirements of the Data Protection Act, a data sharing protocol to support this goal is in place through the Telford & Wrekin Safeguarding Children's Board.

7. Governance

7.1. As stated in paragraph 6.1, a fundamental purpose of the Joint CSE Review Group is for the identified agencies to share information about CSE incidents that occur within the Borough of Telford & Wrekin and/or incidents that involve residents that may have happened outside of the Borough. Beyond published reports, all information shared and discussed within the Group shall remain strictly confidential and used only for the purposes of this Group.

7.2. It is intended that agendas and reports will be shared with attendees at least 3 working days in advance of each meeting.

7.3. Minutes of each meeting will be taken and circulated within 5 working days of a meeting. Amendments will be required within 10 working days with draft minutes published within six weeks ready to be approved at the next formal meeting of the Group.

7.4. It is intended that the Joint CSE Review Group will work collaboratively and reach agreement on matters for consideration. Where a decision requires cross-organisational agreement and a consensus cannot be reached, matters will be decided by way of a vote. For that purpose, each organisation will have one vote each. The Chair will be responsible for administering, and recording the

outcome, of the vote. When called upon to do so, each member can choose to vote either in favour of a proposal, against a proposal or can abstain. In the event of an equality of votes, the Chair will have a casting vote.

7.5. Where an organisation has concerns that the outcome of a vote may result in harm to children or young people, they can utilise the Telford & Wrekin Safeguarding Partnership escalation procedure to seek resolution.

7.6. The Joint CSE Review Group will report to the Telford & Wrekin Safeguarding Children Board each time it has met with the principle purpose of providing an update on its work to map and understand the risk and prevalence of CSE in the Borough.

7.7. The Annual Report produced by the CSE Review Group will be presented to Telford & Wrekin Council, West Mercia Police, Shropshire, Telford & Wrekin ICS and West Mercia Police & Crime Commissioner. It is intended that the Report will be presented to the relevant governing body to endorse the report and for the organisation to adopt its recommendations.

8. Review

8.1. These Terms of Reference will be reviewed no later than [12] months after the first meeting of the Joint CSE Review Group and then every 12 months thereafter. This does not prevent an earlier review should this be necessary.

Appendix B CSE Review Group minutes of February 2023 meeting.

MINUTES OF THE JOINT CHILD SEXUAL EXPLOITATION REVIEW GROUP: 1ST FEBRUARY 2023; 3PM – 4:30PM

Item	Action
<p>1. Welcome, Apologies, Introductions Attendees:</p> <ul style="list-style-type: none"> • JP - Service Delivery Manager: Policy & Development, Telford & Wrekin Council • HP - Insight Manager, Telford & Wrekin Council • TK - Service Delivery Manager: Assessment, Children Protection & Family Support, Telford & Wrekin Council • STW - Education Safeguarding Coordinator, Telford & Wrekin Council • AH - Group Manager: Public Protection, Telford & Wrekin Council • KH - Senior Formal Complaint Investigator, Telford & Wrekin Council • JW - Head of Analysis and Insight West Mercia Police 	

	<ul style="list-style-type: none"> • VW - Shropshire, Telford & Wrekin Integrated Care Board • TB - Primary Care Partnership Manager, Shropshire, Telford & Wrekin Integrated Care Board • KG – Assistant Partnership Development Officer, Telford & Wrekin Council <p>Apologies:</p> <ul style="list-style-type: none"> • SC - Midlands Partnership NHS Foundation Trust • RZ - Team Leader: Customer Relationship and Quality Assurance Team (TB acting as substitute) 	
2.	<p>Terms of Reference (Appendix 1)</p> <p>JP introduced the Terms of Reference (ToRs). The joint Child Sexual Exploitation (CSE) Review Group has been established following Recommendation One of the Independent Inquiry into Telford Child Sexual Exploitation. This states that the Group will meet six monthly and will:</p> <ul style="list-style-type: none"> • Consider data and information gathered – such data to include: the incidence, trends and locations of CSE within the borough; missing persons/truancy data; referral numbers and investigations/complaints; licensing and night-time economy information; and any other data considered relevant; • Analyse such data and information in order to provide a reliable set of statistics against which the threat/risk and prevalence of CSE can be measured, and any apparent increase or decrease in the number of CSE cases considered; • Maintain minutes of each meeting, with appropriate action plans attached; and • Publish a report setting out the results of the analysis and accounting to the public for the action being taken in response. <p>Recommendation 2 of the CSE inquiry has called for the Joint CSE Review Group to publish an annual CSE Report (the Annual Report). This report should include, at a minimum:</p> <ul style="list-style-type: none"> • The output of the statistical analysis carried out in accordance with Recommendation 1; • Current staffing numbers/caseload ratios within the WMP Child Exploitation (CE) Team and the Council’s Children Abused through Exploitation (CATE) Team; • The extent of collaboration and support sought from third sector organisations, including 	

	<p>transparency about the level of funding ring-fenced for such support;</p> <ul style="list-style-type: none"> • Details of steps taken in relation to CSE training and awareness campaigns; • Details of PCC funded resources and initiatives relevant to CSE; • Statistics regarding the number of NRM referrals; • Updates as to work undertaken to improve relevant services to children within the health and education sectors; and • A summary of any complaints received by any of the member authorities regarding the handling of a CSE matter. Each member organisation should publish a copy of the report on its website. <p>The Group agreed the terms of reference in principle but with the job titles of members to be part of the document. AH to be added to the membership of the Group.</p> <p>There was a discussion around each member having a substitution. It was agreed for SC to be on the ToR and for VW to be the substitution. TB is due to leave his post shortly and another representative will be attending the next meeting. JW to pick up representation from the West Mercia Police (WMP) local policing team.</p> <p>It was agreed for the chair of the group to be JP. There was a discussion around the vice chair position and for anyone who is interested to contact JP.</p>	<p>ToR to be updated with job titles and names removed.</p> <p>AH job title to be added. Once amended KG to circulate to members.</p> <p>Members to confirm substitutions.</p> <p>Any member interested in being a vice chair to contact JP.</p>
3.	<p>Multi-agency CSE Profile</p> <p>HP and JW updated the meeting on work underway to develop a profile of CSE in Telford and Wrekin using Telford & Wrekin Council (TWC), WMP and secondary school data.</p> <p>JW shared with the first iteration of the CSE data profile developed by WMP. This painted a picture of the number of crimes associated/marked as CSE and the outcomes of associated criminal investigations. The analysis set out a clear methodology, including definitions.</p> <p>STW questioned whether a contact into the Police that had been received from a third party agency, could the analysis show which agency. JW highlighted that the IMO may not include the agency as it will just be about the victim.</p>	<p>JW to share full report with members in 7 days.</p>

	<p>TK raised the issue of CSE including online exploitation and that it was important to recognise that online sexual exploitation does on occasion lead to face to face contact. JW confirmed she will be working with the Organised Crime Unit and the CE team to explore online CSE.</p> <p>JW will share the full report to members in a week.</p> <p>HP shared the Council's existing CSE dashboard built on data from Family Connect (multi agency safeguarding hub), children social care and the CATE team. The dashboard presents contacts into Family Connect that have a risk indicator of CSE and the organisation which has made the contact. It also included the risk threshold of all contacts following initial assessment: universal, vulnerable, complex and acute. The dashboard goes on to track the outcome of each of these initial contacts, including those that are referred to the CATE team and/or to statutory safeguarding. For those cases that are referred to CATE, the dashboard includes an assessment of the level of risk as it changes following intervention and support from the CATE service and/or statutory safeguarding as necessary.</p> <p>In terms of next steps, analysts from the WMP and TWC will continue to meet to finalise the cohort analysis in preparation for the publication of the Review Group annual report in July (see item 4)</p>	<p>WMP & TWC Analysts to meet to finalise cohort analysis</p>
<p>4.</p>	<p>Annual Report Action Plan (Appendix Two)</p> <p>JP shared the annual report action plan which sets out who will provide the relevant data/content and by when. This will include information from WMP, TWC Insight Team. TWC education services working with schools and the TWC Licensing service. As well as mapping and analysing trends in CSE and the risk of CSE, the report will include information on</p> <ul style="list-style-type: none"> • Absence and truancy from school • Missing episodes. • The NRM section will be completed by the police. • The perpetrators will be completed by the police. • Training and awareness 	

	<ul style="list-style-type: none"> • Service complaints relating to how CSE has been handled by the WMP, TWC, NHS and schools. <p>In terms of timeline for the Report and to generate robust trend data, the Report will focus on the financial years 2020/21, 2021/22 and 2022/23. Initial data up to the end of December 2022 has been requested with the final three months data to be provided to JP by the end of April 2023.</p> <p>JP highlighted that recommendation 46 has been omitted from the action plan but will be added. This recommendation was for a green flag to be added onto GP records to show a CSE marker. TB confirmed this is working progress due to regional and national systems. It will show that GPs are aware of CSE and training and that such data from GPs is accessible as it is an important source of information.</p> <p>TK shared that missing needs to be updated to include missing from home/care and that CATE is the team not the pathway. The pathway is the CE pathway.</p> <p>It was agreed for the action plan and the update ToR to be circulated.</p>	<p>VW and JW to share complaints contact with JP.</p> <p>Recommendation 46 to be added to the action plan. JP</p> <p>Action plan and the update ToR to be circulated. JP/KG</p>
5.	<p>AOB</p> <p>No AOB were discussed.</p>	
6.	<p>Next Steps</p> <p>The members will be kept informed of developments via email.</p> <p>Once the majority of the data background work has been completed there will be an interim informal meeting as necessary added to the diary by JP.</p>	<p>JP to add informal meeting to the diary once data background work has been completed.</p>



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Borough of Telford and Wrekin

Full Council

Thursday 13 July 2023

Cabinet Decisions Made Since the Last Meeting of the Council

Cabinet Member:	Cllr Nathan England - Cabinet Member: Finance, Customer Services & Governance
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Stacey Worthington - Senior Democracy Officer (Scrutiny)
Officer Contact Details:	Tel: 01952 384382 Email: stacey.worthington@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Full Council – 13 July 2023

1.0 Recommendations for decision/noting:

1.1 None. For information only.

2.0 Purpose of Report

2.1 This report sets out those matters determined by the Cabinet at its meetings on 16 March 2023, 15 June 2023 and 13 July 2023.

3.0 Background

3.1 The report sets out those matters determined by the Cabinet since the Full Council meeting on 2 March 2023 for the information of Full Council.

4.0 Summary of main proposals

4.1 This report is for the information of Members.

5.0 Alternative Options

5.1 Not applicable.

6.0 Key Risks

6.1 Key risks are described in each individual report presented at Cabinet. Copies of these reports have been circulated to all Members of the Council previously.

7.0 Council Priorities

7.1 The relevant Council Priorities for each Cabinet decision are described in the relevant report.

8.0 Financial Implications

8.1 As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council.

9.0 Legal and HR Implications

9.1 Legal implications are described in each individual report presented at Cabinet. Copies of these reports have been circulated to all Members of the Council previously.

10.0 Ward Implications

10.1 Implications for individual wards are set out in the reports previously considered by Cabinet.

11.0 Health, Social and Economic Implications

11.1 These implications are considered with every report presented to Cabinet and make up a section of each individual report. These reports have already been circulated to all Councillors

12.0 Equality and Diversity Implications

12.1 As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council.

13.0 Climate Change and Environmental Implications

13.1 The climate change and environmental implications of reports are described in each individual report.

14.0 Background Papers

None

15.0 Appendices

- A Cabinet Decisions Made Since the Last Meeting of the Council

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Appendix A

Cabinet Business

Matters that have been determined by Cabinet are listed below:

	2.1	<u>16 March 2023</u>
NK	2.1.1	Cost of Living Strategy Update
K	2.1.2	Invest Telford Performance Report
K	2.1.3	Protected Characteristic for Care Leavers and Local Offer
K	2.1.4	Safer And Stronger Neighbourhoods Through Appropriate Use of Our Enforcement Powers
	2.2	<u>15 June 2023</u>
K C	2.2.1	2022/23 Financial Outturn Report
K	2.2.2	Adult Social Care Charging Policy
NK	2.2.3	Annual Governance Statement
NK	2.2.4	Representation on Outside Bodies
	2.3	<u>13 July 2023</u>
K PC	2.3.1	2023/24 Financial Monitoring Report
K	2.3.2	Health & Wellbeing Strategy Refresh 2023-2027
NK	2.3.3	Better Homes for All Update
K	2.3.4	Climate Change Guidance for Development – Supplementary Planning Document
K	2.3.5	Ironbridge Gorge World Heritage Site – Supplementary Planning Document
K	2.3.6	Ercall Magna Neighbourhood Development Plan – Referendum Version
NK	2.3.7	Progress of the Council’s Equality, Diversity and Inclusion Strategy and Action Plan
NK	2.3.8	Customer Feedback Reports for 2022-23

Key

K	= Key Decisions
NK	= Non-Key Decisions
E	= Exempt Items
PE	= Part Exempt Item
C	= Council
PC	= Part Recommendation to Council

Delegation of Powers Granted by the Cabinet

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Safer And Stronger Neighbourhoods Through The Appropriate Use of Our Enforcement Powers	Director: Neighbourhood & Enforcement Services, in consultation with the Deputy Leader and Cabinet Member: Housing, Enforcement & Transport,	To review and implement changes where required to the Fixed Penalty Fines as set out in the Environmental Enforcement Fixed Penalty Notice Policy as adopted in 2017
Adult Social Care Charging Policy	Cabinet Member: Adult Social Care and Health Systems, in consultation with Director: Adult Social Care	To receive the outcome of the consultation and update the policies and implementation of proposals from 1 January 2024
Representation on Outside Bodies	The Monitoring Officer, in consultation with the Cabinet Member: Finance, Governance and Customer Services	To consider which bodies to nominate to and which Councillor is nominated
2023/24 Financial Monitoring Report	Director: Finance & HR and Executive Director: Housing, Communities and Customer Services with the Cabinet Member for Finance, Customer Services & Governance	The terms of the option to extend the IGMT loan repayment as outlined in section 5.4 of the report
Customer Feedback Reports for 2022-23	Director for Communities, Customer & Commercial Services in consultation with the Lead Cabinet Member for Finance, Customer Services and Governance	To make amendments to the policy going forward in line with changes to the appropriate legislation and other relevant information



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Cabinet

15 June 2023

2022/23 Financial Outturn Report

Cabinet Member:	Cllr Nathan England - Cabinet Member: Finance, Customer Services and Governance
Lead Director:	Ken Clarke - Director: Finance & Human Resources
Service Area:	Finance & Human Resources
Report Author:	Pauline Harris - Finance Manager: Corporate Finance
Officer Contact Details:	Tel: 01952 383701 Email: pauline.harris@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Key Decision
Forward Plan:	Yes - 17 May 2023
Report considered by:	Senior Management Team – 16 May 2023 Business Briefing – 25 May 2023

1.0 Recommendations for Decision/Noting

It is recommended that Cabinet approves the following recommendations that will go forward to Full Council for final approval

- 1.1 The revenue outturn position for 2022/23, which remains subject to audit by the Council's external auditors, and related virements in Appendix C
- 1.2 The transfers and changes to reserves and provisions, and associated approval to the relevant members of the Senior Management Team (as determined by the Chief Executive) after consultation with the relevant Cabinet Member to spend the reserves detailed in Appendix E
- 1.3 The capital outturn position and related supplementary estimates, re-phasing and virements shown in Appendix D and as summarised in the report
- 1.4 To grant delegated authority to the Director: Finance & HR to make any changes required, in consultation with the Cabinet Member for Finance, Customer Services and Governance

- 1.5 To note the performance against income targets

2.0 Purpose of Report

- 2.1 To present the final outturn position for the year to members, relating to: the revenue budget, capital programme and income collection and seek the necessary approvals to comply with financial regulations.

3.0 Background

- 3.1 The Medium Term Financial Strategy (MTFS) 2022/23 - 2025/26 was approved at Full Council on 3 March 2022, which included the 2022/23 revenue budget and medium term capital programme. Since the MTFS was approved, the economic climate has radically changed with a rapid increase in the rate of inflation, increases in interest rates and increasing demand for many services partly fuelled by the cost of living crisis facing our residents. These factors combined with the increase in the national debt resulting from recent Government policy decisions combine to make the financial outlook facing the Council more uncertain than ever before.

- 3.2 Good financial management is an essential element of good governance and long-term service planning which are critical to ensuring that local service provision is sustainable and the use of resources is maximised in order to meet the needs of our residents.

- 3.3 Many councils have reported significant pressures in their financial monitoring reports arising from cost of living of pressures. Telford & Wrekin Council is also facing significant budget challenges arising from increasing costs and increasing demand for services. Regular financial monitoring reports have been provided during 2022/23 showing the projected outturn position i.e. how projected net revenue spend compares to the budget set for the year; progress against the 2022/23 capital programme; the key issues to be highlighted; together with a summary of collection information in relation to Council Tax, Business Rates and Sales Ledger income. This report now shows the final financial outturn position for 2022/23.

- 3.4 The funding outlook for the medium term remains very uncertain but will clearly continue to be challenging, particularly in light of the current inflationary and demand pressures.

4.0 Summary of main proposals

- 4.1 Nationally Councils have faced extreme financial challenges in 2022/23 as soaring inflation has significantly increased the cost of providing services and at the same time the cost-of-living crisis has increased public demand for some services. The Local Government Association has stated

“The sharp spike in inflation and energy prices is an unprecedented crisis which could not have been predicted by either central or local government when the Government finalised the local government finance settlement earlier this year and councils set their budgets in March (2022).”

Telford & Wrekin Council was not immune to these pressures and with CPI inflation at 10.1% in March 2023 (ranging between 9% and 11.1% throughout 2022/23) there were impacts on costs across all services, including energy bills, care provider costs and transport costs, which were unknown when the budget was set. Further, some impacts of Covid continued into 2022/23, such as in Children’s Services case loads, however unlike previous years there was no additional government funding to meet these costs.

Despite the significant pressures faced during 2022/23 the Council ended the year within budget which is a clear demonstration of the exceptionally strong financial management and financial resilience which is embedded in the authority; a testament to Cabinet Members, Management Teams and all employees. The gross revenue budget for 2022/23 was £435m and the net budget was £135m. The revenue outturn position is within budget by £0.012m (which is equivalent to -0.01% of net budget), after the proposed transfers to and from reserves and balances have been made.

A summary of the year end position is:-

	£m
Net Revenue Budget	134.953
Net Revenue Outturn	134.941
Underspend	-0.012
Underspend as a % of Net Budget	-0.01%

Importantly the Council has not had to make any unplanned use of the budget strategy reserve, which remains at £21.7m and has retained a prudent level of balances which will support the delivery of the medium-term Financial Strategy and support financial resilience in future years, as we will continue to feel the impacts of inflationary pressures in the economy, particularly higher rates of inflation, interest rates and at the same time also face the uncertainties of potential changes to the local government funding system and increasing demand for services.

Clearly, given the scale and complexity of the Council’s budget and the vast number of different services provided to our residents there were a number variations from the approved budget. Notably, these included essential additional investment required in both Children’s Safeguarding and Adult Social Care in 2022/23 to ensure we looked after the most vulnerable in our society.

4.2 **2022/23 Capital Outturn**

Capital spend ended the year at £75.7m against an approved budget of £87.16m. Some re-phasing of expenditure into 2023/24 will take place as a result of re-profiling spend, including grant funded programmes which have been extended. The re-phasing will generate some treasury management benefits in 2023/24.

4.3 **Corporate Income Collection**

At the end of the year, Council Tax and NNDR collection were ahead of target, Sales Ledger Debt was slightly behind target. Cash collection had increased for council

tax and sales ledger income streams compared to the previous year, although NNDR had reduced due to the national revaluation exercise.

Ultimately, all debt will be rigorously pursued and will continue to be collected after the end of the financial year with appropriate recovery avenues being pursued at appropriate times.

4.4 **NuPlace Ltd**

NuPlace is the Council's wholly owned housing investment company. It was set up primarily to improve standards in the private rented sector and to offer homes for life to tenants operated by a responsible and responsive landlord. It is a separate legal entity and as such prepares its own accounts; in addition the Council is also required to prepare consolidated group accounts as part of its financial statements which incorporate NuPlace's financial position. The unaudited accounts show that NuPlace generated an operating profit after interest and taxation of £0.316m in 2022/23. The company issued a dividend of £0.188m in 2023/23 which was paid to the Council as its sole investor. Including the dividend, the Council received a total of £1.9m from NuPlace during 2022/23, net of additional interest and other marginal costs. The financial benefits that arise from NuPlace are invested in providing front line services such as providing Adult Social Care services to vulnerable residents and have helped to reduce the budget savings that would otherwise have had to have been made as a result of Government grant cuts.

4.5 **General**

The draft formal statement of accounts will be considered at the Audit Committee on 31 May 2023 and audited by Grant Thornton, the Council's external auditors. The accounts will also be available for public inspection for 30 working days from 31 May 2023. The Statutory deadline for publishing the audited accounts is 30 September; achieving this will be dependent on Grant Thornton completing the audit.

4.6 Summaries of the outturn on revenue and capital along with major variations are shown as appendices to this report.

5.0 Additional Information

5.1 2022/23 REVENUE BUDGET

The Council had a gross revenue budget of £435m for 2022/23 and the final net revenue outturn position is as follows (a more detailed summary is provided in Appendix A):

	£m
Net Revenue Budget	134.953
Net Revenue Outturn	134.941
Underspend	-0.012
Underspend as a % of Net Budget	-0.01%

5.2 Variations by Service Delivery Unit are summarised below and further detail is provided in Appendix B.

Service Area	Final Budget	Outturn	Variation
	£	£	£
Prosperity & Investment	(8,167,010)	(7,849,001)	318,009
Finance & HR	13,853,294	9,303,312	(4,549,983)
Policy & Governance	936,631	790,758	(145,873)
Children's Safeguarding & Family Support	39,804,626	46,492,878	6,688,252
Education & Skills	8,334,334	8,820,377	486,043
Adult Social Care	53,781,402	61,857,734	8,076,332
Health and Wellbeing	1,883,182	1,857,066	(26,116)
Neighbourhood & Enforcement Services	27,051,406	25,918,553	(1,132,853)
Communities, Customer & Commercial Services	2,740,766	2,734,927	(5,838)
Housing, Employment & Infrastructure	2,733,725	2,203,792	(529,933)
Corporate Communications	0	(27,563)	(27,563)
Council Wide Items	(7,999,606)	(16,859,456)	(8,859,850)
	134,952,750	135,243,378	290,628
Funding	(134,952,750)	(135,255,040)	(302,290)
Total	0	(11,662)	(11,662)

This table shows the position for each service area after transfers to reserves detailed in the report. The figures in the above table exclude budgets and variances on capital and pensions charges which are “non-controllable” accounting entries.

- 5.3 Service variances over £0.250m are highlighted; all other variances over £50k are detailed in Appendix B.

Service Area	Variance £m
<u>Prosperity & Investment</u>	
PIP Income – shortfall due to slippage of some development schemes into future years/voids	+0.969
PIP – contribution from reserves	-0.616
Building Control & AP Planning – re-alignment of income	+0.258
<u>Children’s Safeguarding & Family Support</u>	
Children In Care Placements – pressure on residential placement costs during 2022/23. This is a combination of escalating needs of some children and young people; new children entering residential placements and high costs associated with some placements offset by benefits from some young people being stepped down from residential placements.	+7.001
Children with Disabilities – mainly relating to increased provider costs	+0.434
Joint Adoption Service – arising from children placed with adopters from external agencies.	+0.467
Health Funding – health contributions in relation to health needs as a result of increased engagement with health colleagues.	-3.222
Staffing – a combination of vacancies and services pressures has resulted in agency costs being incurred in order to meet statutory safeguarding requirements.	+1.424
<u>Adult Social Care</u>	
Long Term Care Purchasing –expenditure relating to long term care costs in excess of budgets	+11.602
Client Contributions towards care package costs	-0.668

Joint Funding Contributions towards care packages	-1.599
Short Term Care reablement - cost of care; see NHS contribution below	+9.133
Short Term Care – contribution to reserves	+0.409
Short Term Care – NHS contributions	-9.542
Operational Teams – in year vacancies and savings	-1.328
<u>Education & Skills</u>	
Home to School Transport / Post 16 Transport – pressures continuing from last year driven by a sharp increase in operating costs in September 2021 and further contractual inflation pressures from renewed taxi contracts in September 2022. A number of initiatives are underway to address the issue including reviewing different transport options, providing minibus transport rather than taxis, reviewing routes and retendering. This variation is after allocating £0.300m from the corporate inflation contingency.	+0.889
Skills – application of grant funding	-0.296
<u>Communities, Customer & Commercial Services</u>	
Housing Benefit Subsidy – a combination of reduced recovery of overpayments, B&B spend where no subsidy can be claimed and a reduction in the level of overall income owed. Work is underway to assess options to limit HB subsidy loss from 2023/24.	+0.860
ICT – mainly capitalisation of Microsoft licenses	-0.292
<u>Neighbourhood Services</u>	
Waste & Neighbourhood Services – underspends mainly due to reduced food tonnages and reduced residual waste tonnages.	-0.755
Optimisation of grant income	-0.372
Highways – income relating to street works permitting income	-0.270
<u>Housing, Employment & Infrastructure</u>	
Homelessness – one off underspends due to higher grant income streams and vacancy management	-0.304

<u>Finance & Human Resources</u>	
Treasury –benefit from re-profiled capital programme and use of some temporary borrowing at lower than budgeted interest rates, particularly during the earlier part of the year	-3.951
<u>Council Wide</u>	
Unused element of budgeted contingency	-3.950
Reserves & Provisions – review of reserves and provisions resulting in a net overall benefit available to support the 2022/23 overall financial position.	-2.456
Other council wide items – benefits including capitalisation of transformation spend; the NDR levy account surplus, cessation of the Health & Social Care Levy and other council wide items.	-2.737

Transfers to reserves are detailed in Appendix E.

5.4 Public Health

The Council receives a ring-fenced grant to support its Public Health responsibilities. In 2022/23 this grant totalled £13.168m. The conditions of the grant are that it must be used to address health needs and improve health and well-being in the community. Work to support improving public health outcomes is delivered across a number of the Council's Service Areas and a summary of the grant in 2022/23 is shown in the table below:

	£
Public Health Reserve (grant b fwd from 2021/22)	2,445,440
Public Health Grant allocation 2022/23	13,168,141
Total Funding	15,613,581
Funding applied during 2022/23	12,707,552
Grant carried forward to 2023/24	2,906,029

5.5 Dedicated Schools Grant (DSG)

Excluding funds passed to academies and colleges, Dedicated Schools Grant totalled £111.5m in 2022/23. There was a planned overspend of £0.087m (0.07%) during the year. As £0.334m had been carried forward into 2022/23 from the previous year, a year-end surplus of £0.247m has been carried forward to 2023/24.

The continued maintenance of a positive DSG balance is particularly noteworthy compared to the position in many other councils. The high needs pressures seen in other parts of the country are also apparent in Telford & Wrekin. However, the Council's strong financial control and positive relationships with schools and other

providers have enabled budgetary control to be maintained, whilst ensuring that we meet our responsibilities to young people. In addition, the national recognition of cost pressures has led to additional resources being allocated to councils, including Telford & Wrekin.

The Council has a constructive relationship with the local Schools Forum and continues to work hard to tackle the high needs pressures in partnership with the Forum, schools and other providers of education.

6.0 RESERVES & BALANCES

6.1 The main General and Special Fund balances were £5.107m at 1 April 2022. The position on the main General and Special Fund Balances is now:

	£m
Balances at 1 st April 2022	5.107
Planned approved use to support investment in cemeteries and footway lighting	(0.397)
2022/23 Final Contribution to Balances	+0.012
Balances at 31st March 2023	4.722

The General/Special Fund balance forms part of the Council's overall reserves and balances.

6.2 In addition to the General and Special Fund Balances, the Council has general contingencies of £3.95m and a further £3.4m held centrally for inflation and pay awards in 2023/24. Further, there is a prudent level of reserves and provisions available to support the medium term financial strategy including the uncommitted balance of £21.7m held in the Budget Strategy Reserve.

6.3 A number of specific transfers to reserves are proposed which support the Council's priorities. These are included in the overall outturn position as reported above and are detailed in Appendix E.

6.4 To provide further clarity of its purpose the Single Status Provision is to be re-named as Provision for Pay Related Costs.

6.5 The balance of the Public Health ring-fenced grant has also been carried forward to 2023/24 (in line with the grant conditions see section 5.4 above) as has the residual balance of other grants received in year, in line with accounting requirements.

7.0 2022/23 CAPITAL PROGRAMME

7.1 The capital programme for 2022/23 totalled £87.16m. Some re-phasing of expenditure into 2022/23 will take place as a result of extensions and re-profiling of grant funded programmes. Spend at year end was £75.7m as summarised in the table below, all schemes that have been re-phased are already in progress:

Service Area	Budget £m	Spend £m	% Spend £m	Year End Variance £m
Adult Social Care	1.94	0.86	44%	-1.08
Prosperity & Investment	32.85	27.27	83%	-5.59
Neighbourhood & Enforcement Services	20.18	19.16	95%	-1.02
Education & Skills	14.78	14.37	97%	-0.41
Housing, Employment & Infrastructure	9.22	7.06	77%	-2.16
Communities, Customer & Commercial Services	6.97	6.06	87%	-0.91
Policy & Governance	0.13	0.11	86%	-0.02
Finance & Human Resources	1.10	0.82	75%	-0.28
Total	87.16	75.70	87%	-11.46

Note: The approved estimate excludes the new allocations, slippage and virements detailed in Appendix D.

- 7.2 The main scheme re-phasing to future years is shown below with detail included in Appendix D.

	£m
<u>Prosperity & Investment</u>	
Property Investment Programme – primarily accelerated delivery of Growth Fund investments.	+1.25
Site preparation – required for future disposals	-0.57
Towns Fund – reprofiling of spend in line with revised programme of delivery, all fully committed	-3.48
HE Land Deal, and Liability sites – rephasing of spend, mainly site preparation	-1.22
Housing Company – rephasing of spend, fully committed to schemes currently in development in 2023/24	-1.33
<u>Neighbourhood & Enforcement Services</u>	
Highways, Carriageways, structures, drainage, footways and Integrated Transport –fully committed to schemes currently in delivery	-0.48
Environmental Improvements –accelerated spend to delivery prioritised projects	+1.23

Miscellaneous Asset Schemes – fully committed for delivery in 2023/24	-0.48
A442 Challenge Fund – scheme delivery is substantially complete	-0.26
On Your Side Programme of works including Southwater Lake, Violence against Women and Girls, Safer Routes to Schools. Pride in Our Play Areas, programmes of works – fully committed in 2023/24	-1.16
<u>Education & Skills</u>	
Other School Schemes –funding fully committed to maintenance and school schemes in delivery for 2023/24	-0.41
<u>Housing, Employment & Infrastructure</u>	
Housing –Energy Efficiency Grant Programme delivery extended into 2023/24	-1.83
Housing - spend on Temporary Accommodation strategies to be spent in 23/24	-0.20
<u>Communities, Customer & Commercial Services</u>	
ICT/eGov – spend brought forward from 2023/24 to meet schemes in delivery	+0.12
Cemeteries – budget reprofiled into 2023/24, further ground works required	-0.21
Climate Change –to fund projects to be delivered in 2023/24	-0.20
Leisure Capital Schemes – fully committed to schemes in delivery in 2023/24	-0.44
<u>Finance & Human Resources</u>	
Capitalisation of Efficiency Schemes/Severance costs in accordance with eligible spend during 2022/23	-0.28

- 7.3 There are a number of new approvals, virements and slippage which are also detailed in Appendix D and require formal approval.
- 7.4 The funding for the capital programme in 2022/23 included £13.161m estimated income from capital receipts. The actual income received in year was higher at £13.598m – the difference was mainly due to the generation of receipts within the Property Investment Portfolio for reinvestment in future years.

8.0 NUPLACE

- 8.1 2022/23 was the eighth year of operation for Nuplace Ltd, the Council's wholly owned housing investment company. It was set up primarily to improve standards in the private rented sector and to offer homes for life to tenants operated by a responsible and responsive landlord. The principal activity of which is the procurement of the construction and management of private and affordable residential property for rent, responding to the Borough's housing needs including the availability of accessible and adaptable housing. Nuplace also operates a sub brand known as Telford & Wrekin Homes, intended to acquire and refurbish existing housing stock, which focusses on refurbishment and ensuring we make the best use of homes in the borough.

Nuplace's housing portfolio now comprises of 485 homes of which 64 are available to let at affordable rents, 19 are built to accessible standards, and 46 have been built to meet the new Building Regulation requirements regarding low carbon design. The programme has resulted in over 23 acres of brownfield land being regenerated, addressing sites that might otherwise blight communities, with a further 37.66 acres currently being regenerated at Wild Walk, Muxton. The programme is also delivering added value in terms of local employment, apprenticeships, supply chain development and the delivery of a range of community projects.

During the year, works completed at Southwater Way, Telford, Nuplace's low carbon Town Centre scheme of 46 housing units. Additionally, the first 19 Telford & Wrekin Homes properties underwent refurbishment, including the installation of new kitchens, bathrooms, full redecoration, new carpentry and flooring, landscaping and external works, whilst also addressing issues such as damp and electrical issues.

Work commenced on site at the Gower, St Georges where 10 new build dwellings are being delivered alongside 3 within the retained listed building. The proposals, delivered under the Telford & Wrekin Homes sub brand, will bring an important heritage asset, which has lain vacant for a number of years, back into sustainable use.

In accordance with the Company's accounting policy, the housing portfolio was revalued at the year end, which has resulted in an increase in value of 3.28% (£2.8m) over all completed sites.

- 8.2 Nuplace Ltd is a separate legal entity and as such will prepare its own Statement of Accounts and comply with company regulations. The accounts will be independently audited. As Nuplace is wholly owned by Telford & Wrekin Council, the Council is required to prepare Group Accounts as part of its Statement of Accounts for 2022/23 which will consolidate the Council and Nuplace's financial position.
- 8.3 Nuplace distributed a final dividend of £0.01 per ordinary share registered on 20th March 2023, totalling £188,000. The company reported an operating profit before taxation of £0.573m, £0.316m after tax. It should be noted that the Council has received income totalling £1.9m from Nuplace during 2022/23 net of additional interest and other costs which is a combination of interest paid relating to the loan

agreement, dividend income and services Nuplace purchased from the Council. The Council will also benefit from additional Council Tax, and New Homes Bonus as Nuplace properties are completed. The financial benefits that arise from Nuplace are invested in providing front line services such as providing Adult Social Care and have helped to reduce the budget savings that would otherwise have had to been made as a result of Government grant cuts.

9.0 CORPORATE INCOME MONITORING

9.1 The Council’s budget includes significant income streams which are regularly monitored to ensure they are on track to achieve targets that have been set and so that remedial action can be taken at a very early stage. The three main areas are Council Tax, NNDR (business rates) and Sales Ledger. Current monitoring information relating to these is provided below. The Council pursues outstanding debt vigorously, until all possible recovery avenues have been exhausted, but also prudently provides for bad debts in its accounts.

9.2 In summary, Council Tax and NNDR collection ended the year ahead of target, Sales Ledger Debt was slightly behind target. Cash collection has increased for council tax and sales ledger income streams compared to last year, although NNDR has reduced due to the national revaluation exercise.

INCOME COLLECTION – 2022 / 23			
	Actual	Target	Performance
Council Tax Collection	97.31%	97.09%	0.22% ahead of target
NNDR Collection	98.17%	97.58%	0.40% ahead of target
Sales Ledger Outstanding Debt	5.82%	5.25%	0.57% behind target

9.3 Council Tax (£105.3)

This is the percentage of the current year liability for council tax which the authority should have received during the year, as a percentage of annual collectable debit. The measure does not take account of debt that continues to be pursued and collected after the end of the financial year in which it became due. The final collection figure for all financial years exceeds 99%.

Year End performance 2021/22 97.26%
 Year End performance for 2022/23 97.31%

Performance is cumulative during the year and expressed against the complete year’s debit.

Year End Target	Year End Actual	Last year Actual
97.09%	97.31%	97.26%

Council Tax collection has out-turned at 0.22% ahead of target, and 0.05% ahead of last years performance. This year’s target was set with the anticipated impact of the cost-of-living crisis.

9.4 NNDR-Business Rates (£74.0m)

This is the % of business rates for 2022/23 that should have been collected during the year. This target, as for council tax, ignores our continuing collection of earlier years’ liabilities.

The measure does not take into account the debt that continues to be pursued and collected after the end of the financial year in which it became due. As a general rule the final collection figure for any financial year exceeds 99%.

Year End performance 2021/22	98.4%
Year End performance for 2022/23	98.17%

Year End Target	Year End Actual	Last year Actual
97.58%	98.17%	98.4%

Collection performance has out turned in a better position than was expected which in part will be due to:

- The CARF (Covid additional relief fund) which was awarded to certain businesses at the end of last financial year and were rolled forward.
- Retail discount for those in the hospitality, leisure and accommodation sectors.

9.5 Sales Ledger (£98.9m)

This includes general debt and Social Care debt. Debt below 2 months is classified as a normal credit period.

The target percent is set relating cumulative debt outstanding from all years to the current annual debit. The targets and performance of income collection for 2022/23 are as follows:

	Annual Target %	March 2023	
		£m	%
Total	5.25	5.757	5.82%

Sales ledger is outside of target although can tend to fluctuate from one month to the next, and has shown improvement in recent months.

10 Alternative Options

10.1 Budget holders will have investigated a number of options to seek to deliver required service outcomes from within available resources during the year. Decisions made by the Chief Financial Officer and Senior Management Team as part of the closure

of accounts process aim to safeguard the Council's financial position in 2023/24 and optimise the Council's position in terms of financial sustainability and resilience.

11 Key Risks

11.1 Budget holders actively manage their budgets and the many financial risks and challenges that council services face, examples include the risk of a particularly harsh winter which would impact adversely on the winter gritting and adult social care budgets, the increasing dependency on income from a wide range of activities and the risk of interest rate movements and further inflationary pressures, the risk of changes in legislative or accounting requirements impacting on budgets etc. The Council has comprehensive risk management arrangements in place, which are reviewed and updated by the Senior Management Team. It is considered that there is an adequate level of reserves and provisions set aside to cover anticipated risks.

12.0 Council Priorities

12.1 Delivery of all Council priorities depends on the effective use of available resources. Strong and effective financial management ensures the best use of resources.

13.0 Financial Implications

13.1 The financial impacts are detailed throughout the report.

14.0 Legal and HR Implications

14.1 The Council's s151 Officer has a statutory duty to monitor income and expenditure and to take action if overspends/shortfalls emerge.

14.2 The statutory date for making the draft 2022/23 Statement of Accounts (SOA) available for public inspection is 31 May 2023 and the statutory deadline to publish the audited SOA is 30 September. Audit Committee has delegated authority to approve the SOA and updates will be provided to the Committee as appropriate.

15.0 Ward Implications

15.1 There are no impacts on specific wards

16.0 Health, Social and Economic Implications

16.1 There are no Health, Social and Economic Implications directly arising from this report.

17.0 Equality and Diversity Implications

17.1 There are no Equality & Diversity implications directly arising from this report.

18.0 Climate Change and Environmental Implications

18.1 There are no Climate Change and Environmental Implications directly arising from this report.

19.0 Background Papers

1	Medium Term Financial Strategy 2022/23 – 2025/26	Council 03/03/2022
2	Service & Financial Planning Report – 2021/22 Outturn	Cabinet 23/06/2022 Council 14/07/2022
3	2022/23 Financial Monitoring Report	Cabinet 14/07/2022 Council 14/07/2022
4	2022/23 Financial Monitoring Report	Cabinet 13/10/2022 Council 10/11/2022
5	2022/23 Financial Monitoring Report	Cabinet 05/01/2023 Council 19/01/2023
6	2022/23 Financial Monitoring Report	Cabinet 16/02/2023

20.0 Appendices

Appendix A	Summary Revenue Outturn
Appendix B	Detailed Revenue Outturn
Appendix C	Virements
Appendix D	Capital Approvals
Appendix E	Reserves

21.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Director	05/05/2023	10/05/2023	KC
Finance	11/05/2023	11/05/2023	PH
Legal	10/05/2023	11/05/2023	EH

Summary Outturn Position 2022/23

Service Area	Final Net Revenue Budget	Outturn	Variation	Capital and Pension Technical Charges	Service	Other
	£	£	£	£	£	£
Prosperity & Investment	(5,733,060)	(111,452)	5,621,608	5,303,599	315,603	2,406
Finance & HR	13,853,294	10,362,172	(3,491,123)	1,058,860	(4,555,045)	5,062
Policy & Governance	937,951	1,533,717	595,766	741,639	(146,003)	130
Children's Safeguarding & Family Support	39,921,746	49,329,861	9,408,115	2,719,863	7,078,233	(389,980)
Education & Skills	14,519,014	20,567,862	6,048,848	5,562,805	484,514	1,529
Adult Social Care	53,796,882	64,520,191	10,723,309	2,646,977	8,038,742	37,590
Health and Wellbeing	1,883,182	2,327,956	444,774	470,890	(26,650)	534
Neighbourhood & Enforcement Services	33,248,686	33,385,318	136,632	1,269,485	(1,141,530)	8,677
Communities, Customer & Commercial Services	4,953,326	8,215,971	3,262,646	3,268,484	(75,994)	70,156
Housing, Employment & Infrastructure	2,733,725	2,734,462	737	530,670	(530,624)	691
Corporate Communications	0	164,077	164,077	191,640	(27,872)	309
Council Wide Items	(25,161,996)	(57,786,758)	(32,624,762)	(23,764,912)	(8,659,850)	(200,000)
	134,952,750	135,243,378	290,628	0	753,524	(462,896)
Funding	(134,952,750)	(135,255,040)	(302,290)	0	(302,290)	0
Total	0	(11,662)	(11,662)	0	451,234	(462,896)

DETAILED VARIATIONS OVER £50,000

2022/23 Revenue Budget Variations over £50,000										
Servie	Description	Description	Budget £	Outturn £	Variation £					Comments
						Capital & Pension charges £	Public Health £	Service £	Other £	
Prosperity & Investment										
	BIT:									
	BiT Architect & Building teams	Employees	1,690,430	1,513,256	(177,174)			(177,174)	0	One off vacancy management from pausing posts and backfill arrangements at lower grades. Nets off with use of consultancy.
		Supplies & Services	39,930	161,165	121,235			121,235	0	Consultancy nets off with underspend above. Remaining pressure from ongoing ICT license cost pressure of £36k and a one off cost linked to DFG pressure.
		Income	(3,714,950)	(3,664,381)	50,569			50,569	0	Shortfall on income target due to reduced resources, nets off with Employer underspends on line above.
	Accommodation	Third party payments	(213,860)	0	213,860			213,860	0	Accommodation saving target, planned implementation 23/24, funded from approved use of one off reserves below.
		Income - Contribution from reserves	0	(213,860)	(213,860)			(213,860)	0	Approved use of one off reserves to deliver Accommodation savings target set a few years ago.
	Homelessness Properties	Premises-Related Expenditure	313,380	384,572	71,192			71,192	0	Pressure due to damage/repairs above budget across numerous Homelessness properties.
	Travellers & Gypsy Sites	Premises-Related Expenditure	115,890	185,064	69,174			69,174	0	Additional R&M costs and illegal encampment at Transition site requiring removal of hazardous waste and security measures put in place.
	Terrace Lodge/Standford House (Property)	Premises-Related Expenditure	51,100	108,846	57,746			57,746	0	Various R&M. cleaning and replacement costs across a number of apartments to assist with the improvements of this site.
					0			0	0	
	Regeneration & Investment: PIP	PIP Net position	(8,907,910)	(7,939,033)	968,878			968,878	0	PIP income shortfall due to voids
		Income - contribution from reserves	0	(616,000)	(616,000)			(616,000)	0	Approved use of one off PIP reserves
	MSCP	Income	(406,180)	(297,325)	108,855			108,855	0	Southwater car park reduced income due to a reduced return of footfall to the centre
	Master Planning	Premises costs	0	81,913	81,913			81,913	0	Premises costs associated with Master planning of sites
		Income - Contribution from Reserves	0	(149,884)	(149,884)			(149,884)	0	Planned use of one off reserves
	Regeneration & Inv Management Account	Employees	839,500	680,607	(158,893)			(158,893)	0	Homes England contribution towards staffing costs and one off underspends from vacancy management.
	Development Management: Building Control & AP - Planning	Employees	2,613,020	2,261,228	(351,793)			(352,817)	1,024	One off underspends from vacancy management, with some posts being filled by agency staff in the short term, offset with reduced ability to meet income targets.
		Supplies & Service	50,640	236,697	186,057			186,057	0	Legal/consultancy costs associated with Planning appeals, consultancy viability reviews/retail policy reviews.
		Income	(2,051,070)	(1,792,798)	258,272			258,272	0	Realignment of income against resources available.
		Income - contribution from reserves	0	(96,564)	(96,564)			(96,564)	0	Approved planned use of reserves
	AP - Development Team	Employees	797,100	630,652	(166,448)			(166,467)	19	One off underspends from vacancy management, offset with reduced ability to meet income targets.
		Income	(117,260)	(9,915)	107,345			107,345	0	Realignment of income against resources available.
					0			0	0	
	IAS 19 Pensions Adjustment			1,049,440	1,049,440	1,049,440		0	0	
	Capital Charges		2,433,950	6,688,109	4,254,159	4,254,159		0	0	
	Variations under £50,000		733,230	686,760	(46,470)			(47,833)	1,363	
Total Prosperity & Investment			(5,733,060)	(111,452)	5,621,608	5,303,599	-	315,603	2,406	
Finance & Human Resources										
	Treasury		11,634,809	7,683,992	(3,950,817)			(3,950,817)	0	Benefit arising from re-profiled capital programme and use of some temporary borrowing at lower than budgeted interest rates.
	Finance	Employee	2,401,150	2,236,376	(164,774)			(164,774)	0	Vacancy management within Business Education & Care and Corporate finance teams
	Finance	Supplies & Services	205,590	147,991	(57,599)			(57,599)	0	Efficiencies across various supplies & services budgets, including external audit
	People Services	Income	(1,096,130)	(1,151,012)	(54,882)			(54,882)	0	Additional traded income generated from new work streams
	Revenues	Income	0	(95,673)	(95,673)			(95,673)	0	New Burdens Grant Funding received over budget.
	Revenues	Employees	1,114,980	1,045,557	(69,423)			(73,690)	4,267	Vacancy management within Revenues teams
					0			0	0	
	IAS 19 Pensions			1,058,860	1,058,860	1,058,860		0	0	
	Variations under £50,000		(407,105)	(563,919)	(156,814)			(157,609)	795	
Total Finance & Human Resources			13,853,294	10,362,172	(3,491,123)	1,058,860	-	(4,555,045)	5,062	
Policy & Governance										

2022/23 Revenue Budget Variations over £50,000										
Servie	Description	Description	Budget £	Outturn £	Variation £					Comments
						Capital & Pension charges £	Public Health £	Service £	Other £	
	Policy & Development:-	Employees	715,450	643,875	(71,575)			(71,579)	4	Net vacancy management underspends.
	Learning Development	Employees	662,490	561,372	(101,118)			(101,118)	0	Underspend arising from a combination of the delivery of Kickstart placement scheme being managed from within existing resources, one-off underspends delivered from vacancy management and underspends on organisational staff training.
IAS 19 Pensions				741,620	741,620	741,620		0	0	
Capital Charges			1,320	1,339	19	19		0	0	
								0	0	
								0	0	
Variations under £50,000			(441,309)	(414,489)	26,820			26,694	126	
Total Policy & Governance			937,951	1,533,717	595,766	741,639	-	(146,003)	130	
Children's Safeguarding & Family Support										
		CIC Placements	17,556,758	24,557,949	7,001,192			7,001,192	0	The very significant variation compared to the placement costs budget is predominantly driven by residential placements. In particular, in the first few months of this financial year there were a number of new residential placements, a number arising from placement breakdowns, combined with some large increases in existing placement costs driven by increasing challenges and complexity presented by young people requiring specialist residential care. Step-down plans are being pursued for a significant proportion of the children in residential placements. In addition some of the pressure in this area is offset by an increased contribution from the NHS towards elements of the placements costs where the young people are presenting with health needs (see 'Health funding' line below).
		Post 18 Staying Put & Leaving Care Support	542,610	479,051	(63,559)			(63,559)	0	These costs are made up of Leaving Care, Shared Lives and Staying Put placements for young people who have previously been in care who have since turned 18.
		Staffing - salaries	15,975,202	14,895,295	(1,079,907)			(686,989)	(392,918)	There are a number of vacancies across the service, resulting in this forecast underspend, although this and service pressure are leading to an increasing need to employ agency staff, with a higher average cost compared to directly employed staff.
		Staffing - Agency Costs	160,400	2,271,565	2,111,165			2,111,165	0	As noted above a combination of vacancies and service pressures has resulted in significant agency costs being incurred. In addition to individual agency workers, two agency teams have been procured, in order to provide the capacity needed to meet the current level of resource requirements and to enable statutory safeguarding requirements to be delivered.
		Staffing - Family Safeguarding Model	0	350,837	350,837			350,837	0	Grant funding contributes to the costs of the family safeguarding initiative (see income from grant and reserves below).
		Grant funding drawn down for Family Safeguarding Project	(119,820)	(271,093)	(151,273)			(151,273)	0	
		Reserves drawn down for Family Safeguarding Project	(30,692)	(39,376)	(8,684)			(8,684)	0	
		Contribution from Reserves	(664,131)	(776,311)	(112,180)			(112,180)	0	Includes additional funds drawn down for emergency duties team. Following the receipt of grant monies in relation to Strengthening Families, a reduced sum was required from reserves in order to fund expenditure
		Children with Disabilities	1,198,758	1,632,301	433,543			433,543	0	This area is under financial pressure, in part because of recent cost increases from providers of support. A number of initiatives are underway to ensure that cost effective and appropriate support is provided to families of children with disabilities. A Direct Payments Officer has also been appointed and a robust review of current payment levels and the level of balances in fair share accounts undertaken to ensure that the personal budgets provided to families are at an appropriate level.
		Children in Care Adoption Allowances	291,550	207,257	(84,293)			(84,293)	0	Payments for allowances were lower than budget available.

2022/23 Revenue Budget Variations over £50,000										
Servie	Description	Description	Budget £	Outturn £	Variation £	Capital & Pension charges	Public Health	Service	Other	Comments
						£	£	£	£	
		Joint Adoption Service	774,637	1,241,903	467,266			467,266	0	The significant variance in forecast costs mainly arises from a number of children being placed with adopters from external agencies, rather than within the regional adoption agency ('Together for Children' or T4C) that T&W is now part of. Such external placements come with a substantial one-off cost (in the region of £50K for some placements). In addition there is an ongoing budget pressure in the Joint Adoption Service ('JAS') for Shropshire and T&W, arising from a staffing increase some years ago that was intended to be offset by increased adoption allowance income. In practice, hasn't increased to a sufficient degree to offset the cost increase. In recent years, this has been mitigated by savings from staffing vacancies during the year, but in 2022/23 was instead exacerbated by retention payments to social workers in JAS.
		Health Funding	(400,000)	(3,621,660)	(3,221,660)			(3,221,660)	0	Following the marked increase in income in 2021/22, the increased engagement with health colleagues has continued and resulted in a very significant increase in contributions towards placement costs. The increase in placement costs in 2022/23 shown above, partly driven by the complex needs of children and young people, including health needs, is now being reflected in increasing health contributions.
		Independent Review - Staffing	737,892	666,335	(71,557)			(71,557)	0	
		Independent Review - Under £50k	170,629	190,441	19,812			19,812	0	
IAS 19 Pensions				2,975,420	2,975,420	2,975,420		0	0	
Capital Charges			117,120	(138,437)	(255,557)	255,557		0	0	
Under £50k			3,610,833	4,708,384	1,097,551			1,094,613	2,938	Main contributors to the variance are projected legal costs, childminder fees, taxi costs, section 17 costs (expenditure to support children in need), assessment fees, building adaptations for children with disabilities and expenditure on families with no recourse to public funds.
Total Children's Safeguarding & Family Support			39,921,746	49,329,861	9,408,115	2,719,863	-	7,078,233	(389,980)	
Education & Skills										
	Early Years & Childcare		52,515	(38,617)	(91,132)			(91,132)	0	Flexible use of government grants has been a large contributor to the underspend in this area.
	Home to school transport		3,103,773	3,833,043	729,270			729,270	0	There is an existing pressure in this area. A large part of the overspend in 2021/22 was driven by a sharp increase in taxi costs in September 2021, which continued to impact upon 2022/23. In addition there has been a significant increase in the number of children and young people entitled to transport assistance from September 2022. A number of initiatives have been undertaken to address the cost pressures impacting upon home to school transport, including: <ul style="list-style-type: none"> • Work to develop market – given lack of competition and increased costs of transport / taxis. • Seek continued efficiencies by reviewing routes and retendering and moving away from high cost provision. • Increase the take-up of Personal Transport Budgets to encourage alternative transport options (and enabling Dedicated Schools Grant (DSG) to be utilised for high needs pupils). • Significantly increase numbers of young people receiving travel training. • Providing minibus transport rather than taxis where possible and re-tendering of taxi contracts. These initiatives have already had a positive impact upon 2022/23 costs and will deliver a full financial year impact in 2023/24.
	Post 16 transport		445,686	605,835	160,149			160,149	0	There is an existing pressure in this area, due to a number of post 16 young people with high needs needing individual transport arrangements. As with pre 16 transport this pressure has been supplemented by sharp increases in taxi costs. Individual cases are being reviewed and where possible alternative, more cost effective transport options are being developed.
	Arthog		258,061	388,301	130,240			129,990	250	Following the return to normal operations after the ending of covid restrictions, there have been some cost pressures impacting upon Arthog's provision.

2022/23 Revenue Budget Variations over £50,000										
Servie	Description	Description	Budget £	Outturn £	Variation £	Capital & Pension charges	Public Health	Service	Other	Comments
						£	£	£	£	
IAS 19 Pensions Capital Charges	Skills		833,633	538,940	(294,693)			(295,826)	1,133	During the period of covid restrictions, some face-to-face activities had to be restricted and there was some doubt whether government grant might have to be repaid. However now that it has been confirmed that this grant will not be clawed back, £300,000 can be applied to the appropriate service areas. With other areas of the service out turning around budget overall, this application of grant has led to the underspend identified.
	Insurance		(10,228)	65,181	75,409			75,409	0	Contributions from schools towards insurance costs have reduced as more schools have converted to academies and thus don't buy into council insurance cover.
			6,184,680	7,147,280	7,147,280	7,147,280		0	0	
		Variations under £50,000	3,650,894	4,600,205	(1,584,475)	1,584,475		0	0	
			3,427,694	(223,200)			(223,346)		146	
Total Education & Skills			14,519,014	20,567,862	6,048,848	5,562,805	-	484,514	1,529	
Adult Social Care										
IAS 19 Pensions Capital Charges	Purchasing - all types of long term care	Residential/Residential EMI care, Nursing/Nursing EMI care, Homecare, Direct Payments, Shared Lives, Supported Accommodation and Supported Living, Daycare: Spot and Block contracts along with My Options (Adults and Children's)	64,231,001	75,884,683	11,653,682			11,602,047	51,635	Variance based on projected expenditure against the budget established for 18+ age group. Includes £750k in relation to settlement for care costs in dispute dating back to 2017.
	Income	Client Contributions	(8,685,930)	(9,353,646)	(667,716)			(667,716)	0	Projected client contributions in 22/23 exceeding budget estimate
	Income	ICB joint Funding income	(2,701,218)	(4,300,118)	(1,598,900)			(1,598,900)	0	ICB funding towards care package expenditure where the client has a health element to their care
	Income	Grant- iBCF	(6,819,238)	(7,048,758)	(229,520)			(229,520)	0	Grant increase 2022/23
	Purchasing - Short term reablement care (through BCF)	Bed based care and homecare for up to six weeks	3,239,455	12,371,989	9,132,534			9,132,534	0	The short term care budget for reablement forms part of the integrated care partnership with the NHS referred to as the "Better Care Fund". Reablement is free for up to 4 weeks. Delivery of homecare and bed based services is a function of the NHS but is commissioned by the Council. In 22/23 the fund has experienced significant demand led pressure compared to the agreed base budget. The ICB have provided in year additional funding.
	Purchasing - Short term reablement care (through BCF)	Contribution to reserves	0	409,036	409,036			409,036	0	
	Income	NHS Contributions towards intermediate Care	(2,817,966)	(12,359,535)	(9,541,569)			(9,541,569)	0	
	Operational Teams	Teams vacancies and in year savings	9,995,810	8,767,895				0	0	Variations - savings and vacancies in year
		Ticat			(642,602)			(642,602)	0	Variations - savings and vacancies in year
		Prevention & independence - Adults & Disability			(573,663)			(573,663)	0	Variations - savings and vacancies in year
		Principal Social Worker			(190,582)			(176,537)	(14,045)	Variations - savings and vacancies in year
		Assurance, Transformation & Financial Management			(119,145)			(119,145)	0	Variations - savings and vacancies in year
		Place based Commissioning & Procurement			(110,329)			(110,329)	0	Variations - savings and vacancies in year
		Community Social Work & Adult Safeguarding			(149,601)			(149,601)	0	Variations - savings and vacancies in year
	Other variations			(103,487)			(103,487)	0	Various other underspends in operational expenditure	
	Agency expenditure			661,494			661,494	0	Agency staff Covering above vacancies	
	Purchasing - Children's MYO	Children's MYO	148,940	282,569	133,629			133,629	0	Funded Summer play groups and activities
				2,681,760	2,681,760	2,681,760		0	0	
			15,480	(19,303)	(34,783)	(34,783)		0	0	
	Variations under £50,000		(2,809,452)	(2,796,381)	13,071			13,071	0	
									0	
									0	
									0	
									0	
									0	
									0	
									0	
									0	
Total Adult Social Care			53,796,882	64,520,191	10,723,309	2,646,977	-	8,038,742	37,590	
Health & Wellbeing										
	Public Health Management	Staffing	0	(112,956)	(112,956)		(112,956)	0		Resulting from various staff vacancies
	Sexual Health Services	Various	0	(157,079)	(157,079)		(157,079)	0		Reduced activity within contracted services
	Stop Smoking Services	Supplies & Services	0	(152,483)	(152,483)		(152,483)	0		Reduced activity within contract particularly with the issuing of prescriptions

2022/23 Revenue Budget Variations over £50,000										
Servie	Description	Description	Budget £	Outturn £	Variation £					Comments
						Capital & Pension charges £	Public Health £	Service £	Other £	
IAS 19 Pensions	Health Improvement Services	Supplies & Services		(73,794)	(73,794)		(73,794)	0		Reduced activity within contracted services
	Other Public Health Commissioned	Variations under £50,000	0	(202,600)	(202,600)		(202,600)	0		Variations under £50k
	Public Health Grant reserve			698,912	698,912		698,912	0		Transfer unapplied Public Health Grant to reserve
	Coroners Service		266,450	335,283	68,833			68,833		Charge from Shropshire Council for Joint Coroner Service - Additional costs of staffing & Post mortems
			0	470,890	470,890	470,890		0		
Variations under £50,000			1,616,732	1,521,783	(94,949)			(95,483)	534	Libraries and Health Protection
Total Health & Wellbeing			1,883,182	2,327,956	444,774	470,890	-	(26,650)	534	
Neighbourhood & Enforcement Services										
IAS 19 Pensions Capital Charges Variations under £50,000	Public Protection	Employee	1,283,232	1,460,635	177,403			177,403		Additional Resource to support Environmental Protection team & under achievement of income from increased compliance
	Environmental Maintenance	Various	3,901,799	4,053,696	151,897			151,897		Overspend in delivering Grounds & Cleansing services.
	Highways	Winter Maintenance	461,950	528,391	66,441			66,441		Overspend due to flooding & Winter maintenance costs incurred.
	Highways	Bridges	414,600	477,966	63,366			63,366		Increased costs of supported routine and reactive maintenance to bridges & structures
	Concessionary Travel	Various	1,879,440	1,674,112	(205,328)			(205,328)		Net underspend on concessionary travel budget
	Highways	Various	(489,450)	(759,027)	(269,577)			(269,577)		Overachievement in street works permitting income.
	Refugee Programme	Various	53,049	(319,448)	(372,497)			(372,497)		Income associated with various evacuee/resettlement programmes
	Waste & Neighbourhood services	Various	14,950,690	14,195,255	(755,435)			(755,435)		Underspend due to reduced payments for food & residual waste tonnages.
					1,268,990	1,268,990	1,268,990	0		
				6,197,280	6,197,775	495	495		0	
Variations under £50,000			4,596,096	4,606,973	10,877			2,200	8,677	Various underspends across Neighbourhood & Enforcement services.
Total Neighbourhood & Enforcement Services			33,248,686	33,385,318	136,632	1,269,485	-	(1,141,530)	8,677	
Communities, Customer & Commercial Services										
IAS 19 Pensions Capital Charges Variations under £50,000	IDT	Various	(2,164,111)	(2,274,097)	(109,986)			0	6,542	Various underspends across IDT including vacancy management
	IDT	Supplies & Services	2,106,115	1,814,031	(292,084)			(116,528)	0	Capitalisation of Microsoft licenses offset by the cost of extending current support contracts as a result of major delays on IDT equipment coming into the UK
	Housing Benefit Subsidy	Various	(190,000)	669,503	859,503			859,503	0	Net pressure against Housing Benefit subsidy budget. Includes impact of reduced recovery of overpayments plus adjustment to reflect impact of bad debt provision relating to the housing benefit overpayments. Also includes pressure from housing benefit expenditure/subsidy variation including B & B spend whereby no subsidy can be claimed back and supported accommodation where only 60% subsidy can be claimed.
	Housing Benefit/Council Tax Support Team	Various	403,703	198,248	(205,455)			(205,972)	517	Savings across Supplies & Services of £65.4k including Print and Postage costs, staff vacancies (£62.3k) and additional government grant (New Burdens) (£62.6k)
	Solar Farm	Income	(736,130)	(975,307)	(239,177)			(239,177)	0	Additional income generated from the Power Purchase Agreement due to increased rates per kwh
	Leisure - Ice Rink	Income	(746,760)	(818,140)	(71,380)			(71,380)	0	Over achievement of budgeted income target
	Commercial Catering	Various	21,343	102,902	81,559			80,051	1,508	Net shortfall in income at Café Go and Ice Rink Café.
	Education Catering	Income - net of food/staffing costs	(807,388)	(554,516)	252,872			224,385	28,487	Pressure due to increased staff and food costs and shortfall in school meal income due to reduced meal numbers
	Discretionary Awards and Welfare Benefits Team	Staffing	392,320	291,145	(101,175)			(103,690)	2,515	Vacancy management
	Discretionary Awards and Welfare Benefits Team	Income	(132,381)	(206,397)	(74,016)			(74,016)	0	One off net benefit of 2021/22 Self Isolation grant received in 2022/23
					3,268,430	3,268,430	3,268,430	0	0	
				2,212,560	2,212,614	54	54	0	0	
	Variations under £50,000			4,594,055	4,487,555	(106,499)			0	0
Total Communities, Customer & Commercial Services			4,953,326	8,215,971	3,262,646	3,268,484	-	(75,994)	70,156	
Housing, Employment & Infrastructure										
	Private Sector Housing:	Employees	292,337	199,778	(92,559)			(92,559)		One off underspends due to vacancy management.
	Homelessness:				0			0		
	Homelessness	Employees	893,760	589,964	(303,796)			(303,796)		One off underspends due to vacancy management and maximisation of various grant income streams (NSAP,RSAP,HPG,RSIS values not confirmed at time of setting budgets.

2022/23 Revenue Budget Variations over £50,000											
Servie	Description	Description	Budget £	Outturn £	Variation £	Capital & Pension charges	Public Health	Service	Other	Comments	
						£	£	£	£		
IAS 19 Pensions Variations under £50,000	Bed & Breakfast	Income - Contributions from Reserves lower than budgeted	(184,540)	(38,680)	145,860			145,860		Maximisation of Grant resulting in reduced requirement to fund from reserves as above comment. Homelessness gross cost for the provision of Bed & Breakfast associated with 'Everyone In'. Homelessness Housing Benefit income towards the costs above and grant income from HPG.	
		Premises-Related Expenditure	53,310	201,450	148,140			148,140			
		Income	(53,310)	(217,005)	(163,695)			(163,695)			
				530,670	530,670		530,670		0		
				1,732,168	1,468,286	(263,882)			(264,573)		691
Total Housing, Employment & Infrastructure			2,733,725	2,734,462	737	530,670	-	(530,624)	691		
Corporate Communications											
MMAB	Corporate Communications	Supplies & Services	58,130	168,155	110,025			110,025		Subscriptions, marketing & publicity and residents magazine funded from one-off services Additional use of one-off Comms reserves to fund additional Supplies & Services expenditure	
MMAB	Corporate Communications	Income - Contributions from reserves	(96,680)	(200,044)	(103,364)			(103,364)			
IAS 19 Pensions				191,640	191,640	191,640		0			
Variations under £50,000		Various underspends across Corporate Communications	38,550	4,327	(34,223)			(34,532)	309		
Total Corporate Communications			0	164,077	164,077	191,640	-	(27,872)	309		
Council Wide Items											
IAS 19 Pensions	Asset Rental Management A/C Depreciation & Revaluations	Capital Financing Costs	435,840	2,760,303	2,324,463	2,324,463		0		Offset of Education Revaluation posted Offset of Depreciation variances recognised in service area Requirement to contribute to balances reviewed; budget used to support the 22/23 overall financial position Pension prepayment discount higher than budgeted	
		Capital Financing Costs	(17,598,170)	(22,302,606)	(4,704,436)	(4,704,375)		(61)			
	Central Provision	3,950,000	0	(3,950,000)			(3,950,000)				
	Central Provision	(12,557,474)	(14,880,362)	(2,322,888)	(2,322,888)			(2,122,888)	(200,000)		
	Central Provision	(150,000)	(1,269,553)	(1,119,553)	(1,119,553)			(1,119,553)			
	Central Provision	0	403,281	403,281				403,281			
	Transfer to Reserve	1,740,000		(1,740,000)				(1,740,000)			
Other Variations Under £50,000			(5,628,510)	(5,669,580)	(41,070)			(41,070)			
Corporate Items (Pete)			0	(80,075)	(80,075)			(80,075)			
WME Dividend		WME Dividend	0	(80,075)	(80,075)			(80,075)			
Other Variations Under £50,000			4,646,318	4,636,834	(9,484)			(9,484)			
Total Council Wide Items			(25,161,996)	(57,786,758)	(32,624,762)	(23,764,912)	-	(8,659,850)	(200,000)		
Subtotal Expenditure			134,952,750	135,243,378	290,628	-	-	753,524	-	462,896	
Corp Items Funding					(0)						
IAS 19 Pensions	Section 31 Grant Collection Fund (Surplus)/Deficit Council Tax NDR - Business Rates Revenue Support Grant NDR - Top Up Parish RSG	Income	(8,413,180)	(8,413,179)	1			1			
		Income	(3,860,180)	(3,860,180)	0			0			
		Income	(77,515,770)	(77,515,768)	2			2			
		Income	(29,957,240)	(29,961,109)	(3,869)			(3,869)			
		Income	(10,237,460)	(10,336,171)	(98,711)			(98,711)			
		Income	(4,968,920)	(5,267,348)	(298,428)			(298,428)			
				98,715	98,715				98,715		
						0			0		
Variations under £50,000				0			0				
Total Corp Items Funding			(134,952,750)	(135,255,040)	(302,290)	-	-	(302,290)	-		
Total Variations			0	(11,662)	(11,662)	-	-	451,234	-	462,896	

2022/23 Revenue Virements for Approval

Virements To:	£	Virements From:	£
Prosperity & Investment			
BiT Architect & Building teams - Supplies & Services	121,235	BiT Architect & Building teams - Employees	177,174
BiT - income shortfall	50,569		
Homelessness Properties - Premises Related	71,192		
Travellers & Gypsy Sites - Premises Related	69,174		
Terrace Lodge/Standford House - Premises Related	57,746	Regeneration & Inv Management Account - Employees	158,893
Master Planning - Premises Related	81,913	Contribution from Reserves	149,884
Accommodation	213,860	Contribution from Reserves	213,860
Property Investment Portfolio	968,878	Contribution from Reserves	616,000
Multi-storey Carpark - income shortfall	108,855		
Building Control & AP - Planning - Suppliers & Services	186,057	Building Control & AP - Planning - Employees	352,817
Building Control & AP - Planning - Income	258,272	Contribution from Reserves	96,564
AP - Development Team - Income	107,345	AP - Development Team - Employees	166,467
Average Holiday Pay	2,406		
Capital Charges	4,254,159	Variations under £50,000	47,833
IAS 19 Pension Charges	1,049,440		
	7,601,101		1,979,492
Finance & HR			
Average Holiday Pay	5,062	Treasury Management	3,950,817
		Finance - Employees	164,774
		Finance - Supplies & Services	57,599
		People Services - Income	54,882
		Revenues - Income	95,673
		Revenues - Employees	73,690
		Variations under £50,000	157,609
IAS 19 Pension Charges	1,058,860		
	1,063,922		4,555,044
Policy & Governance			
Average Holiday Pay	130	Policy & Development - Employees	71,579
Variations under £50,000	26,694	Learning & Development - Employees	101,118
Capital Charges	19		
IAS 19 Pension Charges	741,620		
	768,463		172,697
Children's Safeguarding & Family Support			
CIC Placements	7,001,192	Post 18 Staying Put & Leaving Care Support	63,559
Employee Costs	1,424,176	Health Funding	3,221,660
Employee Costs - Family Safeguarding Model	350,837	Grant Funding - Family Safeguarding Model	151,273
Children with Disabilities	433,543	Children in Care - Adoption Allowances	84,293
Joint Adoption Service	467,266	Independent Review - Employees	71,557
Average Holiday Pay	2,938	Capitalisation	392,918
Variations under £50,000	1,114,425	Variations under £50,000	8,684
IAS 19 Pension Charges	2,975,420	Contribution from Reserves	112,180
		Capital Charges	255,557
	13,769,797		4,361,681

Virements To:	£	Virements From:	£
Education & Skills			
Home to School Transport/Post 16 Transport	889,418	Early Years & Childcare - income	91,132
Insurance	75,409	Skills - grant income	295,826
Arthog cost pressures	129,990	Variations under £50,000	223,346
Average Holiday Pay	1,529		
IAS 19 Pension Charges	7,147,280	Capital Charges	1,584,475
	8,243,626		2,194,779
Adult Social Care			
Purchasing Long Term Care	11,602,047	Client Contributions	667,716
Purchasing Short Term Reablement Care	9,132,534	ICB Joint Funding Income	1,598,900
Short Term Reablement - Contribution to Reserves	409,036	ICBF - Grant Income	229,520
		NHS Contributions	9,541,569
Operational Teams - Agency expenditure	661,494	Operational Teams - savings and in year vacancies	1,875,364
Purchasing - Children's MYO	133,629	Capitalisation	20,989
Average Holiday Pay	58,579		
Variations under £50,000	13,071	Capital Charges	34,783
IAS 19 Pension Charges	2,681,760		
	24,692,150		13,968,841
Health & Wellbeing			
Public Health - Contribution to Reserves	698,912	Public Health Management - Employees	112,956
Coroners Service	68,833	Public Health - Sexual Health Services	157,079
Average Holiday Pay	534	Public Health - Stop Smoking Services	152,483
		Public Health - Health Improvement Services	73,794
		Public Health - variations under £50,000	202,600
IAS 19 Pension Charges	470,890	Variations Under £50,000	95,483
	1,239,169		794,395
Neighbourhood & Enforcement			
Public Protection - Employee Costs	177,403	Concessionary Travel	205,328
Environmental Maintenance	151,897	Highways - income	269,577
Winter Maintenance	66,441	Refugee Programme - Income	372,497
Highways - Bridges	63,366	Waste & neighbourhood Services - reduced costs	755,435
Average Holiday Pay	8,677		
Variations under £50,000	2,200		
IAS 19 Pension Charges	1,268,990		
Capital Charges	495		
	1,739,469		1,602,837
Communities, Customer & Commercial			
Housing Benefit Subsidy	859,503	Housing Benefit/Council Tax Benefit Support Team	205,972
Commercial Catering income shortfall	80,051	IDT - supplies & services capitalisation	292,084
Education Catering	224,385	IDT - underspends including employees	116,528
Average Holiday pay	70,156	Solar Farm Income	239,177
Capital charges	54	Leisure Income	71,380
IAS 19 Pension Charges	3,268,430	Discretionary Awards and Welfare Benefits Team	177,707
		Variations under £50,000	137,086

Virements To:	£	Virements From:	£
	4,502,579		1,239,934
Housing, Employment & Infrastructure			
Contribution from Reserves	145,860	Private Sector Housing - employees	92,559
Bed & Breakfast - Premises Related	148,140	Homelessness - underspends	303,796
Average Holiday Pay	691	Bed & Breakfast - Income	163,695
IAS 19 Pension Charges	530,670	Variations under £50,000	264,573
	825,361		824,623
Corporate			
Corporate Communications - supplies & services	110,025	Corporate Communications - Contribution from reserves	103,364
Average Holiday Pay	309	Corporate Communications - variations under £50,000	34,532
Corporate Communications - IAS 19 Pension Charges	191,640		
Contribution to Reserves	403,281	Budgeted contingency	3,950,000
		Other council wide items	2,122,888
		Contribution from Reserves & Provisions	2,859,553
		WME Dividend	80,075
		Average Holiday Pay	200,000
		Additional Grant Funding	302,297
		Variations under £50,000	38,948
		Capital Charges	2,379,912
		IAS 19 Pension Charges	21,385,000
	705,255		33,456,569
	65,150,892		65,150,892

Capital ApprovalsVirements

Scheme	Service Area	Funding Source	22/23 £	23/24 £	24/25 £	25/26 £
Towns Fund	Prosperity & Investment	Capital receipts	15,999.36			
Property Investment Programme	Prosperity & Investment	Prudential	400,000.00			
Superfast Broadband Programme	Housing, Employment & Infrastructure	Capital receipts	(15,999.36)			
Pride in Your High Street	Housing, Employment & Infrastructure	Prudential	(400,000.00)			
Climate Change	Communities, Customer & Commercial Services	Prudential	(35,000.00)			
Accommodation Options	Prosperity & Investment	Prudential	35,000.00			
Climate Change	Communities, Customer & Commercial Services	Prudential	(29,000.00)			
Adults Supported Accommodation	Adult Social Care	Prudential	29,000.00			
Orleton Park recreation	Prosperity & Investment	Prudential	(73,963.53)			
Town Centre Compound	Prosperity & Investment	Prudential	(24,098.70)			
Accommodation Options	Prosperity & Investment	Prudential	98,062.23			
Accommodation Options	Prosperity & Investment	Capital receipts	250,000.00			
Playing Pitch Investment	Prosperity & Investment	Capital receipts	(250,000.00)			
Property Investment Programme	Prosperity & Investment	Capital receipts	394,872.00			
Playing Pitch Investment	Prosperity & Investment	Capital receipts	(394,872.00)			
Stalled Sites	Prosperity & Investment	Capital receipts	500,000.00			
Playing Pitch Investment	Prosperity & Investment	Capital receipts	(500,000.00)			
Housing	Housing, Employment & Infrastructure	Prudential	(107,181.97)			
Stalled Sites	Prosperity & Investment	Prudential	107,181.97			
St Georges Regeneration	Prosperity & Investment	Prudential	730,504.44	624,531.71		
St Georges Regeneration	Prosperity & Investment	External		400,000.00		
St Georges Regeneration	Prosperity & Investment	Capital receipts		890,000.00		
Stalled Sites	Prosperity & Investment	Capital receipts		(890,000.00)		
Stalled Sites	Prosperity & Investment	Prudential	(730,504.44)	(624,531.71)		
HE Liability Sites	Prosperity & Investment	External		(400,000.00)		
			0.00	0.00	0.00	0.00

Slippage

Scheme	Service Area	Funding Source	22/23 £	23/24 £	24/25 £	25/26 £
Property Investment Programme	Prosperity & Investment	Prudential	1,946,753.97	(1,946,753.97)		
Property Investment Programme	Prosperity & Investment	Capital receipts	(1,351,347.78)	1,351,347.78		
Property Investment Programme	Prosperity & Investment	Revenue	(575,281.46)	575,281.46		
Property Investment Programme	Prosperity & Investment	External	(479,500.00)	479,500.00		
Land Deal Boad Schemes	Prosperity & Investment	External	479,500.00	(479,500.00)		
Swimming Pool in the Dawley Area	Prosperity & Investment	Capital receipts	(239,500.00)	239,500.00		
Playing Pitch Investment	Prosperity & Investment	Capital receipts	951,661.38	(951,661.38)		
Stalled Sites	Prosperity & Investment	Capital receipts	(278,310.53)	278,310.53		
Condition Works - Leisure	Prosperity & Investment	Prudential	(39,514.92)	39,514.92		
Covid Commemorative Arboretum	Prosperity & Investment	Prudential	(20,217.14)	20,217.14		
HE Liability Sites	Prosperity & Investment	External	148,861.75	(148,861.75)		
Decarbonisation Schemes	Prosperity & Investment	Prudential	(28,138.94)	28,138.94		
HE Land Deal	Prosperity & Investment	External	(1,382,426.73)	1,382,426.73		
Stronger Communités	Prosperity & Investment	Prudential	(274,517.56)	274,517.56		
Housing Company - Housing	Prosperity & Investment	Prudential	(2,057,127.96)	2,057,127.96		
Asset Management Plan-General Works & Surve	Prosperity & Investment	Prudential	16,500.61	(16,500.61)		
Site preparation	Prosperity & Investment	Capital receipts	(569,415.70)	569,415.70		
Accommodation Options	Prosperity & Investment	Prudential	(192,199.08)	192,199.08		
Towns Fund - Oakengates	Prosperity & Investment	Grant	(999,792.31)	999,792.31		
Towns Fund - Wellington	Prosperity & Investment	Grant	39,684.79	(39,684.79)		
Towns Fund	Prosperity & Investment	Prudential	(5,605.75)	5,605.75		
Towns Fund	Prosperity & Investment	Grant	(2,599,321.40)	2,599,321.40		
Rights of Way	Prosperity & Investment	Prudential	(12,242.55)	12,243		
Pride in Your High Street	Housing, Employment & Infrastructure	Prudential	400,000.00	(400,000.00)		
Housing	Housing, Employment & Infrastructure	Grant	(1,826,440.48)	1,826,440.48		
Housing	Housing, Employment & Infrastructure	Prudential	(147,353.37)	147,353.37		
Housing	Housing, Employment & Infrastructure	Capital receipts	(302,428.42)	302,428.42		
Pride in Your High Street	Housing, Employment & Infrastructure	Prudential	104,671.21	(104,671.21)		
Pride in Your High Street	Housing, Employment & Infrastructure	Revenue	(50,000.00)	50,000.00		
All Other School Schemes	Education & Skills	Grant	(478,647.95)	478,647.95		
All Other School Schemes	Education & Skills	Capital Receipts	(1,209,216.21)	1,209,216.21		
Managing the Funding of the Capital Programm€ Corporate Items		Capital receipts	3,425,609.91	(3,425,609.91)		
Managing the Funding of the Capital Programm€ Corporate Items		Prudential	(3,425,609.91)	3,425,609.91		

		Capital Receipts	(269,227.17)	269,227.17		
Efficiency Schemes Capitalisation	Corporate Items					
Pride in our Play Areas	Neighbourhood & Enforcement Services	Prudential	(480,193.35)	480,193.35		
Pride in our Play Areas	Neighbourhood & Enforcement Services	Revenue	(5,000.00)	5,000.00		
Pride in our Play Areas	Neighbourhood & Enforcement Services	External	(5,000.00)	5,000.00		
Environmental Improvements/Enhancements	Neighbourhood & Enforcement Services	Prudential	1,021,191.68	(1,021,191.68)		
Voilence Against Women & Girls	Neighbourhood & Enforcement Services	Prudential	(190,127.88)	190,127.88		
Ironbridge Gorge Stabily	Neighbourhood & Enforcement Services	Prudential	(92,175.50)	92,175.50		
A442 Challenge Project	Neighbourhood & Enforcement Services	Prudential	(262,404.91)	262,404.91		
Estate Car Parking	Neighbourhood & Enforcement Services	Prudential	(134,752.29)	134,752.29		
LED Lighting	Neighbourhood & Enforcement Services	Prudential	13,725.86	(13,725.86)		
Highways & Bridges capital maintenance	Neighbourhood & Enforcement Services	Prudential	(361,304.02)	361,304.02		
AMP - S & FP approved bids	Neighbourhood & Enforcement Services	Prudential	(502,311.65)	502,311.65		
Highways / Footpaths	Neighbourhood & Enforcement Services	Prudential	140,221.79	(140,221.79)		
Safer Routes to Schools	Neighbourhood & Enforcement Services	Prudential	(100,425.31)	100,425.31		
Intergrated Transport	Neighbourhood & Enforcement Services	Prudential	(32,381.90)	32,381.90		
Intergrated Transport	Neighbourhood & Enforcement Services	Revenue	(60,000.00)	60,000.00		
Mobile Enforcement Hub & CCTV	Neighbourhood & Enforcement Services	Prudential	(8,993.00)	8,993.00		
Southwater Lake	Neighbourhood & Enforcement Services	Prudential	(386,966.80)	386,966.80		
Newport Innovation & Enterprise Package	Neighbourhood & Enforcement Services	Prudential	224,356.35	(224,356.35)		
Newport Innovation & Enterprise Package	Neighbourhood & Enforcement Services	External	(267,792.65)	267,792.65		
Cemetries	Customer & Commercial Services	Revenue	(211,701.45)	211,701.45		
Climate Change	Customer & Commercial Services	Prudential	(136,008.25)	136,008.25		
ICT Investment Programme	Customer & Commercial Services	Prudential	11,698.54	(11,698.54)		
Cultural Capital	Customer & Commercial Services	Prudential	(31,186.00)	31,186.00		
Parks For People - Phase 2	Customer & Commercial Services	Prudential	(45,141.91)	45,141.91		
Leisure Capital Schemes	Customer & Commercial Services	Prudential	(435,508.92)	435,508.92		
Legacy Fund	Customer & Commercial Services	Prudential	(88,573.00)	88,573.00		
Childrens & Adults ICT Systems Review	Adult Social Care	Prudential	(26,934.12)	26,934.12		
Integrated Community Schemes	Adult Social Care	Prudential	(176,693.71)	176,693.71		
Integrated Community Schemes	Adult Social Care	Grant	(3,356.70)	3,356.70		
Adults Supported Accommodation	Adult Social Care	Prudential	(900,761.78)	900,761.78		
Social Care Capital Grant	Adult Social Care	Grant	(5,497.52)	5,497.52		
Legal Fees	Policy & Governance	Prudential	3,130.62	(3,130.62)		
Branding Refresh	Policy & Governance	Prudential	(21,750.65)	21,750.65		
			(14,858,758.13)	14,858,758.13	0.00	0.00

New Allocations

Scheme	Service Area	Funding Source	22/23 £	23/24 £	24/25 £	25/26 £
Asset Management Plan - General Works & Surv	Prosperity & Investment	Grant	15,318.00			
Stalled Sites	Prosperity & Investment	External	300,000.00	300,000.00		
HCA liability sites	Prosperity & Investment	External		(50,000.00)		
Property Investment Portfolio	Prosperity & Investment	External	7,750.00			
Towns Fund	Prosperity & Investment	Grant	70,890.10	184,314.26	1,244,795.64	
Levelling Up Fund	Prosperity & Investment	Grant		9,403,816.00	10,596,184.00	
Regeneration Funding	Prosperity & Investment	Grant		5,349,988.00	4,457,465.00	
Rights of Way	Prosperity & Investment	External	1,300.00			
Accommodation Options	Prosperity & Investment	Revenue	453,428.63			
Property Investment Portfolio	Prosperity & Investment	Capital receipts	465,392.18			
Rights of Way	Prosperity & Investment	External	1,713.63			
Playing Pitch Strategy	Prosperity & Investment	Capital receipts		(155,000.00)		
St Georges Regeneration	Prosperity & Investment	Capital receipts		2,605,778.00		
Asset Management Plan-General Works & Surve	Prosperity & Investment	Grant	59,076.00			
Pride in Your High Street	Housing, Employment & Infrastructure	Revenue		(41,641.13)		
ICT Investment Programme	Communities, Customer & Commercial Services	Capital receipts		191,405.00	304,143.00	942,167.00
ICT Investment Programme	Communities, Customer & Commercial Services	Revenue	95,000.00	66,648.00	66,648.00	66,648.00
Environmental Improvements	Neighbourhood & Enforcement Services	External	14,454.24			
Environmental Improvements	Neighbourhood & Enforcement Services	Revenue	287,000.00			
Pride in our Play Areas	Neighbourhood & Enforcement Services	Revenue	10,000.00			
AMP - S & FP approved bids	Neighbourhood & Enforcement Services	External	20,016.00			
AMP - S & FP approved bids	Neighbourhood & Enforcement Services	Revenue	6,000.00			
Integrated Transport	Neighbourhood & Enforcement Services	Revenue	64,500.00			
Integrated Transport	Neighbourhood & Enforcement Services	External	57,363.33			
Highways / Footpaths	Neighbourhood & Enforcement Services	Revenue	12,001.00			
Active Travel Grant	Neighbourhood & Enforcement Services	Grant		1,895,772.00		
Air Quality grant	Neighbourhood & Enforcement Services	Grant		99,864.50		
Pot hole Action Fund	Neighbourhood & Enforcement Services	Grant		766,400.00		
On Street Residential Chargepoint Scheme	Neighbourhood & Enforcement Services	Grant		683,370.00		
All Other School Schemes	Education & Skills	External	513,784.86			
All Other School Schemes	Education & Skills	Grant	764,527.85	3,169,873.36		10,333,824.22
Superfast Broadband Programme	Housing, Employment & Infrastructure	Grant	4,412.84			
Superfast Broadband Programme	Housing, Employment & Infrastructure	Revenue	5,112.69			
Housing	Housing, Employment & Infrastructure	Capital receipts	34,688.80			
Housing	Housing, Employment & Infrastructure	Prudential	166,681.18			
Housing	Housing, Employment & Infrastructure	Grant	3,606.00	778,800.00	1,168,200.00	

Housing	Housing, Employment & Infrastructure	External	(32,292.01)			
Managing the Funding of the Capital Programme	Corporate Items	Capital receipts	(36,405.00)	(304,143.00)	(942,167.00)	
Managing the Funding of the Capital Programme	Corporate Items	Prudential	36,405.00	304,143.00	942,167.00	
			<hr/>			
			3,401,725.32	25,249,387.99	17,837,435.64	11,342,639.22

TRANSFERS TO RESERVES - YEAR END 2022/23

Description	Amount £
Total Place Enhancement	447,660
New Burdens Funding received; required to support the 23/24 overall position.	241,003
Safer Communities - funding committed to 2 year programme	147,105
Councillors Pride Fund - committed to schemes to be delivered in 2023/24	148,612
Neighbourhood & Enforcement - required to fund staffing in the Data Asset and Performance Management Team	111,495
Local Plan - funding required for costs in 2023/24	59,924
Trading Standards - proceeds from Proceeds of Crime prosecutions ring-fenced to cover costs in 2023/24	17,638
Catering - required to fund system maintenance costs in 2023/24	15,000
	1,188,437
Grant Income - various grant funding received, including Public Health Grant and Asylum Seeker/Refugee funding, to be carried forward to new year	7,136,257
Better Care Funds / ICB Funds	719,817
Third Party/External Funds	34,657
	9,079,168



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Cabinet

13 July 2023

2023/24 Financial Monitoring Report

Cabinet Member:	Cllr Nathan England - Cabinet Member: Finance, Customer Services and Governance
Lead Director:	Ken Clarke - Director: Finance & Human Resources
Service Area:	Finance & Human Resources
Report Author:	Pauline Harris - Finance Manager: Corporate Finance
Officer Contact Details:	Tel: 01952 383701 Email: pauline.harris@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Key Decision
Forward Plan:	Yes - 14 June 2023
Report considered by:	Senior Management Team – 13 June 2023 Business Briefing – 22 June 2023 Cabinet 13 July 2023 Council 13 July 2023

1.0 Recommendations for Decision/Noting

It is recommended that Cabinet

- 1.1 Notes the 2023/24 revenue budget position; and recommends that Full Council approve the efficiency proposals, additional income and budget re-alignments summarised in Appendix D and all associated changes to the Medium Term Financial Strategy
- 1.2 Notes the position in relation to capital spend; and recommends that Full Council approve the changes to the capital programme detailed in Appendix C and all associated changes to the Medium Term Financial Strategy, including Treasury and Prudential Indicators
- 1.3 Notes the current Treasury & Prudential Indicators position
- 1.4 Notes the collection rates for NNDR, council tax and sales ledger.

- 1.5 Approve the option to extend the IGMT loan repayment outlined in section 5.4 of this report and terms to be delegated to the Director: Finance & HR and Executive Director: Housing, Communities and Customer Services with the Cabinet Member for Finance, Customer Services & Governance.

2.0 Purpose of Report

- 2.1 To provide Members with the latest financial monitoring position for the year relating to: the revenue budget, capital programme and income collection.

3.0 Background

- 3.1 The Medium Term Financial Strategy (MTFS) 2023/24 - 2026/27 was approved at Full Council on 2 March 2023, which included the 2023/24 revenue budget and medium term capital programme. Since the MTFS was approved, the economic climate has continued to change with high inflation, high energy costs, increases in interest rates and rising demand for many services partly fuelled by the cost of living emergency facing our residents, businesses and the Council itself.
- 3.2 Good financial management is an essential element of good governance and long-term service planning which are critical to ensuring that local service provision is sustainable and the use of resources is maximised in order to meet the needs of our residents.
- 3.3 Financial management is the responsibility of budget holders and is supported by Finance staff using a risk based approach: more focus is given to higher risk areas (high value/more volatile); less frequent financial monitoring is undertaken on budgets deemed to be medium to lower risk. Financial monitoring provides Cabinet and Senior Management Team with a focussed view on the Council's financial performance, to inform and support decision making and to ensure financial sustainability.
- 3.4 This Financial Monitoring Report for 2023/24 provides the latest projections in relation to the projected outturn position i.e. how projected net revenue spend compares to the budget set for the year; progress against the 2023/24 capital programme; the key issues to be highlighted; together with a summary of collection information in relation to Council Tax, Business Rates and Sales Ledger income.
- 3.5 The funding outlook for the medium term remains very uncertain but will clearly continue to be challenging, particularly in light of the current inflationary pressures and cost-of-living emergency.
- 3.6 There is a statutory duty for local authorities to set a balanced and robust budget each financial year and to take timely action to address financial pressures. It is our aim to continue to deliver quality services whilst ensuring a balanced budget.

4.0 Summary of main proposals

4.1 Nationally, council's continue to face extreme challenges with unprecedented pressures fuelled by high inflation and high demand for services. While inflation is expected to reduce in the medium term, current indicators show that the economy will be slower to recover than was expected when the Council's budget was set. There is no additional government funding to meet these cost pressures.

Given these factors, early monitoring for 2023/24 unsurprisingly indicates a number of variations from the approved budget, particularly relating to Adult Social Care and Children's Safeguarding where in order to meet the needs of residents, additional investment is required. Due to the Council's proactive and strong financial management, work is already underway to identify efficiencies and additional income to meet the projected pressures. This means we can continue to deliver quality services to the residents of the borough and protect critical front-line services without the need to implement any emergency measures such as those seen in some other councils.

Before application of contingencies included in the revenue budget, the projected outturn position is currently expected to be over budget by £2.653m at year end – this includes delivery of additional in year efficiencies and additional income identified. However, making use of the budgeted contingency will bring the overall position within budget for the year, and will still leave £1.3m contingency balance for the rest of 2023/24.

The Council has an excellent track record of strong financial management and Cabinet Members and budget holders will continue their work to manage budgets as effectively as possible during 2023/24 and are actively implementing actions to address the in-year financial pressures. The eventual outturn could be better or worse and projections will continue to be refined as the year progresses.

As mentioned, efficiencies and additional income, have been identified to support the overall position. This includes one offs totalling £4.5m and ongoing measures totalling £5.9m.

A summary of the current projection for the year end position is:-

	£m
Net Revenue Budget	146.774
Projected Net Revenue Outturn	149.427
Projected Variance	+2.653
Use of Budget Contingency	-2.653
Residual Projected Underspend	Nil

There are clearly a number of variations from the approved budget. Projections will continue to be refined as the year progresses; the key variances are shown below:

Children’s Safeguarding & Family Support –increased demand requiring additional investment, mainly residential placements; increased placement costs, escalating needs of children and young people open to services and a couple of young people with complex needs coming into residential care; increased staffing costs.	+£3.831m
Adult Social Care – cost of providing care packages across all client groups requiring additional investment to be made in order to meet demand	+£2.801m
Estimated additional cost of 2023/24 pay award	+£2.737m

4.2 Capital

The capital programme totals £145m for 2023/24 which includes all approvals since the budget was set. Schemes are in progress and at the time of compiling this report projected spend was 93% of the budget allocation.

4.3 Corporate Income Collection

Income collected in relation to business rates, Council Tax, and Sales Ledger are currently slightly behind the targets set. Ultimately, all debt will be pursued and will continue to be collected after the end of the financial year with all appropriate recovery avenues being pursued.

5.0 Additional Information

5.1 The overall 2023/24 budget position is summarised in the table below (this includes the delivery of additional in year efficiencies and additional income identified):

Service Area	Budget	Total Variation
	£'000	£'000
Prosperity & Investment	(5,535)	(258)
Finance & HR	15,325	(961)
Policy & Governance	988	(830)
Children's Safeguarding & Family Support	41,259	3,831
Education & Skills	14,571	(810)
Adult Social Care	61,922	2,801
Health & Wellbeing	2,172	(376)

Neighbourhood & Enforcement Services	34,839	(1,383)
Communities, Customer & Commercial Services	5,258	(261)
Housing, Employment & Infrastructure	2,625	(225)
Corporate Communications	(9)	5
Council Wide	(26,641)	1,120
Total Net Revenue Budget	146,774	2,653

- 5.2 Projected variances over £0.250m are highlighted below, all other variances over £50k are detailed in Appendix B. Efficiencies and additional income identified are detailed in Appendix D.

Service Area	Variance £m	Efficiencies & Additional Income
<u>Prosperity & Investment</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.555
<u>Finance & Human Resources</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.960
<u>Policy & Governance</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.830
<u>Children’s Safeguarding & Family Support</u>		
Children In Care Placements – additional investment required to cover cost of residential placements. This is a combination of escalating needs of some children and young people; new children entering residential placements and high costs associated with some placements offset by benefits from some young people being stepped down from residential placements.	+5.316	
Joint Adoption Service – arising from children place with adopters from external agencies.	+0.295	
Health Funding – anticipated health contributions in relation to health needs as a result of increased engagement with health colleagues.	-2.906	

Service Area	Variance £m	Efficiencies & Additional Income
Staffing – a combination of vacancies and services pressures has resulted in agency costs being incurred	+0.631	
Children with Disabilities – partly due to provider cost increases; a number of initiatives are underway to ensure cost effective and appropriate support is provided.	+0.279	
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.900
<u>Education & Skills</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.796
<u>Health & Wellbeing</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.464
<u>Adult Social Care</u>		
Longer Term Care Purchasing – projected expenditure relating to block and spot contracts requiring additional investment to meet demand	+4.580	
Client Contributions – towards care provided	-0.604	
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-1.179
<u>Neighbourhood Services</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-1.350
<u>Housing, Employment & Infrastructure</u>		
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.471
<u>Communities, Customer & Commercial Services</u>		
Housing Benefit Subsidy – a combination of reduced recovery of overpayments, B&B spend where no subsidy can be claimed.	+0.391	

Service Area	Variance £m	Efficiencies & Additional Income
This is a significantly improved position and the service is continuing to work with providers to further reduce subsidy loss. One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-0.817
<u>Council Wide</u>		
Additional costs associated with the 2023/24 pay award	+2.737	
Re-profiled savings	+0.500	
One Off & Ongoing Efficiencies, Additional Income & Budget Realignment – see appendix D		-2.117

5.3 CONTINGENCIES, RESERVES & BALANCES

- 5.3.1 The 2023/24 budget includes a general revenue contingency of £3.950m. This is set aside to meet any unforeseen expenditure or income shortfalls during the year. The current projected position would require use of a significant proportion of the contingency (see table in 4.1).
- 5.3.2 There is also a contingency amount held centrally for contractual inflation and the 2023/24 pay award (which is in the process of negotiation). A pressure has already been included in relation to additional costs arising from the 2023/24 pay award and this will be updated once the pay award is finalised.

5.4 IRONBRIDGE GORGE MUSEUM TRUST

- 5.4.1 The Council made a loan to the Ironbridge Gorge Museum Trust which is due to expire in January 2031. The balance outstanding at 31 March 2023 was £171,210 and the loan is secured by a guarantee from the Ironbridge (Telford) Heritage Foundation Ltd. This continues the valuable partnership working between the Council and IGMT which is key to the effective management of the World Heritage Site, maximising tourism and promoting Destination Telford. Unfortunately the impact of Covid and the cost of living crisis has impacted on anticipated visitor numbers and recovering to pre-pandemic levels is expected to take a further 3 years. As a result the trust have asked for our support and the option to extend the period of the loan for a further 2 years is proposed to help reduce the cost of the in year payments.

5.5 CAPITAL

5.5.1 2023/24 Capital Programme

The capital programme totals £145m, which includes the approvals proposed in this report. The financial position is shown in the table below which shows projected spend is currently at £135m (93%).

Service Area	Approved Budget £m	Spend £m	% Spend	Year End £m
Prosperity & Investment	65.37	2.52	3.85%	63.94
Policy & Governance	0.08	0.00	0.00%	0.06
Education & Skills	28.85	0.23	0.80%	28.85
Adult Social Care	1.11	0.17	15.27%	1.08
Neighbourhood & Enforcement Services	18.63	1.36	7.30%	18.18
Cities, Customer & Commercial Services	8.46	0.38	4.49%	6.90
Housing, Employment & Infrastructure	20.44	0.77	3.77%	14.16
Finance & Human Resources	0.10	0.00	0.00%	0.10
Corporate Items	1.50	0.00	0.00%	1.50
Total	144.54	5.43	3.8%	134.77

5.5.2 The 2023/24 capital programme relies on £3.08m of net capital receipts as part of its funding. Capital receipts included in the medium term budget strategy are under continual review and any changes will be reflected in future budget projections but are currently projected to be on target.

5.5.3 New allocations, slippage and virements are included in Appendix C for approval.

5.5.4 Full Council approved Prudential and Treasury Indicators on 2 March 2023. Appendix E shows the Treasury and Prudential Indicator monitoring as at end May 2023.

6.0 CORPORATE INCOME MONITORING

6.1 The Council's budget includes significant income streams which are regularly monitored to ensure they are on track to achieve targets that have been set and so that remedial action can be taken at a very early stage. The three main areas are Council Tax, NNDR (business rates) and Sales Ledger. Current monitoring information relating to these is provided below. The Council pursues outstanding debt vigorously, until all possible recovery avenues have been exhausted, but also prudently provides for bad debts in its accounts.

6.2 In summary, collection is behind targets set:

INCOME COLLECTION – MAY 2023			
	Actual	Target	Performance
Council Tax Collection	18.91%	18.95%	0.04% behind target
NNDR Collection	23.41%	24.78%	1.37% behind target
Sales Ledger Outstanding Debt	5.40%	5.25%	0.15% outside target

6.3 Council Tax (£108.3m)

The percentage of the current year liability for council tax which the authority should have received during the year, as a percentage of annual collectable debit. The measure does not take account of debt that continues to be pursued and collected after the end of the financial year in which it became due. The final collection figure for all financial years exceeds 99%.

Year End performance 2022/23	97.31%
Year End Target for 2023/24	97.31%

Performance is cumulative during the year and expressed against the complete year's debit.

Month End Target	Month End Actual	Last year Actual
18.95%	18.91%	18.95%

Collection rates are very slightly behind target.
Targets have been set based on last year's performance.

6.4 NNDR-Business Rates (£75.7m)

The % of business rates for 2023/24 that should have been collected during the year. This target, as for council tax, ignores our continuing collection of earlier years' liabilities.

The measure does not take into account the debt that continues to be pursued and collected after the end of the financial year in which it became due. As a general rule the final collection figure for any financial year exceeds 99%.

Year End performance 2022/23	98.17%
Year End Target for 2023/24	98.17%

Month End Target	Month End Actual	Last year Actual
24.78%	23.41%	23.41%

Collection levels are similar to previous years.

6.5 Sales Ledger (£99.4m)

This includes general debt and Social Care debt. Debt below 2 months is classified as a normal credit period.

The target percent is set relating cumulative debt outstanding from all years to the current annual debit. The targets and performance of income collection for 2023/24 are as follows:

Age of debt	Annual Target %	May 2023	
		£m	%
Total	5.25	5.369	5.40

Sales ledger performance is slightly outside target, although performance has improved in recent months. We continue to invoice and follow the recovery process on all outstanding debt with the relevant Service departments.

7.0 Alternative Options

7.1 Budget holders will investigate a number of options to seek to deliver required service outcomes from within budgeted resources. Options to deliver efficiencies and additional income have been explored.

8.0 Key Risks

8.1 Budget holders actively manage their budgets and the many financial risks and challenges that council services face, examples include the risk of a particularly harsh winter which would impact adversely on the winter gritting and adult social care budgets, the increasing dependency on income from a wide range of activities and the risk of interest rate movements and further inflationary pressures, the risk of changes in legislative or accounting requirements impacting on budgets etc. The Council has comprehensive risk management arrangements in place, which are reviewed and updated by the Senior Management Team.

9.0 Council Priorities

9.1 Delivery of all Council priorities depends on the effective use of available resources. Regular financial monitoring in the financial management reports helps to highlight variations from plan so that action can be taken to effectively manage the Council's budget.

10.0 Financial Implications

10.1 The financial impacts are detailed throughout the report.

11.0 Legal and HR Implications

11.1 There are no direct legal implication arising from this report. The S151 Officer has a statutory duty to monitor income and expenditure and ensure that the Council takes action if overall net overspends /shortfalls emerge.

11.2 Legal services will provide ongoing advice in relation to specific proposals relating to the making of efficiencies or savings, including on any requirement to undertake consultation as such proposals are brought forward for consideration.

12.0 Ward Implications

12.1 There are no impacts on specific wards

13.0 Health, Social and Economic Implications

13.1 There are no Health, Social and Economic Implications directly arising from this report.

14.0 Equality and Diversity Implications

14.1 There are no Equality & Diversity implications directly arising from this report. Proportionate impact assessments are carried out and a range of consultation mechanisms are used where appropriate.

15.0 Climate Change and Environmental Implications

15.1 There are no Climate Change and Environmental Implications directly arising from this report.

16.0 Background Papers

1 Medium Term Financial Strategy 2023/24 – 2026/27 Council 02/03/2023

17.0 Appendices

Appendix A	Summary of 2023/24 Projected Variations
Appendix B	2023/24 Revenue Variations over £50,000
Appendix C	Capital Approvals
Appendix D	Efficiencies
Appendix E	Treasury & Prudential Indicators

18.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Director	08/06/2023	09/06/2023	KC
Finance	08/06/2023	08/06/2023	PH
Legal	09/06/2023	09/06/2023	RP

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APPENDIX A

Service Area	Budget £	Total Variation £
Prosperity & Investment	(5,535,294)	(257,886)
Finance & HR	15,325,384	(960,692)
Policy & Governance	988,061	(830,154)
Children's Safeguarding & Family Support	41,259,216	3,830,675
Education & Skills	14,571,102	(810,581)
Adult Social Care	61,922,374	2,801,478
Health & Wellbeing	2,171,860	(375,593)
Neighbourhood & Enforcement Services	34,838,723	(1,383,238)
Communities, Customer & Commercial Services	5,257,810	(260,845)
Housing, Employment & Infrastructure	2,624,885	(225,500)
Corporate Communications	(8,740)	5,372
Council Wide	(26,640,981)	1,120,000
Total Net Revenue Budget	146,774,400	2,653,036

2023/24 Revenue Budget Variations over £50,000

Description		Budget	Total Variation	Comments
		£	£	
Prosperity & Investment				
Regeneration & Investment	PIP - Income	(9,123,090)	195,389	PIP void pressure and Growth fund slippage.
	Income	(406,180)	101,430	MSCP income pressure from reduced footfall, prudent estimate at this point as assumed trend from 22/23 will continue into 23/24.
Savings Proposals Identified	Variations under £50k	3,993,976	(554,705)	
Total Prosperity & Investment		(5,535,294)	(257,886)	
Finance & HR				
Savings Proposals Identified		15,325,384	(960,692)	
Total Finance & HR		15,325,384	(960,692)	
Policy & Governance				
Savings Proposals Identified		988,061	(830,154)	
Total Policy & Governance		988,061	(830,154)	
Children's Safeguarding & Family Support				
CIC Placements		19,107,539	5,315,519	The very significant variation compared to the placement costs budget is predominantly driven by residential placements. There were a number of new residential placements in 22/23, a number arising from placement breakdowns, combined with some large increases in existing placement costs driven by increasing challenges and complexity presented by young people requiring specialist residential care. Step-down plans are being pursued for a significant proportion of the children in residential placements. In addition some of the pressure in this area is offset by the increased contribution from the NHS towards elements of the placements costs where the young people are presenting with health needs (see 'Health funding' line below).
Staffing - salaries		16,055,344	(77,773)	There are a number of vacancies across the service, resulting in this forecast underspend, although this and service pressures have led to agency staff being employed, with a higher average cost compared to directly employed staff.

Description		Budget	Total Variation	Comments
		£	£	
Staffing - Agency Costs		160,400	709,141	As noted above a combination of vacancies and service pressures has resulted in significant agency costs currently being incurred. In addition to individual agency workers, two agency teams have been procured, in order to provide the capacity needed to meet the current level of resource requirements and to enable statutory safeguarding requirements to be delivered. There are plans to cease these two teams in the first half of 2023/24.
Children with Disabilities		1,199,258	278,801	This area is under financial pressure, in part because of recent cost increases from providers of support. A number of initiatives are underway to ensure that cost effective and appropriate support is provided to families of children with disabilities. A Direct Payments Officer has also been appointed and a robust review of current payment levels and the level of balances in fair share accounts undertaken to ensure that the personal budgets provided to families are at an appropriate level.
Children in Care Adoption Allowances		256,770	(46,160)	Current projection is based on 22/23, in which year payments for allowances were lower than budget available.
Joint Adoption Service		774,857	294,903	The significant variance in forecast costs mainly arises from children being placed with adopters from external agencies, rather than within the regional adoption agency ('Together for Children' or T4C) that T&W is now part of. Such external placements come with a substantial one-off cost (in the region of £50K for some placements). In addition there is an ongoing budget pressure in the Joint Adoption Service ('JAS') for Shropshire and T&W, arising from a staffing increase some years ago that was intended to be offset by increased adoption allowance income. In practice, income hasn't increased to a sufficient degree to offset the cost increase.
Health Funding		(800,000)	(2,906,000)	Since the marked increase in income in 2021/22, the increased engagement with health colleagues continued and resulted in a very significant increase in contributions towards placement costs in 2022/23, which is forecast to continue in 2023/24. The increasing costs of placements, partly driven by the complex needs of children and young people, including health needs, is now being reflected in increasing health contributions.
Under £50k		3,617,895	1,109,023	Main contributors to the projected variance are legal costs, childminder fees, taxi costs, section 17 costs (expenditure to support children in need), assessment fees, building adaptations for children with disabilities, contributions from reserves and expenditure on families with no recourse to public funds.
Total		40,372,063	4,677,454	
Independent Review - Staffing		740,953	31,615	
Independent Review - Under £50k		146,199	21,606	

Description		Budget	Total Variation	Comments
		£	£	
Savings Proposals Identified			(900,000)	
Total Children's Safeguarding & Family Support		41,259,216	3,830,675	
Education & Skills				
Arthog		75,908.00	86,981	Pressure in this area arises mainly from a projected shortfall in budgeted income for the High Ropes element of the service. This position may improve as the year progresses.
Under £50K		14,495,194.00	(101,176)	
Savings Proposals Identified			(796,386)	
Total Education & Skills		14,571,102	(810,581)	
Adult Social Care				
Prevention & independence - Older People & Disability	Spot Purchasing	33,609,163	2,833,078	Latest forecast pressure from modelled demand and rates for 23/24
	Block Purchasing	2,100,880	79,460	Latest forecast pressure from negotiated contracts for 23/24
	Income from Client Contributions	(7,845,656)	(459,280)	Latest forecast pressure from modelled demand and estimated contributions toward care for 23/24
Autism, Learning Disability & mental health	Staffing & Operational expenditure	2,161,249	(263,841)	Mainly from vacancies in structure
	Spot Purchasing	28,997,811	1,406,300	Latest forecast pressure from modelled demand and rates for 23/24
	Block Purchasing	2,589,092	261,130	Latest forecast pressure from negotiated contracts for 23/24
	Income from Client Contributions	(2,090,274)	(145,070)	Latest forecast pressure from modelled demand and estimated contributions toward care for 23/24
	Staffing & Operational expenditure	1,451,124	77,252	Pressure from expenditure on agency staff net of vacancies
Commissioning, Procurement & Brokerage	Staffing & Operational expenditure	695,696	64,193	Pressure from operational expenditure formerly covered by reserves-offset by Staffing and Operational underspends elsewhere in ASC and reported above

Description		Budget	Total Variation	Comments
		£	£	
Community Social Work-Principal Social Worker	My Options-Adults & Children's services	619,813	342,046	Budget pressure which may well be linked to charges not yet levied for services provided
	In House Purchasing	6,991,654	(302,654)	Expenditure below budget for the provision of care services from My Options
Prevention & enablement	Intermediate Care	4,476,509	0	The demand for reablement services and services to facilitate discharge from hospital continue at an unprecedented level. The pressure on the base budget held within the BCF is likely to be around £5-£5.5m in 2023/24, with expenditure likely to be around £11-£11.5m. Partner organisations are undertaking work programmes to look at alternative service delivery strategies to deal with the demand in the medium to longer term. Alongside this discussions with Shropshire, Telford & Wrekin ICB are being held on a regular basis to determine the funding strategy for the current financial year. The Council as commissioner of the services does not expect to fund any expenditure beyond the base budget held within the BCF and therefore the report does not anticipate any budgetary pressure in 2023/24.
	Variations under £50k	(11,834,687)	87,712	
Savings Proposals Identified			(1,178,848)	
Total Adult Social Care		61,922,374	2,801,478	
Health & Wellbeing				
Coroners Court	Contracted services	266,450	68,840	Pressure on budget from services being delivered by the Coroner. This service is to be reviewed with a view to challenging the allocation of costs
	Variations under £50k	1,905,410	18,967	
Savings Proposals Identified			(463,400)	
Total Health & Wellbeing		2,171,860	(375,593)	
Neighbourhood & Enforcement Services				
Public Protection	Licensing - Various	173,370	64,125	Shortfall against license fee income, mainly due to reduced number of licensed premises.
	Variations under £50k	382,974	(27,564)	

Description		Budget	Total Variation	Comments
		£	£	
Enforcement	Variations under £50k	789,503	96,369	
Highways, Engineering & Project Delivery	Variations under £50k	9,910,326	(63,396)	
	Income - NRSWA – New Roads & Streetworks Act	(512,480)	(155,245)	Overachievement in street works permitting income.
	Variations under £50k	806,014	106,421	
	Other variations under £50k	23,289,016	(53,948)	
Savings Proposals Identified			(1,350,000)	
Total Neighbourhood & Enforcement Services		34,838,723	(1,383,238)	
Communities, Customer & Commercial Services				
IDT	Variations under £50k	(117,580.70)	(8,708)	
Culture & Events (Theatre)	Various	398,540.00	91,203	Estimated impact of theatre closure from January 2024.
	Variations under £50k	366,535.00	(21,650)	
Customer Relationships & Welfare Services	HB Subsidy	(190,000.00)	390,500	A combination of reduced recovery of overpayments and B&B spend where no subsidy can be claimed. This is a significantly improved position and the service is continuing to work with providers to further reduce subsidy loss.
	Discretionary Awards and Welfare Benefits Team - various	662,431.00	(55,529)	£24k over recovery of traded income plus various supplies & services underspends
	Variations under £50k	605,002.00	94,035	
Leisure	Various	969,840.00	97,844	Impact of closure of Oakengates Leisure centre from September 2023, net of £50k budget model growth already built in.
	Variations under £50k	1,895,530.01	(82,520)	
	Variations under £50k	48,309.00	15,271	
	Other variations under £50k	619,203.28	36,042	
Savings Proposals Identified			(817,332)	

Description		Budget	Total Variation	Comments
		£	£	
Total Communities, Customer & Commercial Services		5,257,810	(260,845)	
Housing, Employment & Infrastructure				
Strategic Housing & Regeneration	Income	(324,000)	245,000	£245k pressure arising from HIF cost of borrowing due to phasing of schemes offset by unallocated cost of borrowing from B&B business case & additional income from PSH fee increase.
	Variations under £50k	2,948,885	0	
Savings Proposals Identified			(470,500)	
Total Housing, Employment & Infrastructure		2,624,885	(225,500)	
Corporate Communications				
	Variations under £50k	(8,740)	5,372	
Total Corporate Communications		(8,740)	5,372	
Corporate				
Council Wide		(26,640,981)		
Estimated pay inflation	Employees		2,737,000	
Reprofiling of Savings			500,000	Fostering Accommodation saving re-profiled in line with anticipated delivery
Savings Proposals Identified			(2,117,000)	
Total Corporate		(26,640,981)	1,120,000	
Total		146,774,400	2,653,036	

Capital Approvals - by Service Area

Appendix C

Slippage							
Scheme	Service Area	Funding Source	23/24 £	24/25 £	25/26 £	26/27 £	Later Yrs £
Housing Company - Housing	Prosperity & Investment	Prudential	(12,600,000.00)	(3,175,000.00)	5,605,000.00	10,170,000.00	
Towns Fund -Oakengates	Prosperity & Investment	Prudential	(362,500.00)	362,500.00			
Towns Fund - Wellington	Prosperity & Investment	Grant	(65,210.47)	65,210.47			
Towns Fund	Prosperity & Investment	Capital Receipts	(750,000.00)		750,000.00		
LUF Telford	Prosperity & Investment	Grant	(6,844,165.00)	5,515,451.00	1,328,714.00		
Towns Fund -Oakengates	Prosperity & Investment	External	(1,520,500.00)	1,520,500.00			
Towns Fund	Prosperity & Investment	External	(5,200,000.00)	4,600,000.00	600,000.00		
Land Deal Board Schemes	Prosperity & Investment	External	(168,210.05)	(5,601,790.00)	5,770,000.05		
HE Liability Sites	Prosperity & Investment	External	(2,437,725.97)	1,000,000.00	1,437,725.97		
HE Liability Sites	Prosperity & Investment	Prudential	(700,000.00)		700,000.00		
Stalled Sites	Prosperity & Investment	External	(300,000.00)	300,000.00			
Stalled Sites	Prosperity & Investment	Prudential	(200,000.00)	200,000.00			
St Georges Regeneration	Prosperity & Investment	Capital Receipts	(3,495,778.00)	3,495,778.00			
Site preparation	Prosperity & Investment	Capital Receipts	(1,069,000.00)	1,069,000.00			
Property Investment Portfolio	Prosperity & Investment	Prudential	(27,101,851.21)	19,422,155.21	7,679,696.00		
Property Investment Portfolio	Prosperity & Investment	Revenue	(250,000.00)	250,000.00			
Property Investment Portfolio	Prosperity & Investment	Capital Receipts	(533,349.77)	533,349.77			
Property Investment Portfolio	Prosperity & Investment	External	(479,500.00)	479,500.00			
Stronger Communities	Prosperity & Investment	Prudential	(1,500,000.00)	1,500,000.00			
Swimming Pool - Dawley Area	Prosperity & Investment	Prudential	(6,960,000.00)	6,960,000.00			
Swimming Pool - Dawley Area	Prosperity & Investment	Revenue	(790,000.00)	790,000.00			
Swimming Pool - Dawley Area	Prosperity & Investment	Capital Receipts	(739,500.00)	739,500.00			
Condition Works - Leisure	Prosperity & Investment	Prudential	(1,500,000.00)	1,500,000.00			
Efficiency Schemes Capitalisation	Corporate Items	Capital Receipts	(769,227.17)	769,227.17			
Managing the funding of the capital programme	Corporate Items	Capital Receipts	4,751,076.94	(4,001,076.94)	(750,000.00)		
Managing the funding of the capital programme	Corporate Items	Prudential	(4,751,076.94)	4,001,076.94	750,000.00		
Climate Change	Communities, Customer & Commercial Services	Prudential	(1,091,008.25)	1,091,008.25			
Pride in Your High Street	Housing, Employment & Infrastructure	Prudential	(1,403,687.66)	1,403,687.66			
Total			(78,831,213.55)	44,790,077.53	23,871,136.02	10,170,000.00	0.00
New Allocations							
Scheme	Service Area	Funding Source	23/24 £	24/25 £	25/26 £	26/27 £	Later Yrs £
Housing	Housing, Employment & Infrastructure	Grant	2,306,755.00				
Total			2,306,755.00	0.00	0.00	0.00	0.00
Virements							
Scheme	Service Area	Funding Source	23/24 £	24/25 £	25/26 £	26/27 £	Later Yrs £
Integrated Transport	Neighbourhood & Enforcement Services	Prudential	(40,000.00)				
Rights of Way	Prosperity & Investment	Prudential	40,000.00				
Pride in Your High Street	Housing, Employment & Infrastructure	Prudential	(141,000.00)				
Stalled Sites	Prosperity & Investment	Prudential	141,000.00				
Total			0.00	0.00	0.00	0.00	0.00

SCHEDULE OF EFFICIENCY PROPOSALS, ADDITIONAL INCOME AND BUDGET RE-ALIGNMENTS

Description of Saving	2023/24 One Off £	2023/24 Ongoing £	2024/25 One Off £	2024/25 Ongoing £
Service Restructures and staff savings across the organisation	222,714	2,024,504	33,948	1,334,556
Income generation including Nuplace, leisure services and trading operations	1,672,300	1,013,030	742,350	876,150
Optimise funding; including use of external grant funding, one off reserves and other receipts	2,277,615	688,349	714,226	36,000
Efficiencies through service review/redesign	0	921,000	0	917,142
Review of all non-staff and operational budgets	377,000	1,172,120	300,000	445,440
Efficiencies through rationalisation of properties	0	70,385	0	38,175
TOTAL SAVINGS & EFFICIENCIES	4,549,629	5,889,388	1,790,524	3,647,463

Treasury Management & Prudential Indicators**Overall Treasury Portfolio at 31st May 2023 - £m**

	Budget	Latest Estimate
Estimated Total External Borrowing @ 31st March 2024	440.2	431.4
Investments	15.0	15.0
Net Borrowing	425.2	416.4

Capital Expenditure & Commitments - £m

This indicator shows actual capital expenditure for the previous year and planned capital expenditure for 3 years. The table below reflects approvals throughout the year at Full Council, including those proposed in this report

Capital Expenditure/Funding	2023/24	2024/25	2025/26	2026/27
Prudential Borrowing	74.22	88.29	33.68	9.53
Grant Funded	64.40	30.13	11.66	-
Revenue / External	5.45	9.01	7.88	-
Capital Receipts	0.47	7.86	-	6.00
	144.54	135.28	53.22	15.53

Capital Financing Requirement/ Borrowing - £m

The Capital Financing Requirement is the underlying need to borrow money over the long term. If outstanding borrowing is higher than the CFR this would indicate we are borrowing in advance of need.

	Latest Projections			
	31/03/24	31/03/25	31/03/26	
Loans CFR	546.4	633.1	665.1	
Estimated Outstanding Borrowing	431.4	519.7	553.4	✓ Outstanding Borrowing is lower than the underlying need to borrow

Authorised Limit and Operational Boundary (Debt)

The Authorised Limit for borrowing is the maximum amount the Council may borrow at any point in the year. The Operational Boundary is the maximum amount that the Council would normally borrow at any time during the year.

	23/24	24/25	25/26	
	31/03/2024	31/03/2025	31/03/26	
Authorised Limit for borrowing - indicator set	565.0	625.0	645.0	✓ Outstanding Borrowing (above) is below both the Authorised Limit and the Operational Boundary
Operational Boundary for external debt - indicator set	545.0	605.0	625.0	

Security

The Council considers security, liquidity and yield, in that order, when making investment decisions.

Credit ratings remain an important element of assessing credit risk, but they are not a sole feature in the Council's assessment of counterparty credit risk.

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted credit score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments would be assigned a score based on their perceived risk.

Credit Risk Indicator	Target	Actual - 31/5/23	
Portfolio average credit score	6 or lower (which is equivalent to a credit rating of A or higher)	1.31	✓ The Average credit score for investments is within the target set

Maturity Structure

This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

Maturity Structure	Lower Limit	Upper Limit	Current	Within Limit
Up to 1 year	0%	70%	29%	✓
1 year to 2 years	0%	30%	10%	✓
2 years to 5 years	0%	50%	15%	✓
5 years to 10 years	0%	75%	10%	✓
10 years to 20 years	0%	75%	2%	✓
20 years to 30 years	0%	75%	6%	✓
30 years to 40 years	0%	100%	6%	✓
40 years to 50 years	0%	100%	15%	✓
Up to 50 years	0%	100%	7%	✓

Principal sums invested for periods longer than one year

Indicator Set		31/03/2023	31/03/2024	31/03/2025	
Limit on principal invested longer than 364 days		95%	95%	95%	✓ currently 0% invested beyond 1 year

Ratio Affordability Measure

Ratio of finance cost to net revenue stream (%) - Indicator Set	7.65%
Ratio of finance cost to net revenue stream (%) - 2023/24 Projection	7.69%

Financing cost to net revenue stream is marginally higher in 23/24 current interest rates being higher than when the budget was set. Other savings within Treasury budgets currently mitigate the impact in 2023/24.



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Full Council

Thursday 14 July 2023

Monitoring Officer and Governance Update

Cabinet Member:	Cllr Nathan England - Cabinet Member: Finance, Customer Service & Governance
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Anthea Lowe - Director: Policy & Governance
Officer Contact Details:	Tel: 01952 383219 Email: anthea.lowe@telford.gov.uk
Wards Affected:	Not Applicable
Key Decision:	Not Key Decision
Forward Plan:	Not applicable
Report considered by:	Governance Committee – 12 July 2023 Full Council – 13 July 2023

1.0 Recommendations for decision/noting:

1.1 It is recommended that Full Council:-

- a. Notes the Terms of Reference for the Governance Committee attached at Appendix A to this report;
- b. Delegates authority to the Governance Committee to approve its own Terms of Reference;
- c. Notes the Terms of Reference for the Audit Committee attached at Appendix B to this report;
- d. Delegates authority to the Audit Committee to approve its own Terms of Reference;
- e. Approves the Members' Allowance Scheme attached at Appendix C to this report;

Monitoring Officer and Governance Update

- f. Notes the work undertaken to date in respect of Member Induction;
- g. Notes the details relating to the new Councillor Connect webpages;
- h. Notes the work undertaken by the Council's Scrutiny Committees during the period 2022/23;
- i. Notes the forthcoming changes in respect of electoral administration;
- j. Agrees to delay the return of the Independent Remuneration Panel until January 2025; and
- k. Delegates authority to the Governance Committee to establish an IRP to commence work in January 2025.

2.0 Purpose of Report

- 2.1 The purpose of this report is to provide Members with an update on a number of governance-related matters and changes affecting Committees.

3.0 Proposals

- 3.1 The Governance Committee is newly formed for the 2023 – 2027 administrative term. It is responsible for undertaking the functions of the following Committees/Groups that were in place prior to May 2023:-
 - Council Constitution Committee;
 - Standards Committee; and
 - Member Development Steering Group
- 3.2 The creation of the Governance Committee helps to bring some synergies between the subject matters being considered and provides a framework in which to ensure a more thorough and robust oversight of Governance across the Council.
- 3.3 Whilst Full Council typically delegates authority to each Committee to determine its own Terms of Reference, as a newly-constituted Committee, it is appropriate for full Council to have sight of the terms of reference. Attached at **Appendix A** are the Terms of Reference which are to be considered by the Governance Committee at its meeting on 12 July 2023. In the event that changes are made at that meeting, these will be notified verbally to full Council. Council is asked to approve these Terms of Reference and delegate authority to the Governance Committee to agree its own Terms of Reference moving forward.
- 3.4 Attached at **Appendix B** are the Terms of Reference for the Audit Committee. It has previously been the case that these are reported to Full Council for approval. It is proposed that delegations are granted by full Council to the Audit Committee to determine its own Terms of Reference – this brings it in line with the Council's other committees. Council is asked to approve these Terms of Reference and confirm delegated authority to the Audit Committee to approve its own Terms of Reference moving forward.

Members' Allowance Scheme

- 3.5 Some Members will recall that the Independent Remuneration Panel (IRP) reported to Council in September 2019 to make recommendations relating to Member Allowances. Those at that meeting may remember that the IRP commented on the fact that allowances had not been reviewed since 2010 and that, since that time, due to there being no increases applied since 2010, the real value of those allowances had fallen by 20%.
- 3.6 In recent times, the work of the Planning Committee and the Licensing Committee has increased as has the complex nature of the committees' work. The work of the Chairs of the committee goes beyond chairing the meeting working with officers. Whilst the role of these Vice Chairs is recognised by title, it is unusual, compared to other authorities, for these roles not to be recognised as part of the scheme of allowances by the Council. The role of the Vice Chair is to deputise for the Chair during periods of illness', holiday or being unable to attend meetings along with providing leadership to the rest of the committee and support to the chair of the meeting. The Vice Chairs are required to undertake a significant amount of work, including liaising with officers on the exercise of call-in procedures, the organising of a sub-Committee to hear appeals and similar. Additionally, both of these positions carry quasi-judicial responsibilities which differs from the other Committees of the Council.
- 3.7 It is proposed that both of these roles should now attract a Special Responsibility Allowance in recognition of the responsibility that falls to these roles. It is proposed that the Vice Chair of Planning should be given an allowance commensurate with the Chair of Governance Committee (£4,341) and the Vice Chair of Licensing Committee should be given an allowance commensurate with the Chair of Appeals Committee (£3,160). It is proposed that these Special Responsibility Allowances should be backdated to Annual Council on 25 May to reflect the position in relation to all other allowances.
- 3.8 Following the creation of two member roles to be part of the Fostering and Adoption Panel (FAP) in 2021, it is recommended that this is reduced to one member role to support that Panel. The saving will be £4,112.
- 3.9 At the time that the Members' Allowance Scheme was agreed, the political constitution of the Council differed. This led to there being a disparity in the Special Responsibility Allowances applicable to the role of Group Leaders of opposition groups. At that time, one of the opposition groups had a membership that was around 100% more than the membership of the other political group. Since the election in May 2023, the difference between the group memberships of the opposition groups has reduced; one group having 8 Members and the other having 6. There is now a distinct inequity between the allowances awarded to these roles with one receiving around £7,500 more than the other. It is proposed that, to bring some equity to the allowances these roles attract, the total Group Leader allowances for opposition groups of more than 4 should be combined then divided based upon membership of those groups. This is set out below:-

Monitoring Officer and Governance Update

£13,023 + £4,851 = Total of £17,874

£17,874/14 = £1,276 per member of group. Taking into account rounding, this will lead to an allowance of £10,208 being paid to the Conservative Group Leader and an allowance of £7,656 being paid to the Liberal Democrat Group Leader.

- 3.10 To give effect to this moving forward, the wording of the Members' Allowance Scheme has been updated to propose the following in respect of Group Leaders:-

The total allowance payable to Opposition Group Leaders (with groups of 4 or more Members) is £17,874. This should be divided equitably between those Group Leaders based upon the total number of members in each group.

This change, if agreed, would take effect from the date of the full Council meeting.

- 3.11 The effect of the Local Authorities (Members' Allowances) (England) Regulations means that applying any sort of indexation to allowances can only occur for a period of four years. An increase equivalent to staff pay awards was first applied in May 2020. A period of 4 years from this date expires in May 2024. Therefore, whilst the same provision has been applied from 2023, this will be the last time such an increase can apply without a further report from the IRP.
- 3.12 Despite this, recognising the financial uncertainty across the country and the impact on council finances at the moment, Council is asked to agree that it will delay inviting the IRP to return to the Council until January 2025, and delegate authority to the Governance Committee to establish an IRP to start work in January 2025.
- 3.13 The current Members' Allowance Scheme makes provision for a Carer's Allowance to be paid to support those with caring responsibilities to attend to their council duties. Recent national research undertaken by the Local Government Association has indicated that, due to the application of the legislation regarding allowances and how they are reported, there is a disinclination to claim such allowances. This is because the legislation requires payments made to be reported under the category "allowances" rather than broken down. It has been found that this disproportionately impacts upon female councillors. It has also been found that some allowance schemes limit what can be claimed for. Currently, the Telford & Wrekin Scheme does provide for a Children's Carer's Allowance and a Dependent Carer's Allowance but gives no indication as to the type of duties such claims can be made for.
- 3.14 The current allowance scheme also states that the maximum hourly rate for these Carer's Allowances should be set at the level of the living wage. The Council prides itself on being a Real Living Wage Employer and, this being the case, it is counterintuitive to use the Living Wage as the benchmark for those supporting councillors to undertake their duties.
- 3.15 It is proposed that the Members' Allowance Scheme is updated to include an appendix which sets out the duties for which a carer can claim an allowance. It is

Monitoring Officer and Governance Update

also proposed that the scheme is updated to allow the maximum hourly rate to be set at the Real Living Wage.

- 3.16 Whilst there have been no concerns around the use of the Carer's Allowances, it is considered to be best practice that the scheme makes it clear that such allowances are only payable to a carer over the age of 18 and they must not be a member of the relevant councillor's household.
- 3.17 Whilst it is a legal requirement to report a "total expenses payable" figure in respect of Member Allowances, Council is asked to agree that, where any Member claims a Carer's Allowance an explanation be added to the reported figures to make clear what element of the sums claimed relates to carer's allowance.
- 3.18 Attached at **Appendix C** is the updated Members' Allowance Scheme setting out the changes referred to in paragraphs 3.5 to 3.15 of this report. This includes an annex to the scheme setting out the duties for which a carer's allowance can be claimed.

Member Training and Development

- 3.19 Members will be aware that, following the elections in May 2023, there are 19 newly-elected Members. This makes up 35% of the membership. From 5 May 2023, there has been an intensive induction programme in place to support new, and returning, members. This has seen the delivery of several information sessions and training sessions, held both face to face and remotely. These sessions have included:-

2 x Essential Registration sessions
Welcome to Telford & Wrekin event
Let's talk Member Support
Data Management 101
The only way is ethics: Code of Conduct Training
Directorate Showcase Fayre
Mastering the art of Scrutineering
2 x Planning Committee Training
Audit and Finance Training

- 3.20 The Democracy Team seeks feedback on all training sessions and, to date, the feedback for all sessions has been either good or excellent.
- 3.21 Throughout the forthcoming months, further training will be provided. This includes, but is not limited to:-

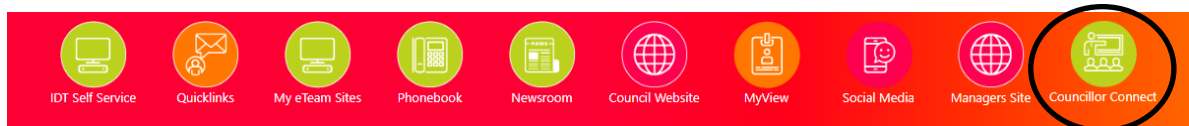
Personal Safety Training provided by the LGA
Exploitation and Vulnerability provided by West Mercia Police
Everything Speaks
Audit Committee Training
Licensing Committee Training
How to be an Effective Chair
Scrutiny Chair Training provided by the Centre for Governance and Scrutiny

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Public Speaking and Effective Communication
Media and Social Media Training

Finance Training
Outside Bodies
Health & Wellbeing Board

- 3.22 An exciting development in terms of Member Support is the creation of the Councillor Connect webpages. Created and produced by the Democratic Services team in connection with a small cross-party Member group, this is an online one stop shop for Members providing access to a wide range of information, tools and systems. It can support Members in accessing online learning, booking training, finding contact details for officers, finding policy and process document and much more. It can be accessed via a dedicated tile at the bottom of the home screen on the Council's intranet, as shown below:-



Scrutiny

- 3.23 Whilst a full Scrutiny Report will be presented to Council at a later date, some of the scrutiny work carried out in the last municipal year includes:-

Business Support Programme
Housing Improvement Programme
Medium Term Financial Plan
Educational Attainment 2020 to 2022
10 by 10
Belonging Strategy
Highways Update
Trading Standards Overview
Safer Stronger Communities
Youth Climate Summit
Plastic Free Update
Active Travel & Electric Vehicles Update
Shropshire Good Food Partnership
Hospital Discharge and Intermediate Care
Integrated Care Partnership Update
Winter Plan & Urgent and Emergency Care Improvement
Phlebotomy Service
Ockenden Review

The above list is not definitive and additional scrutiny work took place during the last municipal year.

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3.24 The initial Scrutiny Work Programme for 2023 – 2025 was approved by Scrutiny Management Board in May 2023. There are a number of items coming up in the work programme, including:

Educational Attainment and Outcomes

Care Leavers Offer

Recruitment in Fostering

The Cost of Living

Pride in our High Streets

Equality and Diversity Strategy

Elections Review

Social Value in Contracts

Corporate Catering and net zero

Biodiversity Net Gain

River Sewage

Virtual Wards

The Better Care Fund

Elections Update

3.25 Members will be aware that there were some legislative changes introduced in 2023 which meant that those electors voting at polling stations were required to provide approved identification before being given a ballot paper.

3.26 Further changes are due to be implemented which, in brief, comprise the following:-

- A requirement to provide ID when applying for a postal vote;
- A requirement to provide ID when applying to vote by proxy;
- A reduction in the number of people one can act as proxy (only 4 and only 2 of these can be 'domestic electors');
- Replacement of the current 5 year postal vote date of birth and signature refresh with a requirement to make a full new postal vote application every 3 years;
- The introduction of a new online portal to apply for a postal vote and / or proxy vote

3.27 Members will also be aware of the changes to parliamentary constituency boundaries introduced through the Boundary Review Commission for England – it is anticipated that these new boundaries will be in place for the next general election.

4.0 Council Priorities

4.1 This report links to the all of the Council's priorities.

5.0 Financial Implications

- 5.1 The changes to the Members Allowances Scheme as outlined in this report will be met from existing budgets which total £919k for 2023/24. Costs associated with members training and development will be met from exiting resources.

6.0 Legal and HR Implications

- 6.1 The Council has the power to undertake the activities set out in the report.
- 6.2 Members Allowances are governed by The Local Authorities (Members' Allowances) (England) Regulations 2003. The proposals in the report comply with Regulations.
- 6.3 In respect of the amalgamation of the former Standards and Constitution Committees and the Member Development Steering Group, in to the new Governance Committee, the Council has the power to choose the way in which its Committees are organised.
- 6.4 Full Council may also delegate (as it has already done to many Committees) to Governance and Audit Committees respectively the power to set their own Terms of Reference.

7.0 Ward Implications

- 7.1 Whilst there are no ward implications directly relating to this report, it should be noted that the parliamentary boundary changes will impact upon a small number of electors where their constituencies have changed between Telford constituency and Wrekin constituency. This is outside of the Council's control as the boundary review is one commissioned by Government, undertaken by the national Boundary Commission for England and imposed by the passing of legislation.

8.0 Health, Social and Economic Implications

- 8.1 The changes mentioned in this report in relation to postal votes and proxy votes are considered more likely to adversely affect those of mature years and those with a lower household income. These changes have been imposed by government and are outside the control of the Council. As with the earlier changes relating to voting in person, the Council will carry out communications to help ensure that those affected are aware of the changes.

9.0 Equality and Diversity Implications

- 9.1 As set out above, the changes in respect of postal and proxy votes are more likely to adversely affect those of mature years. In addition, those with mobility issues are more likely to utilise postal and proxy votes and they will be affected by the changes. The Council will undertake a communications campaign to ensure those affected are aware of the changes – this will include communicating with relevant support groups and community groups to help reach those most likely to be affected.

11.0 Climate Change and Environmental Implications

11.1 There are no climate change and environmental implications directly relating to this report.

12.0 Background Papers

N/A

13.0 Appendices

- A Terms of Reference Governance Committee
- B Terms of Reference Audit Committee
- C Members' Allowance Scheme

14.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	03/07/2023	03/07/2023	RP
Finance	03/07/2023	04/07/2023	MLB

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Governance Committee – Terms of Reference, Functions, Powers and Duties
(including the Hearings Sub Committee)

The Committee has the responsibility and delegated powers to oversee the Council's Constitution and to act on behalf of the Council in dealing with the oversight of its governance, to ensure that good ethics and standards are upheld and to oversee the Council's member development strategy.

TERMS OF REFERENCE

THE COUNCIL CONSTITUTION

1. To receive reports from the Monitoring Officer about the operation of the Constitution.

Note-The Monitoring Officer (or the Head of Paid Service in the absence of a Monitoring Officer) has delegated power to monitor and review the operation of the Constitution, to make minor administrative amendments or make changes to reflect changes in law and report regularly to this committee on whether or not it is achieving its purpose or could be amended better to achieve its purpose.

2. To consider proposed changes to any part of the Constitution and, if appropriate, make recommendations to Council to change the Constitution.
3. To consider its terms of reference in so far as they relate to the Council Constitution annually at the first meeting after the Annual Council Meeting
4. The Council via the Governance Committee has delegated the following powers and functions to the Monitoring Officer in consultation with the Chairperson of the Committee
 - a. To amend the Constitution to correct minor administrative errors,
 - b. To amend the Constitution to update job titles
 - c. To amend the Constitution where legislative changes result in any section of the Constitution being in conflict with any relevant legislation

Provided that the Chairperson may decide for any proposed amendments as detailed in paragraphs a to c above that it be considered by the Governance Committee.

STANDARDS AND THE CODE OF CONDUCT

1. To promote and maintain high standards of conduct by members and co-opted members of the Council.
2. To support Town and Parish Councils within the Borough to promote and maintain high standards of conduct by members and co-opted members of the Council.

3. To recommend to Council the adoption of a code dealing with the conduct that is expected of members and co-opted members of the Authority.
4. To keep the [code of conduct](#) under review and recommend changes/ replacement to Council as appropriate.
5. To publicise the adoption, revision or replacement of the Council's [Code of Conduct](#).
6. To oversee the process for the recruitment of an Independent Person (and up to 2 reserves) and make recommendations to Council for their appointment.
7. To receive reports from the Monitoring Officer about:-
 - a. complaints;
 - b. the progress and outcome of investigations; and
 - c. the establishment and maintenance of the register of interests of members and co-opted members of the Borough and Town and Parish Councils within the Borough boundaries;
 - d. dispensations granted to members and co-opted members of the Council.

HEARINGS SUB COMMITTEE

1. To consider investigation reports in respect of [Code of Conduct](#) complaints that are referred to it by the [Monitoring Officer](#) and to report its findings to the Borough Council, Town or Parish Council, as appropriate for information.
2. Where a breach is found, to make decisions about sanctions as set out in the Council's arrangements for dealing with breaches of the Code of Conduct.
3. To consider applications for dispensations where:-
 - a. The dispensation is in the interests of persons living in the Borough of Telford & Wrekin area; or
 - b. It is otherwise appropriate to grant a dispensation.
4. The Governance and Ethical Standards Committee have delegated the following powers and functions to the [Monitoring Officer](#)
 - a. The power to receive and make an initial assessment of formal Code of Conduct complaints and decide whether further action or investigation is required.
 - b. The power to make arrangements for local settlement of complaints where the Monitoring Officer considers it appropriate including arranging mediation if required.
 - c. The power to consider and grant dispensations to Members where:
 - i. The number of Members precluded from transacting the business is so great that it would impede the business of the Council, committee or Executive
 - ii. The political balance is affected to the extent that it could affect the outcome of a vote relating to the business

PROCEDURE

The Committee will be conducted in accordance with the Council's [Committee Procedure Rules](#). NOTE - Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions.

MEMBER DEVELOPMENT

1. To establish a comprehensive and robust Member Learning and Development process
2. To champion and encourage Member development and engage all Elected Members in the process
3. To champion and encourage the use of digital equipment amongst all Elected Members
4. To develop and implement a Member Development Strategy
5. To assist in the shaping and prioritising of member development activities including a comprehensive and robust induction
6. To ensure Member development and learning opportunities relate directly to Telford & Wrekin's Priorities
7. To assist in generating creative and innovative ideas for the advancement of the Member Development programme
8. To establish a mechanism to evaluate overall effectiveness of Member development
9. To identify financial resources required to deliver development needs
10. To encourage an effective member/officer working relationship

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Audit Committee Terms of Reference

The Committee has the responsibility on behalf of the Council for the overseeing of the Council's audit, governance (including risk management) and financial processes.

Delegated matters (i.e. Matters which can be decided (resolved))

- 1 The approval (but not direction) of, and monitoring of progress against, the Internal Audit Charter and annual plan
- 2 Review summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary
- 3 To be able to call senior officers and appropriate members to account for relevant issues within the remit of the Committee – governance (including information governance), internal audit, risk management, statement of accounts and external audit.
- 4 The Committee will not receive detailed information on investigations relating to individuals. The general governance principles and control issues may be discussed, in confidential session if applicable, at an appropriate time, to protect the identity of individuals and so as not to prejudice any action being taken by the Council.
- 5 External Auditors:
 - a) Recommend the appointment of the External Auditors to the Council
 - b) Review and agree the External Auditors annual plan, including the annual audit fee
 - c) Receive regular update reports on progress and other reports of the External Auditor
 - d) Meet privately with the External Auditor as required
 - e) Ensure that there are effective relationships between external and internal audit so that the value of the combined internal and external audit process is maximised
- 6 Consider the effectiveness of the Council's governance processes and their compliance with legislation and best practice including:
 - a) The Council's Code of Corporate Governance
 - b) The Council's Information Security Framework
 - c) The Council's Risk Management Framework
 - d) Receipt of the Caldicott Guardian's Annual Report
 - e) Oversight of commercial projects
 - f) The management of opportunities and risks
 - g) Other corporate governance arrangements
- 7 Be responsible for the review and approval of the authority's Annual Governance Statement ensuring that it properly reflects the governance, control and risk environment and any actions required to improve it. Following approval, it should accompany the accounts.
- 8 To review and monitor the Council's Treasury Management arrangements including treasury policies, procedures and the management of the associated risks and make recommendations to Cabinet as appropriate.
- 9 Review and approve the Statement of Accounts, External Auditor's opinion and reports on them to members and monitor management action in response to the issues raised by External Audit.
- 10 To approve the Anti-Fraud and Corruption Policy and to recommend its adoption by the Council, and to monitor its operation. The policy will be reviewed at least once every two years.
- 11 To approve the Speak Up Policy ('whistle blowing') and to recommend its adoption by the Council, and to monitor its operation. This policy will be reviewed at least once every two years.

- 12 Recognising that complaints/compliments are a Cabinet function, the Committee should review the Annual Complaints Report and seek assurances that the Council is improving in response to complaints raised. This should include maintaining an overview of the Local Government Ombudsman (LGO) investigations including the review of the LGO Annual Letter.
- 13 The Audit Committee will seek assurance from officers in respect to the governance arrangements for partnership working.
- 14 The Audit Committee will seek assurance from officers in respect to the governance arrangements of the Council's climate change measures.
- 15 The meetings will follow the principles of scrutiny, i.e. no party whip will be applied and a constructive, evidence based approach will be used.
- 16 To ensure that adequate training is received by the members of the committee on the areas covered by these terms of reference.
- 17 To ensure that any sensitive or confidential information obtained as a result of membership of the committee is treated as confidential.
- 18 Annually review their effectiveness and their terms of reference.



Members' Allowances Scheme

July 2023

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Introduction

In 2019 the Council underwent a review of Members allowances. A fourth review by the Independent Remuneration Panel was conducted in July 2019 and was approved at a meeting of Full Council on 19 September 2019. The basic allowance will apply from 7 May 2019 and Special Responsibility Allowances (SRA) from 24 May 2019.

Basic allowance

The basic allowance of £10,420 per annum (paid in 12 equal instalments on the 24th of each month) is paid to recognise the time commitment of all Councillors, including an element for incidental expenses as laid out in the statutory guidance (2006) paragraph 10:-

“Basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.”

Although Members invariably work from home, Addenbrooke House is considered the primary place of work by HMRC. Facilities are available for your use in the Members' Room on third floor. For personal safety reasons, it is not recommended that Members use their homes to meet constituents. Alternative arrangements should be made in a public place such as library, community centre or Council building.

The Panel arrived at the recommended basic allowance on a notational expected input of 104 days per year. In qualifying for the basic allowance, there is an expectation that Members will undertake the following duties:

- Attend Full Council meetings
- Sit on at least one scrutiny committee (and their task and finish subgroups), and/or
- A regulatory committee
- Prepare, read and travel for Council-related meetings
- Attend to ward and constituent issues and concerns
- Sit on at least one outside body as a representative of the authority
- Meet with other local actors in partnership working
- Attend a training event at least twice a year.

Special responsibility allowance (SRA)

The following positions attract a Special Responsibility Allowance (SRA) in addition to the basic allowance as determined by the Panel in accordance with statutory guidance:-

Position	£
Leader of the Council	32,660
Deputy Leader	20,572

Cabinet Member (Cabinet must consist of 3 and 10 Members incl. Leader)	15,628
Opposition Group Leaders (minimum of 4 Members)	See Below
Speaker	3,163
Chair of Scrutiny Management Board	9,440
Chair of Scrutiny Panels	8,652
Chair of Planning	10,419
Chair of Licensing Committee	10,419
Chair of Audit Committee	8,682
Chair of Health & Wellbeing Board	8,682
Chair of Governance Committee	4,341
Chair of Boundary Review Committee	4,341
Vice Chair of Planning	4,341
Chair of Appeals Committee	3,160
Vice Chair of Licensing Committee	3,160

The total allowance payable to Opposition Group Leaders (with groups of 4 or more Members) is £17,874. This should be divided equitably between those Group Leaders based upon the total number of members in each group.

It is a condition of the scheme that a Member can receive no more than one SRA even if he/she occupies more than one position which has an SRA entitlement.

The council also appoints to the following positions where an SRA does not apply:-

- Deputy Speaker
- Chairman of Council Constitution Committee
- Chairman of Personnel Committee (traditionally the Leader).

Allowances are also paid to Members appointed to:-

Position	£
Combined Fire Authority	2,916
Fostering and Adoption Panel	£4,112
Police & Crime Panel	Reasonable reimbursement of expenses

Approved duties

The general principle that has been applied by the Panel to the definition of approved duties is that a Member must either be engaged in formal council business or is acting as a representative of the council. Consequently, a definitive list of what constitutes an approved duty for which Members can claim the relevant travel and subsistence allowances are detailed as follows:-

1.	Meetings of the Full Council including call-in and including any other Members who have been invited to attend the call-in.
2.	Meetings of committees established by the council (or any formal sub-committee or informal working group established by one of these committees) for example Standards, Audit, Scrutiny, Planning and Licensing Committee.
3.	Cabinet meetings.
4.	Member working groups established by the council.
5.	Other meetings approved by the council (for example Telford & Wrekin Parishes Forum, Employee JICF).
6.	Representing the council on an outside body as long as it is included in the list of outside bodies approved by the cabinet or has been approved by a commission, committee or board.
7.	Attendance at any other meeting or duty authorised by the council, cabinet, or committee, for example site visits, ceremonies and official visitations as representatives of the council.
8.	Political meetings involving more than one political group, for example Members briefings, Group Leaders meetings.
9.	Briefings for the Chair and/or Vice Chair for any of the council's committees or for the Cabinet.
10.	Surgeries up to a maximum of one per month.
11.	Attendance at any training provided within the Member Learning and Development Programme or organised by the council, cabinet or committee.
12.	Meetings with Government Ministers and/or Civil Servants, Shadow Ministers, National Party Spokespersons and MP's.
13.	Meetings with Senior Officers (Senior Officers are the Corporate Directors and Heads of Service) and meetings with the Leader, Deputy Leader and / or the Cabinet.
14.	If attending an EGM, Members have the right to claim exceptional payments from place of work if outside the council district or where they may be temporarily residing at the time if not within the council district.
15.	Attendance by the Leader or Deputy Leader or other Member nominated by the group at one party political conference per annum.

Attendance at the following is **not** an approved duty:-

- Parish or Town Council meetings either as a Parish or Town Councillor or at the invitation of the Parish or Town.
- School Governing Body where the Member is a Governor.
- Single party briefings and political party meetings except those as detailed in 15 above.
- Attendance at any of the meetings listed in 1 to 5 above if the member attends as a substitute and the full member is in attendance, ie. the substitute attends voluntarily.

Civic allowances

The Panel clarified the position on civic allowances which are paid under the 1972 Local Government Act and are not special responsibility allowances. The following allowances are paid to the post holder to help defray the cost of holding office:-

Position	£
Mayor	6,147
Deputy Mayor	3,281

Travel and subsistence for approved duties

The Independent Remuneration Panel recommended a travel and subsistence scheme which the Council subsequently approved. The scheme allows for travel (in and outside the Borough) and subsistence (outside the Borough only) to be reimbursed for 'approved duties'.

Wherever possible you should arrange meals, accommodation and travel through the Council which pre-books and pays on receipt of an invoice. When this is not practicable, you can reclaim costs incurred in line with the current rates:-

Subsistence* rates

Actual expenditure can be claimed up to the following maximums**:-

Breakfast	£5.61
Lunch	£5.61
Evening Meal	£11.21

***Please note subsistence does not extend to alcoholic beverages or sundry items.**

**** Rates will be reviewed in line with officer rates.**

Accommodation* rates

Actual expenditure should be claimed up to the following maximums:-

Outside London	£100.00
In London	£120.00

***Indexed to the same increase that may be periodically applied to officer subsistence rate.**

Travel rates

Travel should be made by the most cost effective method. Car sharing is encouraged.

Mileage & passenger miles

Mileage can be reclaimed at the following rates:-

Vehicle	Business Miles Travelled	
	First 10,000 miles (per mile)	Over 10,000 miles (per mile)
Cars & vans*	45p	25p
Motorcycles	24p	24p
Bicycles	20p	20p
Passengers*	5p per passenger	5p per passenger

***Mileage and passenger mileage indexed to approved mileage allowances payment (AMAP) rate as published by HMRC.** Passenger mileage may only be claimed for carrying fellow Councillors to an approved duty who are also eligible for the same travel allowance.

When claiming mileage you must complete a monthly claim for Members expenses form and sign the declaration to confirm that you hold a current full drivers licence and that any vehicle used by you is adequately insured for business use and has both a valid MOT certificate.

By signing the declaration you are also confirming that all journeys begin and end at your home address unless otherwise stated on the form. Please note that mileage claims for approved duties taking place at Darby House (your primary place of work), will be subject to tax.

The council cannot reclaim the VAT on mileage without a supporting VAT receipt (valid receipts show the VAT number). Please ensure all claim forms are submitted with an original VAT receipt in order to comply with legislation and assist the financial position of the authority. It is sufficient to submit **one fuel receipt per claim form**, it is not necessary

to obtain a receipt for every journey made. Claims submitted without an original VAT receipt will be rejected. Photocopies cannot be accepted.

Public transport

Journeys by public transport which includes rail, bus, taxi and tube is capped at the standard class 'walk up' fare cost or actual cost if less. If Members pre-book in advance and the cost of first class carriage is less or equal to standard class published walk-up fare then travel by first class is permissible.

Incidental expenses

Claims for car parking charges and use of toll roads where necessary may be made when supported with an original valid receipt. Photocopies cannot be accepted.

Reclaiming expenses

When reclaiming expenses incurred in line with the terms of the scheme, it is your responsibility to complete a claim form and return it to Member Support by the 5th of the month along with all original supporting receipts.

Your completed claim form must be clearly written or typed and include a full description of the approved duty along with the date(s) on which it was carried out and the venue at which it took place. Acronyms should be avoided and Members should be unambiguous in laying out the details of the claim. You should also include the category of approved duty as detailed under section 3 above. Please note that forms which have not been fully completed will be returned to you for completion as they cannot be amended by the processing officer. Claims can only be paid in accordance with the approved scheme, to do otherwise would be in breach of council policy.

You must ensure that you sign your claim form as it cannot be accepted without a signature.

Normally claims can only be made for expenses incurred personally by you in carrying out an approved duty and not for those of any other member. If you are dining with other members for example, you should each pay separately and reclaim for your individual expenses if at all possible. However, if one member of the group elects to pay for the expenses incurred by all other members present, only the paying member can make an expenses claim. You will only be reimbursed for the actual expenditure of each individual member up to the maximum permitted amounts in line with the terms of the scheme.

Claims for travel by public transport, car parking, subsistence or accommodation will not be paid without a valid original receipt unless exceptional circumstances can be demonstrated.

If you require any guidance or assistance in completing the Monthly Claim for Members expenses, please contact Member Support on 01952 383540.

Dependent carers' allowance

The allowances can be claimed at the following rates on completion of the appropriate registration forms. More information can be found at the Appendix to this Scheme.

	£
Childcare Allowance	maximum hourly rates set at the applicable Real Living Wage
Other Dependent Relatives allowance	maximum hourly rate set at the applicable Real Living Wage

Co-optees

The following annual payments can be made to co-optees in lieu of expense claims for travel and subsistence:-

	£
Audit Committee	312
Scrutiny Committee	312

Indexing

All allowances are indexed to the annual local government percentage salary increase as implemented each April for the following municipal year (i.e. the percentage increase approved by the National Joint Council (NJC) for Local Government Services to the 49-point spinal column.)

Appendix – Claiming for Carers' allowance

Carers' Allowance may be claimed for the following activities:

- a meeting of the authority;
- a meeting of a committee or sub-committee of the authority;
- a meeting of Cabinet;
- a meeting of a committee of Cabinet;
- a meeting of any other body to which the authority makes appointments or nominations;
- a meeting of a committee or sub-committee of any other body to which the authority makes appointments or nominations;
- a meeting which has both been authorised by the authority, a committee or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a subcommittee of a joint committee and to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups);
- a meeting of a local authority association of which the authority is a member;
- duties undertaken on behalf of the authority in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996;
- a meeting of an Area Housing Forum; and
- attendance at Ward Surgeries.

The list is not exhaustive, so other activities may also allow a claim to be made.

Carers should be aged 18 or over, and care payments will not be made to or for members of the Councillor's immediate household.

Payments may also be claimable in respect of children aged 15 or under or in respect of other dependents where there is medical or social work evidence that care is required.



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Full Council

Thursday 13 July 2023

Constitution Update Report

Cabinet Member:	Cllr Nathan England - Cabinet Member: Finance, Customer Services and Governance
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Richard Phillips – Service Delivery Manager: Legal & Democracy
Officer Contact Details:	Tel: 01952 383241 Email: richard.phillips@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Governance Committee – 12 July 2023 Full Council – 13 July 2023

1.0 Recommendations for decision/noting:

It is recommended that Full Council:

- 1.1 Agrees and adopts the revised Constitution at Appendix A.

2.0 Purpose of Report

- 2.1 The purpose of this report is to update Members on the ongoing work to review the Constitution and to seek adoption of the revised Constitution.

3.0 Background

- 3.1 Governance Committee has responsibility for oversight of the Council's Constitution which is maintained by the Monitoring Officer. The Constitution governs the way in which the Council works and who makes which decisions. It is a legal requirement for the Council to maintain an up to date Constitution.

4.0 Summary of main proposals

- 4.1 The changes set out in the Draft Constitution at Appendix A are shown in red.
- 4.2 The first change is the insertion of Simon Froud as the new Director: Adult Social Care and the Statutory Director of Adult Social Services.
- 4.2 As the Council is now moving out of Addenbrooke House, the addresses in the Constitution have been amended to show Darby House as the Council's main address for correspondence.
- 4.3 In line with the creation of the Governance Committee to oversee the Constitution, Standards of Conduct of Elected Members and Member Development, the Constitution has been amended to set out the new Terms of Reference and amalgamated references to the former Council Constitution Committee and Standards Committee.
- 4.4 Following their approval at Health and Wellbeing Board on 22 June 2023, the new revised terms of reference for Health and Wellbeing Board have been inserted in to the Constitution.
- 4.5 The Cabinet rules have been amended to make it clear that the Council rules of debate apply to the meeting, bringing Cabinet in line with all of the Council's other committees and ensuring clarity and consistency in meeting procedure.
- 4.6 By agreeing to recommend Full Council adopt the revised Constitution, the changes above will take effect.

5.0 Alternative Options

- 5.1 Governance Committee could decide not to recommend the changes set out above to Full Council. However, in light of the changes made to the Committee structure and the terms of reference for a number of committees, the Constitution would not reflect the way in which the Council works. As a result, the Council may be found to be in breach of its duties to maintain an up to date Constitution pursuant to the Local Government Act 2000.

6.0 Key Risks

- 6.1 There are no key risks arising from this report.

7.0 Council Priorities

- 7.1 The report supports the Council's values that are embedded in the delivery of all of the Councils' priorities.

8.0 Financial Implications

- 8.1 There are no financial implications arising from this report.

9.0 Legal and HR Implications

Review of Audit Committee's Terms of Reference

9.1 The Local Government Act 2000 requires the Council to have a Constitution. Governance Committee has oversight of the Constitution and is empowered to provide advice and guidance to the Council on any proposed changes. The Council is required to follow the terms of the Constitution in order to act lawfully and reduce the risk of successful legal challenges.

10.0 Ward Implications

10.1 There are no direct ward implications directly arising from this report.

11.0 Health, Social and Economic Implications

11.1 There are no health, social or economic implications directly arising from this report.

12.0 Equality and Diversity Implications

12.1 There are equality and diversity implications arising directly from this report.

13.0 Climate Change and Environmental Implications

13.1 There are no direct climate change and environmental implications arising from this report.

14.0 Background Papers

None

15.0 Appendices

A Draft Constitution July 2023

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	03/07/2023	03/07/2023	RP

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Constitution

JULY 2023

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Part 1 - How Does the Council work?

Introduction: A summary and explanation of how the Council works

INTRODUCTION

“The constitution and other documents referred to in it should set out everything anyone who has dealings with the local authority would need to know about how the local authority conducts its business who takes which decisions and how to work with the local authority”.

New Council Constitutions: Guidance to Local Authorities Communities & Local Government – 2002

1. Telford & Wrekin Council has [54 Councillors](#) who are elected every 4 years. Councillors either represent an area (a ward) on their own or with one or two other Councillors. There are 30 wards within the Borough. The Councillors together form the Council and meet together as a [Council](#) up to 6 times per year. They are democratically accountable to the people in their ward, including those that did not vote for them, but have an overriding duty to act in the best interests of all the people within the Borough.
2. Telford & Wrekin Council is a co-operative Council which means that it is a Council that works closely with its communities, staff, partners and other organisations to deliver the best it can for the borough by giving local people greater influence over the services they use and the issues that affect their lives and encouraging greater involvement in their local community.
3. Full Council decides the Council priorities and how it should spend its money. Council also appoints a [Leader](#) who remains in post for four years and decides, with the [Cabinet](#), how to best deliver the services that the Council is responsible for providing.
4. The Council appoints a [Mayor](#) who is the first citizen and the Council’s representative within the Borough. The Council also appoints a [Speaker](#) who runs the [Council meetings](#) on behalf of the Mayor. Councillors are also appointed to sit on other committees to take the decisions that the Leader and Cabinet cannot make and to hold the Leader and Cabinet to account by [scrutinising](#) their decisions. Council employees, often referred to as officers, give advice to Councillors, implement decisions and manage the day to day delivery of services. Local authorities should at all times act lawfully. Officers therefore in carrying out their responsibilities have a general duty to act and to see that the Council acts within the law. However, some officers have specific duties to ensure that the Council acts within the law and uses its resources wisely.
5. [Councillors](#) and [officers](#) have to follow (different) codes of conduct to ensure high standards in the way in which they conduct their duties.

6. All council meetings are held in public. If items to be discussed are of a confidential nature or are classified as exempt then the public and press can be excluded for this part of the meeting.

Introduction: A summary and explanation of how the Council works

How the Constitution Works

The way that the Council works is governed by its Constitution.

The Constitution has 3 parts to it:-

<u>How Does the Council work?</u>	Introduction: A summary and explanation of how the Council works	
<u>Decision-making</u>	Who makes Decisions?	Details the different powers of Council, the Leader, Boundary Review Committee, Health & Well-Being Board, Licensing and Planning Committees and Officers.
	What decisions can they make?	
	How do they make decisions?	
<u>Governance – scrutiny, oversight and transparency</u>	Scrutiny	Details the scrutiny committees, what they can do (terms of reference) and procedure rules for those committees.
	Oversight	Details the different powers of the Audit, Appeals, Governance and Personnel Committees, their terms of reference and procedure rules for those committees. Details financial regulations, legal rules, procurement rules and rules on changing the Constitution, Codes of conduct for members and officers and protocol for member/ officer relations.
	Transparency	Your rights and responsibilities as a citizen. How we manage our information. Key decisions and forward planning.

Introduction: A summary and explanation of how the Council works

Information about the Constitution

- **DUTY TO MONITOR AND REVIEW THE CONSTITUTION**
 - The Council is required to keep the Constitution up to date and under review, and this is undertaken by the **Governance** Committee reporting to full Council.
 - The Monitoring Officer will monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect and will make recommendations for updates and improvements to the Council's **Governance** Committee as and when required.
 - The results of any changes will be reported to full Council, which can approve and adopt any necessary changes to the Constitution.
 - **CHANGES TO THE CONSTITUTION**
 - Where proposed change to the Constitution involve a change from a Leader and Cabinet Executive model to mayoral form, the Council must take steps to consult with local electors and other interested persons and take the results of that consultation into account before taking a final decision on such a change.
 - **PUBLICATION**
 - The Monitoring Officer will provide an electronic link to this Constitution on the Council's website or, on request, a printed copy, to each member of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the member first being elected to the Council.
- www.telford.gov.uk/constitution
- The Monitoring Officer will ensure that copies of the Constitution are available for inspection at the Council's office at **Darby House, Lawn Central, Telford, TF3 4JA** and can be purchased on payment of a reasonable fee.

Part 2 – Decision Making

Who makes decisions and what decisions can they make?

This section sets out the powers (Terms of Reference) of the Council, the Leader and Cabinet, Boundary Review Committee, Health & Wellbeing Board, Licensing Committee, Planning Committee and details the powers that have been delegated to Officers.

Council – Terms of Reference

Council will:-

1. Agree proposed changes to the Constitution
2. Approve the [Budget & Policy Framework](#) including virement limits and the degree of in-year changes to the Policy Framework that may be made by the Leader
3. Functions of Council as a Council Tax and precepting Authority
4. Elect the [Mayor](#) and Deputy Mayor
5. Elect the [Speaker](#) and Deputy Speaker
6. Elect and remove the Leader (for a 4 year term)
7. Agree the size, terms of reference of committees, etc. and appoint the membership including Chairmen and Deputy Chairmen
8. Appoint representatives to outside bodies (unless it is a Leader appointment or the appointment has been delegated)
9. Subject to Urgency Provisions, agreeing decisions proposed to be taken by a Decision Taker that are outside the Budget & Policy Framework Procedure Rules
10. To approve the Pay Policy Statement
11. Adopt and/or amend a [Members' Remuneration Scheme](#)
12. Change the name of the area
13. Grant the Freedom of the Borough and appoint Honorary Aldermen
14. Confirm the appointment or dismissal of the Head of Paid Service or the dismissal of the Monitoring Officer or Chief Finance Officer
15. Confirm the appointment of the Independent Person(s)
16. To finalise consultation responses in respect of reviews of electoral arrangements
17. All functions relating to bye-laws and promoting or opposing the making of local legislation or personal bills
18. Those local choice functions that the Council decides should be undertaken by the Council rather than the Leader and all other matters which by law must be reserved to the Council and the delegation, as far as the law allows, of these functions

Leader/Cabinet - Terms of Reference

The Leader appoints the Deputy Leader and the Cabinet Members and may delegate some or all of the strong leader powers of the executive to the Cabinet and accordingly the terms of reference for the Cabinet are as follows (subject to provisions of urgency as set out in the NOTE below).

The Cabinet will:-

1. Take decisions that will implement the policy of the Council within the [Budget & Policy Framework](#) including virement limits and the degree of in year changes to the Policy Framework that may be made by the Leader.
2. Appoint Cabinet Members and the Deputy Leader.
3. Appoint representatives to [outside bodies](#) (unless it is a Council appointment or the appointment has been delegated).
4. Subject to Urgency Provisions take decisions that are within the [Budget & Policy Framework Procedure Rules](#).
5. Those local choice functions that the Council decides should be undertaken by the Leader/ Cabinet rather than the Council and all other matters, which by law must be reserved to the Leader/ Cabinet and the delegation, as far as the law allows, of these functions.
6. Take decisions that will implement the policy of the Council within the [Budget & Policy Framework](#).

NOTE – In the event of the need for an urgent decision in a matter of emergency or in other circumstances, the Leader has the right to withdraw any of the delegations above for the purpose of exercising his strong leader powers to make a decision. Any decision made in such circumstances must only be undertaken both when it is reasonable and proportionate to do so and on the basis that any such decision will be reported to a subsequent meeting of the Cabinet.

Boundary Review Committee - Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of the following electoral arrangements for the Borough.

TERMS OF REFERENCE

Boundary Reviews

1. Duty to prepare information on and to recommend consultation responses to Council on Parliamentary Boundary Reviews.
2. Duty to prepare information on and to recommend consultation responses to Council on Periodic and further Electoral Reviews.
3. Duty to prepare information on and to recommend consultation responses to Council on Reviews of European Parliamentary electoral regions.
4. Duty to prepare information on and recommend consultation responses to Council on all other electoral arrangement reviews.

Community Governance Reviews

5. Dealing with all matters relating to Community Governance Reviews.

Parishes

6. Grouping parishes, dissolving groups and separating parishes from groups.

Polling Districts

7. Duty to divide the constituency in to polling districts.
8. The power to divide electoral divisions into polling districts at local government elections.

Elections

9. As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853 (as amended).

General

10. Annually at the first meeting after the Annual Council Meeting consider its terms of reference.

PROCEDURE

As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.

Telford & Wrekin Health and Wellbeing Board - Terms of Reference and Procedure

The Board has the responsibility for public health and health and wellbeing responsibilities within the Borough.

1. TERMS OF REFERENCE

1.1 The Health and Wellbeing Board is responsible for:-

- the development of a joint Health & Wellbeing Strategy for Telford & Wrekin based upon the needs identified in the Joint Strategic Needs Assessment (JSNA)
- the ongoing development of the JSNA and the development, review and oversight of the delivery of actions identified in the joint health and wellbeing strategy and other key plans and strategies that may be developed from time to time
- the encouragement of joint and co-commissioning between health and care sectors, including Telford and Wrekin ICS, and the Integrated Care Board (ICB), Telford and Wrekin Council, and NHS England and ensuring that commissioning and delivery activity of the relevant organisations are aligned with the priorities set out in the Health & Wellbeing Strategy
- the general oversight of the Council's Public Health responsibilities and receiving the annual report of the Council's Director of Public Health
- the receiving of reports from, and making recommendations to, Telford and Wrekin's Full Council, NHS England, and the Integrated Care System and Boards and sub-committees that it may establish (and delegate functions to) and from other Boards and organisations involved in the provision of services that influence of health and well-being outcomes for the whole population within the Borough.

1.2 The Health and Wellbeing Board will link to the Community Safety Partnership and local Adults and Childrens' Safeguarding Boards as their remit contributes to the responsibilities of the Board.

2. General

At the first meeting after the Annual Council Meeting and in response to any further guidance consider its terms of reference, structure, membership and activities.

PROCEDURE

3. General

Unless specifically provided for in these Terms of Reference (TOR), the [Council Procedure Rules \(CPR\)](#) govern the way that committees operate and in, the case of any discrepancy, these Terms of Reference shall take precedence. Notwithstanding this rule, the Chair of the Board may vary or suspend rules contained in the CPR or TOR in the interests of efficient and effective management of the Board.

4. Membership

4.1 Members of the Health and Wellbeing Board will comprise representatives from the Shropshire, Telford & Wrekin Integrated Care System, Telford & Wrekin Council and HealthWatch. The core members are:-

- An elected Member of Telford & Wrekin Council (Co-Chair of the Health and Wellbeing Board)
- The Chief Executive of the Shropshire, Telford and Wrekin Integrated Care Board (Co-Chair of the Health and Wellbeing Board)
- Cabinet Member with responsibility for Adult Social Care and Health
- Cabinet Member with responsibility for Public Health and Mental Health
- Chief Executive or representative of the Midlands Partnership NHS Foundation Trust
- Chief Executive or representative of the Shrewsbury and Telford Hospital NHS Trust
- Chief Executive or representative of the Shropshire Community Health NHS Trust
- Executive Director responsible for Adult Social Care
- Statutory Director of Children’s Services
- Statutory Director responsible for Adult Social Care
- Statutory Director of Public Health
- Director of Shropshire, Telford and Wrekin Integrated Care Board
- Non Executive Director of Shropshire, Telford and Wrekin Integrated Care Board responsible for Health Inequalities
- Lead Clinician from the Telford & Wrekin Integrated Place Partnership
- Representative of local HealthWatch
- Chair of the Community Safety Partnership
- Each political group of Telford & Wrekin Council with 4 or more elected members shall have one place on the Health and Wellbeing Board with voting rights; this includes the administration.
- Representative of the community and voluntary sector Chief Officers Group.

4.2 The board may invite additional representatives to observe, present to, and address the Board on matters pertaining to its Terms of Reference.

4.3 A Cabinet Member may hold more than one of the responsibilities described above and as such this may result in a reduced number of Cabinet Members participating in Board meetings.

4.4 The Board will be advised and supported by officers from the local authority and the Integrated Care Board.

5. Chair

5.1 The Board will be jointly co-chaired by those members indicated at 5.1 above. The Chair of the meeting will alternate between those two members on a meeting-by-meeting basis.

5.2 In the event that the co-Chair whose turn it is to Chair a meeting is not available, the other co-Chair will take the chair for the duration of the meeting.

6. Data and Information Sharing

6.1 Members agree to share all relevant information and data, to allow effective monitoring and management of performance and other joint working arrangements.

7. Quorum

- 7.1 Quorum is one quarter of the Board's membership, with physical attendance from at least one Telford & Wrekin Councillor and one ICB Member required.
- 7.2 Where technically possible, officers presenting papers to the Board (who are not formal members), can do so via Microsoft Teams.

8. Disqualification for Membership

- 8.1 The regulations that apply to committees and sub-committees of local authorities in respect of disqualification will apply to the Health and Wellbeing Board save for the exception set out in this section.
- 8.2 Any person who would be disqualified from being able to stand for election as a councillor will be disqualified from being a member of the Health and Wellbeing Board EXCEPT THAT disqualification criteria concerning paid employment or office within the local authority do not apply – this allows Council officers to be members of the Health and Wellbeing Board and to have voting rights thereon.
- 8.3 For the avoidance of doubt, the following disqualification criteria will continue to apply to members of the Health and Wellbeing Board:-
- Being the subject of a bankruptcy restrictions order or interim order
 - Having been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

9. Voting Rights

All Members of the Health and Wellbeing Board will be able to vote alongside the elected representatives. This applies to any additional board members appointed in addition to the statutory membership set out in the Health and Social Care Act 2012. For the avoidance of doubt, invitees shall not have the right to vote on any matter at the Board.

10. Meetings

- 10.1 The Health and Wellbeing Board will meet approximately quarterly and in public. Dates and times of meetings will be agreed and published in advance. **Note** - the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.
- 10.2 Agendas and supporting papers will be issued, and published, at least five clear days before each meeting. Action notes will be produced and, at the next meeting, confirmed as a true record of the meeting to which they refer and signed by the Chair.
- 10.3 Save as set out in section 10.1, members of the public and press will have access to the meetings and there will be provision for public speaking section at each Health and Wellbeing Board meeting.

12. Public Speaking

Members of the public may speak at the Health and Wellbeing Board. The procedure for this is published on the Council's website. This states that:-

- Topics must be in the remit of the Health & Wellbeing Board.
- Members of the public who wish to speak must notify Democratic Services in writing on the Friday before a meeting.
- A maximum of three minutes is allocated to each speaker, which will be strictly adhered to.
- A maximum of three speakers will be permitted at any one meeting.

13. Code of Conduct and Declaration of Interest

The Health and Wellbeing Board will adopt the Council's code of conduct. Any interests in item(s) on the agenda should be declared at the start of the meeting.

14. Reporting Mechanisms/Accountability

The actions of the Health and Wellbeing Board will be subject to independent scrutiny by the relevant Scrutiny Committee(s) of Telford & Wrekin Council. The Board will publish an annual report on the progress that has been made against the Health and Wellbeing Board Strategy.

The Board has the responsibility for public health and health and wellbeing responsibilities within the Borough.

Licensing Committee – Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of licensing matters within the Borough as follows.

Licensing and registration functions

- (a) As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853 (as amended) and including functions under the Licensing Act 2003 and the Gambling Act 2005 (excluding paragraphs 37/38 and 46A – 55).

Health & Safety at Work/ Fire Safety

- (b) Functions under any of the relevant statutory provisions within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as an employer.
- (c) Matters relating to fire safety.

Health Act 2006

- (d) All powers and duties under the Health Act 2006 Part 1 Chapter 1 and legislation given effect there under including authority to prosecute as it relates to smoking matters.

Miscellaneous

- (e) Power to make payments or provide other benefits in cases of maladministration etc.
- (f) Powers in respect of common land, village greens and open space.
- (g) Powers in respect of the management and regulation of alcohol in public places, the provision and management of sites for the accommodation of gypsies and the closure of take away food shops.
- (h) Annually at the first meeting after the Annual Council Meeting consider its terms of reference.
- (i) Power to determine fees and charges in respect of any of the above functions.

PROCEDURE

- (a) As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.
- (b) Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.

Planning Committee – Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of town and country planning matters and other associated functions within the Borough as follows.

Town and Country Planning and Development Control functions

1. As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000/2853 (as amended).

Public Rights of Way functions

2. As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000/2853 (as amended).

Functions in relation to hedgerows and the preservation of trees

3. As set out in schedule 1 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000/2853 (as amended).

Functions in relation to highways

4. As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000/2853 (as amended).

General

5. Annually review their effectiveness and their terms of reference.

PROCEDURE

- a) As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.
- b) Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.

Officers

This section describes the roles of the Statutory Officers including some specific functions that they are responsible for. The Statutory Officers are listed below –

1. [Head of Paid Service \(Chief Executive\)](#),
2. [Monitoring Officer \(MO\)](#),
3. [Chief Financial Officer \(CFO\)](#),
4. [Director for Children's Services \(DCS\)](#),
5. [Director of Adult Social Services \(DASS\)](#),
6. [Director of Public Health \(DPH\)](#), and
7. [Scrutiny Officer \(SO\)](#).

THE COUNCIL'S STATUTORY OFFICERS

1. Legislation requires the Council to have a number of Officers designated for particular roles. The Post holder for each Statutory post is identified below:

Head of Paid Service	David Sidaway
Director of Childrens' Services (DCS)	Jo Britton
Chief Financial Officer (s151 Officer)	Ken Clarke
Director of Adult Services (DAS)	Simon Froud
Director of Public Health	Liz Noakes
Monitoring Officer	Anthea Lowe

MANAGEMENT STRUCTURE

1. Structure: The [Head of Paid Service](#) will determine and publicise a description of the senior officer structure of the Council.
2. The Senior Management Team is made up of the Chief Executive, Executive Directors, Directors and any other officer as determined by the Chief Executive. The duties of the Senior Management Team include the delivery of effective governance and corporate and strategic management of the Council through collaborative working with elected members and partners, including the pursuit of the Council's vision, priorities and core values. Designations of senior personnel will change from time to time and use of role titles within this document will be deemed to include their effective replacements from time to time or any other body or person placed in an equivalent role.
3. The Council is required to designate statutory officers who will act in accordance with their professional standards and best practice guidance.

FUNCTIONS OF THE HEAD OF PAID SERVICE

1. **The Head of Paid Service shall undertake all duties designated under Section 4 of the Local Government and Housing Act 1989.** These are personal functions and must be undertaken by the Head of Paid Service personally. Where the Head of Paid Service is also the Chief Executive he/she may delegate other functions which are not included in that Section 4.

2. **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
3. **Emergency Powers.** The Chief Executive shall, having as far as possible conferred with the Leader in the event of civic disasters or other issues of extreme emergency, have power to make decisions for the protection of the Borough and its inhabitants, and which cannot be dealt with in accordance with the normal decision making process of the Council.
4. The Chief Executive has delegated authority to deal with those urgent items of business falling within the remit of the Leader where a Leader is not in office. In addition, the Chief Executive has delegated authority to undertake the role of consultee for those functions within the Council's Scheme of Delegation to Officers requiring prior consultation with the Leader where they are not in office.
5. In the absence of a Monitoring Officer, the Head of Paid Service may make administrative changes to this Constitution.
6. The Head of Paid service shall be responsible for the Council's obligations pursuant to the Counter-Terrorism and Security Act 2015, any other associated legislation and any duties pursuant to the same. Such powers may be further delegated to the most appropriate officer(s) in the Council.
7. **Restrictions on functions.** The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Financial Officer if a qualified accountant.

FUNCTIONS OF THE DIRECTOR OF CHILDREN'S SERVICES (DCS)

1. The Children Act 2004 Section 18 (1) requires the Council to appoint a Director of Children's Services. The Director of Children's services is tasked with improving the well-being of all children and young people in the local area across all five Every Child Matters outcomes, and ensuring that outcomes gaps between the most disadvantaged children and their peers are reduced.
2. **The functions of the Director of Children's Services are specified in Section 18(2):**
 - 2.1. functions conferred on or exercisable by the LA in its capacity as a local education authority subject to exceptions detailed in Section 18(3);
 - 2.2. social services functions as they relate to children within the meaning of the Local Authority Social Services Act 1970;
 - 2.3. functions relating to persons leaving care – Sections 23C to 24D Children Act 2004 ;
 - 2.4. functions in respect to the co-operation to improve well-being with partner agencies; multi agency arrangements to safeguard and promote welfare; information databases; children and young people's plans – Sections 10 – 12 and 17 Children Act 2004;
 - 2.5. functions under section 75 of the National Health Service Act 2006 on behalf of an NHS body, so far as those functions relate to children
 - 2.6. functions in respect to the improvement of young children's well-being; provision of child care; information, advice and assistance, and training to child care providers – Part 1 of the Childcare Act 2006 and

2.7. such other functions conferred on or exercisable by the authority as may be prescribed by the Secretary of State by regulations.

3. Key roles:

- 3.1. leadership –
- 3.2. to promote the importance of improving outcomes for all children and young people,
- 3.3. to encourage all services to contribute to improving outcomes for all children within the Children's Trust and other partnerships; and
- 3.4. working with local head teachers collectively to drive up standards in schools and improve children's wellbeing
- 3.5. championing children and young people and their families within the local area;
- 3.6. management of the local authority's children's services, with professional responsibility and accountability for their effectiveness, availability and value for money;
- 3.7. safeguarding and promoting the welfare of children
- 3.8. supporting looked after children
- 3.9. ensuring there are effective arrangements for school improvement in the area;
- 3.10. ensuring effective delivery of the authority's responsibilities for 14-19 commissioning and provision, and all aspects of 16-19 provision;
- 3.11. promoting early intervention and prevention in delivering services for children, young people and families; and
- 3.12. emphasising and ensuring all plans and strategies reflect the importance of reducing child poverty in the area.

FUNCTIONS OF THE CHIEF FINANCIAL OFFICER

1. **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Financial Officer will report to the full Council [or, in the first instance, to the Leader and Cabinet Executive in relation to a Cabinet function] and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
2. **Ensuring all reports to Cabinet include a financial comment and financial implications associated with the recommendations are clearly identified.** The CFO, or officer designated by him, must be given adequate notice to prepare this comment before the initial draft is considered by Senior Management Team.
3. **Administration of financial affairs.** The Chief Financial Officer will have responsibility for the administration of the financial affairs of the Council.
4. **Contributing to corporate management.** The Chief Financial Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
5. **Providing advice.** The Chief Financial Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity, policy framework and budget issues to all Councillors and will support and advise Councillors and officers in their respective roles.

6. **Give financial information.** The Chief Financial Officer will provide financial information to the media, members of the public and the community.
7. **Advising whether Cabinet decisions are within the policy framework and budget.** The Chief Finance Officer will advise whether decisions of the Cabinet are in accordance with the policy framework and budget.
8. **Supporting the Audit Committee.** The Chief financial Officer will contribute to the promotion and maintenance of high standards of governance, audit, probity and propriety, risk management and the approval of the statement of accounts through provision of support to the Audit Committee.

FUNCTIONS OF THE DIRECTOR OF ADULT SOCIAL SERVICES (DASS)

The Children's Act 2004 makes an amendment to Section 6 of the Local Authority Social Services Act 1970 and requires local authorities with social services responsibility in England to appoint an officer as the Director of Adult Social Services (once the duty to appoint a DCS has commenced).

1. **The DASS is accountable for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended) and the Care Act 2014, other than those for which the DCS is responsible, in respect of adults.**
2. **The responsibilities of the DASS must properly relate to the local authority's functions in respect to adult social services including:**
 - 2.1. accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services;
 - 2.2. professional leadership, including workforce planning;
 - 2.3. leading the implementation of standards;
 - 2.4. safeguarding vulnerable adults;
 - 2.5. managing cultural change;
 - 2.6. promoting local access and ownership and driving partnership working;
 - 2.7. delivering an integrated whole systems approach to supporting communities; and
 - 2.8. promoting social inclusion and wellbeing.

FUNCTIONS OF THE DIRECTOR OF PUBLIC HEALTH

The Council must appoint a DPH in accordance with section 73A of the National Health Act 2006 (as amended) acting jointly with the Secretary of State.

The Statutory responsibilities of the DPH are set out in section 73A ((1) of the NHS Act 2006 (as amended) ("the 2006 Act") as follows:-

all of the local authority's duties to take steps to improve public health
any of the Secretary of State's public health protection or health improvement functions that s/he delegates to local authorities, either by arrangement or under regulations – these include services mandated by regulations made under section 6C of the 2006 Act,

exercising their local authority's functions in planning for, and responding to, emergencies that present a risk to public health
their local authority's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders
such other public health functions as the Secretary of State specifies in regulations and write an annual report on the health of the local population.

FUNCTIONS OF THE MONITORING OFFICER

1. **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for inspection by members, employees and the public.

www.telford.gov.uk/constitution
2. **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Financial Officer, the Monitoring Officer will report to the full Council [or to the Leader and Cabinet Executive in relation to a Cabinet function] if he or she considers that any proposal, decision or omission would give rise to unlawfulness or following receipt of an ombudsman's report indicating if a decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered by full Council.
3. **Supporting the Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee. This will include conducting investigations into matters where there may have been a breach of the Members' Code of Conduct and making reports or recommendations in respect of them to the Standards Committee.
4. **Ensuring all reports to Cabinet include a legal comment and legal implications associated with the recommendations are clearly identified.** The Monitoring Officer, or officer designated by him, must be given adequate notice to prepare this comment before the initial draft is considered by Senior Management Team.
5. **The Proper Officer.** The Monitoring Officer is the Proper Officer for all statutory purposes other than those expressly reserved to another named officer (by title) in this Constitution.
6. **Advising whether Cabinet decisions are within the policy framework and budget.** The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the policy framework and budget.
7. **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and policy framework and budget issues to all Councillors. The Monitoring Officer shall also provide advice to officers and members in relation to personal and prejudicial interests and generally on issues that may affect their ability to take part in or vote in matters being considered.

8. **Responsibilities in Legal Proceedings.** The Monitoring Officer can authorise, institute, defend, participate or settle any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Monitoring Officer considers it necessary to protect the Council's interest. For the avoidance of doubt, settlement of legal proceedings does include matters of issue or dispute where court/tribunal proceedings have yet to be issued.
9. **Authentication of Documents.** Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the the Monitoring Officer or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the requisite authority has been specifically delegated to some other person.
10. **Execution of documents and the Common Seal of the Council.** The Monitoring Officer, in his/her capacity as Director: Policy & Governance will execute by signature any contract, notice or other document required to implement any decision of the Council and can authorise any other officer(s) to undertake the execution of such documents on his/her behalf.
11. The Common Seal of the Council will be kept in a safe place in the custody of the Director: Policy & Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Director: Policy & Governance should be sealed. The affixing of the Common Seal will be attested by the Director: Policy & Governance or some other person authorised by him/her.
12. **Appointment of a Deputy.** The Monitoring Officer shall appoint a deputy or deputies to act in his/her absence and when the Monitoring Officer is unable to act as defined in Section 5 of the Local Government and Housing Act 1989.
13. **Restrictions on posts.** The Monitoring Officer cannot be the Chief Financial Officer or the Head of Paid Service.

FUNCTIONS OF THE SCRUTINY OFFICER (SO)

The Proper Officer will designate an officer to be the Scrutiny Officer.

The Scrutiny Officer shall undertake the following functions, including:

- 1.1. **Promoting Scrutiny.** The SO will promote the role of the authority's scrutiny committee(s) and sub-committee(s).
- 1.2. **Provide Support.** The SO will provide support to the scrutiny committee(s), sub-committee(s) and members of those committees or sub-committee(s).
- 1.3. **Provide Support and Guidance.** The SO will provide support and guidance to the members of the authority, members of the executive of the authority and officers of the authority in relation to the functions of the authority's scrutiny committee(s) and sub-committees.

The Scrutiny Officer post cannot be held by the Head of Paid Service, Chief Financial Officer or Monitoring Officer.

DUTY TO PROVIDE SUFFICIENT RESOURCES TO THE HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCIAL OFFICER

The Council will provide the Head of Paid Service, the Monitoring Officer and Chief Financial Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

CONDUCT

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in this Constitution.

EMPLOYMENT

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in this Constitution and the relevant statutory requirements.

All officers shall be appointed on merit in accordance with Section 7 of the Local Government and Housing Act 1989.

Responsibility for Functions (General)

- Section 13 of the Local Government Act 2000 (as amended) provides that all the functions of the authority shall be functions of the Leader and Cabinet Executive except in so far as they are reserved to the Council by the Local Government Act 2000 (as amended), by subsequent legislation or by regulations made under the Local Government Act 2000 (as amended). The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) sets out those functions:
 - which must not be discharged by the Leader and Cabinet Executive (e.g. determination of planning applications; licensing and registration functions);
 - which may be the responsibility of the Leader and Cabinet Executive (e.g. service of an abatement notice for a statutory nuisance; functions relating to contaminated land);
 - which may not be the sole responsibility of the Leader and Cabinet Executive (e.g. the Council Plan); and
 - circumstances in which functions which would otherwise be functions of the Leader and Cabinet Executive fall to be discharged other than by the Leader and Cabinet Executive (e.g. where the Leader and Cabinet Executive is taking a decision concerning the budget and wish to make a decision contrary to the approved budget, then this is a matter for the Council).
- Accordingly, the Council only has discretion as to the allocation of functions between the Council (“Council functions”) and the Leader and Cabinet Functions (“Leader and Cabinet functions”) in respect of those functions which fall within categories b. and c. above.
 - “Council functions” shall therefore comprise:
 - those functions which are reserved as Council functions by the Local Government Act 2000 (as amended) and by subsequent legislation;
 - those functions which are reserved as Council functions by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and subsequent regulations under the Local Government Act 2000;
 - of those functions set out in Schedule 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended):
 - under paragraph 2 of that Schedule the determination of any appeal against any decision made by or on behalf of the Council; and
 - under paragraph 19 of that Schedule, the appointment of any individual to any office or body, or to any committee or sub-committee of any body, and the revocation of such appointment shall be a Council function except to the extent that the opportunity for such appointment arises at such date that it is not convenient to defer any such appointment until the next Annual General Meeting of the authority.
 - and the plans and strategies the adoption or approval of which shall be a Council function (the “Strategic Framework”) shall be those plans and strategies set out in Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) together with such other plans and strategies as the Council shall identify from time to time for this purpose.

- The Council may make arrangements under Section 101 of the Local Government Act 1972 (as amended) for the discharge of any of its functions by:
 - a Committee;
 - a Sub-Committee;
 - a Joint Committee;
 - another local authority, or
 - an officer.
- Such arrangements are set out in this section of the Constitution and in the [Scheme of Delegation of Council Functions to Officers](#).
- Under Section 14(2) of the Local Government Act 2000 (as amended), the Leader may make provision that specific Cabinet functions shall be allocated to, and discharged by,
 - the Cabinet (as a body);
 - an individual member of the Cabinet;
 - a Committee of the Cabinet; or
 - an officer.

Responsibility for Functions (Local)

Local Functions which may be exercisable by the Council and its Committees, or the Cabinet.

The Council, the Leader and the Cabinet have agreed the allocation of these functions in accordance with the split shown below: -

Functions

Decision Making Body

Appeals

[Appeals Committee](#)

The determination of an appeal against any decision made by or on behalf of the authority where statute allows

Environment

Environmental Health Refuse Collection, Any function relating to contaminated land Part IIA Environmental Protection Act 1990

[Licensing Committee](#)

The discharge of any function relating to the control of pollution or the management of air quality. Pollution Prevention & Control Act 1999; Part IV Environmental Protection Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

[Licensing Committee](#)

The service of an abatement notice in respect of a statutory nuisance s.80(1) Environmental Protection Act 1990

[Licensing Committee](#)

The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area. S.8 Noise and Statutory Nuisance Act 1993

[Licensing Committee](#)

The inspection of the authority's area to detect any statutory nuisance s.79 Environmental Protection Act 1990

[Licensing Committee](#)

The investigation of any complaint as to the existence of a statutory nuisance s.79 Environmental Protection Act 1990

[Licensing Committee](#)

Planning

Certificate of Lawfulness of existing use or development and Certificate of Lawfulness of proposed use or development

[Planning Committee](#)

Enforcement

The obtaining of information as to interests in land. Town and Country Planning Act 1990 s.330

[Planning Committee](#)

The obtaining of particulars of persons interested in land. Local Government (Miscellaneous Provisions) Act 1976 s.16

[Planning Committee](#)

Standards in Local Government

The promotion and maintenance of high standards of conduct within the Council

[Governance Committee](#)

Assistance to members and co-opted members of the authority

[Governance Committee](#)

Education

To establish independent committees to which parents appeal if they are dissatisfied with a decision to exclude a pupil. School Standards and Framework Act 1998 s.67(1) and Sch 18

[The Leader and Cabinet Executive](#)

To establish independent committees to which parents can appeal if they are dissatisfied with an admission decision. School Standards and Framework Act 1998 s.67 (1) and Sch 18

[The Leader and Cabinet Executive](#)

The making of arrangements pursuant to Section 95(2) of and Schedule 25 to the 1998 Act (children to whom section 87 applies; appeals by governing bodies)

[The Leader and Cabinet Executive](#)

Environment

DEVELOPMENT PROPOSALS

Agreement between a developer and the Highway authority for the execution of highway Works. Highways Act 1980, s.278.

[The Leader and Cabinet Executive](#)

Appointments

The appointment of any individual:

[The Leader and Cabinet Executive](#)

(a) to any office other than an office in which he is employed by the authority;

(b) to any body other than

(i) the authority

(ii) a joint committee of two or more authorities; or

to any committee or sub-committee of such a body

and the revocation of any such appointment

NOTE – The Cabinet and Committees referred to above may, in turn, delegate functions to Sub Committees and/or officers where they consider appropriate. Any such delegations should be recorded in writing.

NOTE – FOR THE AVOIDANCE OF DOUBT, UNLESS AND UNTIL REVIEWED BY INDIVIDUAL CABINET, BOARDS AND COMMITTEES, EXISTING DELEGATIONS PREVIOUSLY MADE TO OFFICERS BY THE CABINET, BOARDS AND COMMITTEES SHALL CONTINUE TO BE EFFECTIVE.

Delegations to Chief Officers

Officers' Delegated Authority

For the purposes of this delegation scheme the term 'Chief Officer', means the Chief Executive, the Executive Directors and the Directors of the Council.

Chief Officers are authorised as follows:

- To undertake all Council functions duties and powers not specifically reserved to the full Council, a Committee or the Executive except as may be specifically reserved to Statutory Officers;
- The full Council, its Committees and the Executive make decisions in accordance with the Constitution. Chief Officers have express authority to take all necessary actions to implement full Council, Committee and Executive decisions that commit resources, within agreed budgets in the case of financial resources, as necessary and appropriate;
- In the interests of operational efficiency of the service a Chief Officer may arrange for the function, duty or power to be exercised on his or her behalf by an appropriately qualified officer for whom that Chief Officer has management responsibility.
- When functions duties and powers are delegated to an appropriately qualified officer by a Chief Officer, the Chief Officer, Full Council, the Committee or Executive which has delegated those functions duties and powers will retain concurrent authority to exercise those functions, duties and powers where this is legally permissible.
- A function, duty or power delegated to an officer may be passed back by that officer to the person (including another officer), Full Council, committee or Executive giving the delegated power to the officer.
- Without prejudice to Chief Officer's delegated authority, Chief Officers are required to report to their appropriate Cabinet Member on the performance of their service area.

All Chief Officers are empowered to have the following authority to act:

- to take all necessary action to implement decisions of the Council, its Committees and the Executive within overall remit, including:
- commitment of resources within approved budgets and financial regulations;
- service and placing of any necessary statutory or other notices (other than those expressly reserved to the full Council, a Committee or the Executive and which are not otherwise delegated);
- the acquisition of equipment or services necessary for the day to day performance of the Council's business or fulfilment of any matter authorised by the Council or elected member body for which a budget has been approved;
- to manage any physical assets, including land and buildings (except for the acquisition, appropriation or disposal of land and buildings), IT, vehicles and equipment generally, allocated to the service for which he/she is responsible;
- to enter into any arrangements, contractual, partnership, or otherwise with any other body for the carrying out of the functions of either body;
- power to nominate or authorise any other officer to act on his or her behalf to action any decision;
- to enter into any arrangements, contractual, partnership, or otherwise with any other body for the carrying out of the functions of the Council;

- to appoint, discipline, suspend or dismiss any employee below Chief Officer level who is employed in the delivery of services for which he/she is responsible, within the guidance issued by the Chief Executive and HR Manager;
- in consultation with the Chief Executive and the HR Manager, to make changes to the establishment of a service area for which he/she is responsible subject to financial provision for the current and future years being available and including the approval both of the grading of new posts for which financial provision has been made by the Cabinet and the regrading of existing posts;
- to undertake all actions necessary to fulfil their respective duties and responsibilities as set out in this Constitution.

Chief Officers are required to produce, keep up to date and publish on the Council's website a list of all nominations and authorisations to any other officers to act on his or her behalf to undertake any decision, duty, power or function.

http://www.telford.gov.uk/info/20243/council_meetings/3462/scheme_of_delegations

These delegations should be interpreted widely to aid the smooth running of the Council, the effective deployment of resources and the efficient delivery of services.

For the avoidance of doubt, in the event that an Officer's job title or role description has changed since the issuing of any delegation, the delegation shall still be properly exercised by that Officer notwithstanding the change to their job title or role description. In situations where responsibility for a particular function has changed, the delegation shall be exercisable by an Officer who has responsibility for that function and who is of the nearest equivalent in terms of seniority to the role originally granted the delegated authority.

Part 2 – Decision Making

How do they make decisions?

This sections details the principles that the Council uses when making decisions, procedure rules for full Council, Cabinet and Committees and special arrangements for area working or working with other Councils in joint committees

Principles of Decision Making

The Council is required to keep up to date a record of what part of the Council or which individual has responsibility for particular types of decisions or decisions relating to particular areas or functions.

RESPONSIBILITY FOR DECISION MAKING

1. One purpose of the Leader and Cabinet Executive structure is to expedite decision making. Accordingly the intention of the Council is that decision taking should be delegated in the interests of speed where that is consistent with the democratic process in terms of accountability and openness.
2. The various levels of decision making are:-
 - Council – Committees – delegations to officers.
 - Leader - Cabinet (either collectively or by individual Cabinet member) – delegations to officers.
3. Whilst specific functions are reserved to full Council by statute and the Leader may determine that certain Cabinet decisions be taken in full meetings of the Cabinet, a purpose of this Constitution is to encourage delegation of decision making to individual officers. Where such decisions have been delegated it remains open to the person or body making the delegation to call back for their own decision, issues of significance or sensitivity and for the decision maker to refer matters upwards for determination.
4. The Leader may delegate functions to or within the Cabinet, or to an individual Cabinet Member, or an officer. See the [‘Leader/Cabinet – Terms of Reference’](#) for further information.
5. Decisions which the Council is delegating to Committees are identified in this Constitution.
6. Where a matter/decision has been delegated to the Cabinet, Committee or officer it is permitted for that delegation to be delegated on further to other Committee(s) and/or Officers where it is lawful, reasonable and appropriate to do so. Any such delegations should be recorded in writing.
7. The Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) set out what decisions the Council must make itself and these are detailed in this section of the Constitution. The following functions under Schedule 2 of the Regulations are also functions in relation to which the Council itself will make decisions:

- approval of the Council Plan (including any such plan which constitutes the Council Plan but is known by another name or title);
 - determination of any appeal against a decision made by, or on behalf of the full Council as opposed to appeals against decisions of the Leader and Cabinet Executive.
8. The determination of any appeal against a decision made by, or on behalf of the full Council as referred to in (b) in the paragraph above shall not in any way affect or remove the statutory rights of the individual.
9. Decisions in relation to the policy framework and budget are exclusively reserved to the Council.

PRINCIPLES OF DECISION MAKING

10. All decisions of the Council, its Committees, the Leader and Cabinet Executive and those under powers delegated by others shall have regard to the following principles of governance and good practice:
- consideration of all options available;
 - having regard to due consultation;
 - consideration of professional advice from officers;
 - clarity of aims and desired outcomes;
 - the action proposed must be proportionate to the desired outcome;
 - having respect and regard for human rights;
 - presumption for openness, transparency and accountability;
 - only relevant matters taken into account;
 - due weight to all material considerations (including opportunities and risks);
 - proper procedures will be followed
 - The Council's co-operative values.

TYPES OF DECISION

11. **Decisions reserved to full Council** – Decisions which are either required by statute to be taken by the full Council and/or which the full Council have decided to retain and not delegate to any councillor, committee or officer.
12. **Decisions made by Committees/Boards appointed by the Council** – Power to make such decisions are delegated by the Council in accordance with the relevant provisions of this Constitution. (Section 101, Local Government Act 1972).
13. **Decisions of the Leader and Cabinet Executive will comprise Key Decisions and Non-Key Decisions.** "[Key Decisions](#)" relate to a Leader and Cabinet Executive decision, which are likely:
- to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, specifically decisions which are of a value in excess of £500,000; or

- to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Council's area.

14. A key decision will relate to a decision on a matter identified in the Notice of Key Decisions, except in cases of urgency when the provisions contained within the Policy Framework and Budget Procedure Rules will apply.
15. In accordance with Section 38 of the Local Government Act 2000, in determining the meaning of "significant" the Council shall determine thresholds above which items are significant and will ensure these limits are published. Any decisions involving expenditure or saving above the published threshold for the service or function concerned will be a Key Decision. A Key Decision may not necessarily involve significant expenditure or savings but may however be significant in terms of its effect on communities in two or more wards within the Council's area.
16. A decision taker may only make a Key Decision in accordance with the requirements of the Cabinet Decision Procedure Rules set out in section 6 of the [Leader and Cabinet Rules](#) (decision-making) and the *Principles of Decision Making* rules set out above.

DECISION MAKING BY THE FULL COUNCIL

17. When considering any matter, the Council meeting will follow the Council Procedure Rules set out in this Constitution.

DECISION MAKING BY THE CABINET

18. When considering any matter, the Leader, Cabinet, individual member of the Cabinet or officer exercising delegated powers will follow the provisions of paragraph 6 above.

DECISION MAKING BY OTHER COMMITTEES ESTABLISHED BY THE COUNCIL

19. When considering any matter other Council Committees will follow those parts of the [Council Procedure Rules](#) set out in this Constitution as apply to them.

DECISION MAKING BY COUNCIL BODIES ACTING AS TRIBUNALS

20. The Council, a Councillor or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

THE SCRUTINY COMMITTEES

21. When considering any matter the Scrutiny Committees will follow the [Scrutiny Procedure Rules](#) set out in this Constitution.

Council Procedure Rules

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1. What is Council

1.1. The Council (a meeting of all 54 Members of the Council, often referred to as “full Council”) is responsible for setting the Budget & Policy Framework for the Council. All Council functions are delivered within this framework.

2. Council Meetings

What type of meeting	When
The Annual General Meeting	Either after Council elections, within 21 days of the retirement of the outgoing councillors Or during March to May in non-election years
Ordinary Meetings	See the schedule of meetings
Extraordinary Meetings	Can be called by: <ul style="list-style-type: none"> • the Council by resolution • the Mayor • the Monitoring Officer • any 5 Members of the Council who have signed a requisition requesting a meeting when the Speaker has refused or failed to call a meeting within 5 working days of him/her receiving such a requisition can request the Proper Officer to call a meeting

3. Business to be transacted at Council meetings

Business to be transacted	Type of Meeting		
	Annual Meeting	Ordinary Meeting	Extraordinary Meeting
Elect a person to preside if the Speaker or Deputy Speaker are not present	✓*	✓*	✓*
Receive any apologies for absence	✓*	✓*	✓*
Business required by statute to be done before other business		✓*	
Receive any declarations of interest from Members	✓*	✓*	✓*
Elect the Mayor , Deputy Mayor, Speaker , Deputy Speaker and Leader ¹	✓		
Approve the minutes of the previous meeting(s) ²	✓*	✓*	
Receive any announcements from the Mayor , the Leader or the Head of Paid Service	✓	✓	
Agree the size of the Cabinet and note the Leader's appointments to the Cabinet, including the Deputy Leader	✓		
Agree the Council's delegation scheme	✓		
Appoint such committees, etc. as the Council consider are required to enable it to efficiently conduct its business and, in respect of those committees agree the size and terms of reference and appoint the Chairman, Vice-Chairman, Members and substitutes (where applicable)	✓	✓**	
Receive the schedule of meetings	✓		
Receive the Leader's annual statement of policy priorities and the responses from the Leaders of the 2 largest opposition groups	✓		

¹ If the Leader's 4 year term has expired or a vacancy has otherwise arisen

² The only part of the minutes that can be discussed is their accuracy. Once approved the Mayor will sign them as a correct record.

	Annual Meeting	Ordinary Meeting	Extraordinary Meeting
Consider the business set out in the agenda	✓	✓	✓
Receive reports from Committees, etc. and receive questions and answers on those reports and to determine recommendations made in those reports ³		✓	
To consider questions raised by Members or members of the Public		✓	
To consider motions in the order in which they were received		✓	

* Compulsory business, the order of which cannot be varied.

** Where there is a vacancy.

4. Notice of Meetings/ Attendance at meetings

- 4.1 The [Proper Officer](#) will give 5 clear working days' notice of all Council meetings by way of summons which will include details of the date, time and place of the meeting as well as detailing the business to be transacted and copies of available reports. Summonses may be delivered by post, by hand or electronically.
- 4.2 The [Speaker](#) may, if he/ she considers it appropriate and after consulting with the [Mayor](#), alter the date or time of any Council meeting.
- 4.3 The names of all Members attending meetings will be recorded.
- 4.4 Substitutes can be appointed as detailed below and have the same powers and duties as an ordinary member of the committee but cannot chair a meeting at which they are attending as a substitute. They must substitute for a whole meeting for a member who cannot attend the meeting and the [Proper Officer](#) must be notified by either the member being substituted or the proposed substitute as soon as is reasonably practicable before the start of the meeting.

³ Minutes are moved by the Leader (or Cabinet Member) and the Chairman (for committees).

Resolved decisions cannot be discussed or changed by Council.

Recommendations from Cabinet or any committee will be considered individually in the order that they appear on the Council agenda and debated in accordance with these rules.

Once all the recommendations emanating from cabinet or a committee have been considered then the minutes are received.

4.5 Current Council committees are:-

Type of meeting	Members	Substitutes	Quorum
Council	54	n/a	14
Cabinet	10 (maximum inc Leader)	n/a	4
Health & Well-Being Board	6 (and 10 co-optees)	n/a	4
Type of meeting	Members	Substitutes	Quorum
Governance Committee	7	n/a	3
Audit Committee	7	n/a	3
Scrutiny Management Board	8	n/a	3
Scrutiny Committees	7-9	n/a ⁴	3
Planning Committee	9	9	3
Licensing Committee	10	10	3
Appeals Committee	7 ⁵	7	3
Personnel Committee	7	n/a	3
Boundary Review Committee	7	n/a	3

5. The role of the Speaker

5.1 The person elected at Annual Council to run meetings of the Council on behalf of the [Mayor](#) is referred to as the Speaker. A Deputy Speaker is also appointed at Annual Council.

5.2 The Speaker will:-

- 5.2.1 Uphold the Constitution and interpret it during Council meetings;
- 5.2.2 Ensure that the business of the Council is carried out efficiently and with regard to the rights of all Members and the community as a whole including the variation of the order of business (except those items marked with an asterisk in 3 above);
- 5.2.3 Ensure that the Council meeting is a forum for debate of matters of concern to the local community and the place for members who are not on the Cabinet to hold the Cabinet to account.

5.3 The Deputy Speaker, or in his absence any Member elected to preside if the Speaker is not present may exercise any of these powers or duties.

6. The role of the Mayor

6.1 Elected at Annual Council the Mayor will:-

⁴ except for call-in meetings where substitutes are allowed.

⁵ individual appeals should be heard by a panel of 5 members from the pool of 8 (quorum remains 3).

- 6.1.1 Chair the meetings of Council, including commencing the meeting and handing over to the [Speaker](#) to manage the Agenda, to sign the minutes and, if necessary to exercise the casting vote;
- 6.1.2 Attend such civic and ceremonial functions that the Council and he/she determines are appropriate;
- 6.1.3 Promote public involvement in the Council's activities.
- 6.1.4 The Mayor does not sit on any committees.
- 6.1.5 The Deputy Mayor, also appointed at Annual Council, may exercise any of these powers or duties in the absence of the Mayor.

7. Questions at Ordinary meetings of the Council

- 7.1 A member may ask any [member of the Cabinet](#) questions on a point of clarification only about key decisions made by Cabinet since Council last met or that have not previously been presented to Council.
- 7.2 A member may ask any [member of the Cabinet](#) or the Chairman of any Committee questions about any matter in relation to which the Council has powers or duties which affects the Borough.
- 7.3 Questions pursuant to 7.2. above must be submitted to the [Proper Officer](#) by 5:00pm at least 2 clear working days before the meeting unless the [Speaker](#) and the person to whom the question is to be put agree that the matter is urgent in which case the question must be provided to the Proper Officer 24 hours before the time of the meeting.
- 7.4 Questions received pursuant to 7.2 are tabled at the meeting, printed in the order in which they are received.
- 7.5 A member may ask a supplementary question arising from the reply to their original question.
- 7.6 A member of the public or organisation may only ask one question per meeting which cannot be more than 50 words long except with the approval of the [Speaker](#).
- 7.7 All questions pursuant to 7.6 above must be submitted to the Proper Officer by 5:00pm at least 7 clear working days before the meeting and will be included in the Council Agenda in the order in which they are received.
- 7.8 The [Speaker](#) may, in consultation with the [Chief Executive](#) or the [Proper Officer](#), rule any question out of order if questions do not meet the requirements detailed in 7.2 or in his/her opinion it would risk the defamation of any individual, relates to confidential or exempt information, relates to an individual or personal dealings with the Council or is considered to be frivolous, vexatious or repetitious. The Proper Officer may require any person submitting a public question to amend their question so as to comply with these rules, failing which the question will not be considered at the meeting.
- 7.9 An answer will be provided by the person to whom the question was put or his/ her nominee and can be either a direct oral answer, a reference to an already existing publication or, if the reply cannot be conveniently be given orally, or the relevant time period has expired (30 minutes for member questions raised in accordance with

paragraph 7.1 and 30 minutes for member questions raised in accordance with paragraph 7.2 and 15 minutes for public questions), a written answer will be sent to the person who asked the question and circulated to all Members via the Council's intranet or e-mail within five clear working days.

- 7.10 A person may speak for no more than 2 minutes when either; asking a question/ supplementary question or providing an answer to a question, unless the question is from a member of the public, in which case, a person answering any such question may speak for no more than 5 minutes.

8. Motions

- 8.1 There are two types of Motion, those that can be moved during debate and those for which notice is required.

Motions without notice

- 8.2 The following motions can be moved without notice during the Council meeting:-
- 8.2.1 to appoint a Chairman
 - 8.2.2 in relation to the accuracy of the Minutes
 - 8.2.3 to change the order of business in the agenda
 - 8.2.4 to refer something to an appropriate body or individual
 - 8.2.5 to appoint a committee or member arising from an item on the agenda for the meeting
 - 8.2.6 to receive reports or adoption of recommendations of Committees or officers and any recommendations following from them
 - 8.2.7 to extend the time limit for speeches
 - 8.2.8 to suspend a particular Council meeting rule
 - 8.2.9 to adjourn the meeting
 - 8.2.10 to exclude the public and press
 - 8.2.11 to not hear further from a Member or to exclude them from the meeting
 - 8.2.12 to give the consent of the meeting where its consent is required by this Constitution to ask for a Recorded Vote
 - 8.2.13 to withdraw the motion
 - 8.2.14 to amend the motion
 - 8.2.15 to proceed to the next business
 - 8.2.16 that the question be now put
 - 8.2.17 to adjourn the debate

- 8.3 The [Speaker](#) may ask for a written version of a Motion or a proposed amendment to be provided to him before it is discussed.

- 8.4 A Member may alter a Motion without notice which he/ she has moved with the consent of the Secunder and the meeting. This shall be given without discussion.

Motions with notice

- 8.5 Other Motions must be submitted to the Proper Officer by 5:00pm at least 7 clear working days before the meeting.

- 8.6 A notice of motion of no confidence in the cabinet as a whole or individual members (including the Leader) requires 10 clear working days' notice and must be signed by at least 25% of all Members.
- 8.7 Motions received will be published the day after the closing date for receipt and will be included in the Council agenda in the order in which they are received.
- 8.8 Motions must relate to matters for which the Council has responsibility or which affect the Borough of Telford & Wrekin.
- 8.9 A Member may alter a Motion with notice which he/she has moved with the consent of the meeting. This shall be given without discussion.
- 8.10 Where two motions are received in advance of a meeting, which cover substantially the same subject, the motion which was received first shall take precedence. The other motion(s) which are substantially the same shall not be put to the meeting.

Special Motions with notice - Rescinding a previous decision

- 8.11 A Motion or amendment to rescind a decision made at Council in the last 6 months can only be considered once in the 6 months immediately following the date of the original decision if the notice of motion is signed by at least 10 members.
- 8.12 A motion or amendment that is substantially similar to one that has been rejected by Council in the last 6 months can only be considered once in the 6 months immediately following the date of the original decision if the notice of motion is signed by at least 10 members.

9 Rules of Debate

- 9.2 Other than when asking questions or when these rules have been suspended Members can speak once on the motion, any proposed amendment to the motion and on any further amended motion as detailed below:-

	Substantive motion	Propose amendments	Proposed amendment	Right of reply
Proposer	✓	✗	Right of Reply only	✓
Seconder	✓	✗	✓	✗
All other members except the Mayor/Speaker	✓	✓	✓	✗

Referring a Motion

- 9.2 A motion about a matter that is the responsibility of the Leader/Cabinet Executive or any other Committee shall, upon being moved and seconded stand referred without discussion to the Leader/Cabinet Executive or other Committee as may be determined for discussion and report. The [Speaker](#) may consider it conducive to the despatch of business to allow the motion to be dealt with at the meeting at which it is first considered.

Amendments to Motions or Recommendations

- 9.3 Any proposed amendment to a motion or recommendation at Council should be submitted to the Proper Officer no later than 4 hours before the meeting starts. The Proper Officer will ensure that Group Leaders are notified by telephone or e-mail of any amendments received as soon as possible prior to the commencement of the Council meeting.
- 8.4 Unless the notice of motion has already been given the [Speaker](#) may require it to be written down and handed to him/ her before it is discussed.
- 8.5 Only one Motion can be moved and debated at any one time.
- 8.6 No more than one amendment can be proposed to either the substantive Motion or the amended Motion at any one time.
- 8.7 When seconding a motion or amendment a member may reserve their speech until later in the debate.
- 8.8 If an amendment is carried the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- 8.9 After an amendment has been carried the [Speaker](#) may read out the amended motion before accepting any further amendments or, if there are one, continue the debate or put it to the vote.
- 8.10 Amendments can be proposed that:-
- 9.10.1 Refer the matter to an appropriate body or individual for consideration or reconsideration.
 - 9.10.2 Any combination of leaving out words and/or adding others as long as this does not negate or substantially alter the Motion.

Withdrawal of Motions

- 8.11 A Member may withdraw a Motion which he/she has moved with the consent of the seconder and the meeting. This shall be given without discussion.

Alteration of motion

- 8.12 A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- 8.13 A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 8.14 Only alterations which could be made as an amendment may be made.

Closure motions

- 8.15 A member may move, without comment, the following motions at the end of a speech of another member:

- 9.15.1 to proceed to the next business;
- 9.15.2 that the question be now put;
- 9.15.3 to adjourn a debate; or
- 9.15.4 to adjourn a meeting.

- 8.16 If a motion to proceed to next business is seconded and the [Speaker](#) thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- 8.17 If a motion that the question be now put is seconded and the [Speaker](#) thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- 8.18 If a motion to adjourn the debate or to adjourn the meeting is seconded and the [Speaker](#) thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

10 Speeches

Purpose of speech	Who can make the speech	Duration
Presenting a report	Member presenting a report	5 minutes
Proposing a motion or moving an amendment to a motion	Any Member	5 minutes
The adoption of minutes	Member moving the adoption of minutes	5 minutes
Speeches at: AGM; Budget debate; and State of the Borough debate	Leader Leaders of 2 main opposition groups Leader (right of reply)	20 minutes 10 minutes 10 minutes
Substantive motion	Any member	3 minutes
Point of Order	Any member	3 minutes
Personal Explanation	Any member	3 minutes
Right of Reply	Mover of Motion	3 minutes

- 10.2 No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.
- 10.3 The Proposer of the substantive motion (or his/ her nominee) has a right of reply at the end of the debate but the Proposer of an amendment has no right of reply at the end of the debate on the proposed amendment.

Point of Order

- 10.4 A point of order can be raised at any time and will be heard by the [Speaker](#) as soon as it is raised. It must allege a breach of the Council Rules or the law and the Member must indicate the rule or the law and the way in which he/she considers it has been broken. The decision of the [Speaker](#) in respect of the matter is final.

Personal Explanation

- 10.5 A Member can make a personal explanation at any time. It can only relate to a material part of an earlier speech made during the current debate which relates to them and appears to have been misunderstood during the debate. The ruling of the [Speaker](#) in respect of the personal explanation is final.

Speaking

- 10.6 Except with the leave of the [Speaker](#) all Members must stand and address the meeting through the Speaker. When more than one member is standing up the Speaker will invite one of them to speak and the remaining Members must sit down and remain seated.
- 10.7 When a Member is speaking all Members must remain seated unless they wish to make a Point of Order or a Point of Personal Explanation.
- 10.8 The [Speaker](#) may allow officers to give advice to Council as and when appropriate in which case the rules on speaking for Members apply.

11 Voting

- 11.2 Subject to rules 11.2 to 11.5 below any matter is decided by a simple majority of those present and voting in the room. This can be done either by a show of hands or, if there is no dissent, by the affirmation of the meeting.
- 11.3 The [Mayor](#) has a casting vote if there equal numbers of votes for and against a matter. There is no restriction on how the Mayor may exercise this casting vote.
- 11.4 Seven⁶ Members may, before the vote is taken, ask for a Recorded Vote which would record in the minutes the way in which individual Members voted.
- 11.5 After a vote is taken any Member can ask for the way that they voted to be recorded in the minutes.
- 11.6 Any vote taken at a budget decision meeting of the Council will be by way of a recorded vote. If three or more people are nominated for a position and there is no clear majority of votes in favour of one of them then the person with the fewest votes is rejected and a new vote is taken. This process continues until there is a majority of votes for one person.
- 11.7 In the interests of probity, no member may vote on a particular item if they have not been present for the entirety of the debate on said item.

12 Presentation of Petitions

- 12.1. A petition may be presented to a meeting of the Council by a member of the Council or a member of the public subject to four clear working days prior written notice being given to the Proper Officer.
- 12.2 There shall be no right of a petitioner to address members.

⁶ 2 members for committees

- 12.3 Consideration of a petition may take place at the meeting of the Council at which the petition is presented when the subject of the petition relates to an item which is already on the agenda for that meeting, or the petition shall be received without discussion and referred to the relevant Officer.

13 Suspending Council Rules

- 13.2 These Council Rules, except 9.4 and 10 can be suspended by Motion on notice or without notice if at least 50% of the members present agree. Any suspension under this rule will last only for the duration of that Council Meeting.

14 Conduct

Members

- 14.2 When the [Speaker](#) stands up or indicates in some other manner the Member speaking must stop speaking and sit down and the meeting must be silent.
- 14.3 Any Member can move that another Member be not heard further if that Member is persistently disregarding the ruling of the [Speaker](#) or behaving improperly or offensively or deliberately obstructing business. Any such Motion will, if seconded, be voted on without debate.
- 14.4 If, after such a Motion is carried, the Member continues to behave improperly then the [Speaker](#) may move that the Member leaves the meeting and/or that the meeting is adjourned for as long and/or to such a place as he/she considers appropriate. Any such Motion will, if seconded, be voted on without debate.

Public

- 14.5 If a member of the public interrupts proceedings or continually interrupts proceedings then the [Speaker](#) may either warn them about their behaviour or order their removal from the meeting room as he/she considers appropriate.

General Provisions

- 14.6 If there is general disturbance which, in the opinion of the [Speaker](#), makes orderly business impossible then the [Speaker](#) may adjourn the meeting for as long and to such a place as he/she thinks appropriate or call for all or any part of the meeting room to be cleared.

The Leader & Cabinet Rules

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1 The Leader

- 1.1. The Leader is appointed by Council for a four year term and, subject to 1.7, below holds office until the day after the Annual Meeting after the first full Council Elections after his/ her election and is responsible for developing and implementing the [Budget & Policy Framework](#).
- 1.2. All functions of the Authority are vested in the Leader except in so far as they are reserved to the Council by legislation or they are functions identified as those which may be made either by Council or the Leader, (as amended from time to time), and a decision has been made by Council that they are Council functions⁷. These are detailed in the [Responsibility for Functions](#).
- 1.3. The Leader may invite the Council to review and re-allocate the responsibility for these Council functions at any time.
- 1.4. The Leader may only take decisions, including [Key Decisions](#), which are within the Council's Budget and Policy Framework.
- 1.5. The Leader may delegate any or all of his/ her functions, including the taking of Key Decisions, to the Cabinet, a sub-committee of cabinet, an individual cabinet member (including the Deputy Leader), an officer, a joint committee or another local authority. Delegations made by the Leader are detailed in the [Responsibility for Functions](#).
- 1.6. The Leader will designate a cabinet member to be the Lead Member for Children's Services.
- 1.7. Any changes to the delegations made by the Leader will be notified to the person or committee concerned⁸ and to the [Proper Officer](#) who will report the changes to the next meeting of Council.
- 1.8. The Leader will continue in office unless he/she:-
 - 1.8.1. resigns from office
 - 1.8.2. is no longer a Councillor

⁷ These Council functions may be delegated to a committee, a sub-committee, a joint-committee or an officer

⁸ Notice to any committee, including a Joint Committee will be effective if it is given to the Chairman of that committee

- 1.8.3. is removed from office by resolution of the Council by way of motion of no confidence submitted with at least 10 working days' notice which is signed by at least 25% of all Councillors
- 1.8.4. is removed from office by resolution of the Council in the event of a change in political control of the Council

2 The Deputy Leader

- 2.1 The Leader will appoint one of the members of the Cabinet to act as his/her Deputy. The Deputy Leader must act in the place of the Leader if the Leader is for any reason unable to act or the office of Leader is vacant.
- 2.2 Subject to 3.7 below the Deputy Leader will hold office until the end of the term of office of the Leader.
- 2.3 If a vacancy occurs in the office of Deputy Leader, the Leader must appoint another person in his/her place. The appointment will take effect when the Leader provides written confirmation of the appointment to the [Proper Officer](#).

3 The Cabinet

- 3.1 The Cabinet is chaired by the Leader of the Council⁹ and between 2 and 9 other members (including the Deputy Leader but not including the [Mayor](#), the Deputy Mayor, [Speaker](#) or Deputy Speaker) appointed by the Leader.
- 3.2 The Leader will provide notification of Cabinet appointments and replacements to the [Proper Officer](#) in writing as soon as is reasonably practicable after they have been made.
- 3.3 The Cabinet, or individual cabinet members (including the Deputy Leader) are responsible for day to day decision-making of (mainly) [Key Decisions](#) that have been delegated to them by the Leader either collectively or individually and implementing the policies and priorities in accordance with the Budget and Policy Framework which is determined by Council. Cabinet also has a key role in supporting the Leader in Developing the Budget and Policy Framework.
- 3.4 If for any reason the Leader is unable to act or the office of Leader is vacant and the Deputy Leader is unable to act or the office of Deputy Leader is vacant, the Cabinet must act in the Leader's place or must arrange for a member of the Cabinet to act in his/her place.
- 3.5 The quorum of the meeting is 4 and substitutes are not allowed.
- 3.6 Co-optees can be appointed to cabinet sub-committees¹⁰ but they cannot be given voting rights.
- 3.7 A Cabinet member (including the Deputy Leader) holds office until he/she:-

⁹ In the absence of the Leader the Deputy Leader will chair the meeting. In the absence of the Deputy Leader the chair will be appointed by the members present at the meeting.


¹⁰ Co-optees can be appointed for a fixed term or as a standing member – there is a 1 month notice period on either side.

- 3.7.1 resigns from office;
- 3.7.2 is no longer a Councillor;
- 3.7.3 is removed by the Leader, this removal will take effect when the Leader gives written notice of it to the Proper Officer;
- 3.7.4 is removed from office by resolution of the Council by way of motion of no confidence submitted with at least 10 working days' notice which is signed by at least 25% of all Councillors;
- 3.7.5 is removed from office by resolution of the Council in the event of a change in political control of the Council.

4 Notice of meetings/Attendance at meetings

- 4.1 The time and date of Cabinet meetings are agreed in advance by Annual Council. Subject to 4.2 below additional meetings may be called, or the time and date of meetings may be changed by the Proper Officer at the request of the Leader or any Statutory Officer where a decision is an Urgent Decision or it is otherwise reasonable to do so.
- 4.2 The Proper Officer will give at least 5 clear working days' notice of Cabinet meetings.
- 4.3 Cabinet meetings are held in public. When the meeting considers confidential information or exempt information (subject to the relevant public interest tests) then the meeting will consider that agenda item in private and, by resolution, members of the public, the press and, subject to 4.6 below, non-cabinet members of the Council may be excluded.
- 4.4 The agenda and reports for all meetings will be made available to all Members.
- 4.5 A copy of the Agenda and reports (except confidential or exempt reports) for all meetings, and the Notice of Decisions from previous meetings are placed on the Council's web-site as soon as they are published. A copy of the Agenda and all non-confidential or non-exempt reports will be available for inspection from Darby House as soon as the Agenda is published.
- 4.6 The Group Leader (and in their absence the Deputy Group Leader) of all minority groups on the Council can attend and speak on any item on the Agenda.
- 4.7 The person chairing the Cabinet meeting may, in their absolute discretion, by prior agreement, allow a member to speak on an item when a decision about it will have a significant effect on their ward.
- 4.8 The Proper Officer may make arrangements to provide briefings for non-cabinet members on agenda items prior to the cabinet at such times and in such places as may be agreed from time to time by the Chief Executive and Group Leaders.

5 Business to be transacted at Cabinet meetings

Business to be transacted	
Agree terms of reference at the first meeting after Annual Council	

Elect a person to preside if the Leader and Deputy Leader are not present	✓ *
Receive any apologies for absence	✓ *
Receive any declarations of interest from Members	✓ *
Consideration of the Record of Decisions of the last meeting ¹¹	✓ *
Appoint such sub-committees, etc. as the Cabinet consider are required to enable it to efficiently conduct its business and, in respect of those sub-committees agree the size and terms of reference and appoint the Chairman, Vice-Chairman and Members	✓ **
Matters referred to the Leader from either Council¹² or any Scrutiny Committee¹³;	✓
Consideration of reports from individual members¹⁴ of the Cabinet or any Statutory Officer;	✓
Matters set out in the agenda for the meeting (Key Decisions shall be identified).	✓

* Compulsory business, the order of which cannot be varied.

** Where there is a vacancy

6 Decision-making

6.1 All decisions, notwithstanding who takes them, will be made using the Principles of Decision-making.

6.2 A Record of Decisions shall be made for all cabinet meetings and all Key Decisions taken, whether taken collectively or individually.

6.3 Where an individual or any decision-making body other than the Cabinet is inquorate because of a conflict of interest the decision will be taken by the Cabinet. If the Cabinet is inquorate because of a conflict of interest then the Proper Officer will be instructed to seek an appropriate dispensation from the Standards Committee. Or, in the alternative, the Leader may decide to exercise his strong leader powers and decide the matter.

Attendance at Cabinet Meetings

6.4 The Constitution requires that the Cabinet meet in public session when making decisions. The Cabinet is also subject to the Access to Information rules set out in the Constitution which require:-

6.4.1 that the agenda is made available for public inspection five working days prior to the date of the meeting.

¹¹ The only part of the Record of Decisions that can be discussed is their accuracy. Once approved the Chairman will sign them as a correct record.

¹² Any resolution of Council referred to Cabinet for consideration will be considered, at latest, at the next scheduled meeting of the Cabinet.

¹³ These may be limited by the Proper Officer depending upon the business to be transacted at the meeting.

¹⁴ These may only be submitted with the agreement of the Leader

- 6.4.2 that all items of business are open to the public unless they meet the requirements of the Access to Information Act and are classified as exempt or confidential.
- 6.4.3 Section 152 - that meetings of the Cabinet can be attended by members of the public and any Member of Council for the public session. Members of the public will be asked to leave following agreement to the appropriate resolution to exclude the press and public.

6.5 Over and above those rights for each meeting of the Cabinet, the Group Leaders from all Groups may be invited to attend, at the invitation of the Leader. When in attendance, each Group Leader will be able to speak on any item on the agenda.

6.6 In addition to Group Leaders any Councillor who has a significant ward matter on the Cabinet agenda may seek permission from the Leader, prior to the meeting, to speak when the item will be discussed. By permission of the Leader, members may be given the opportunity to speak for significant items/issues within their ward. It will be the Leader who will determine whether or not the item is significant or not. This mirrors the existing arrangements where Chairmen of Boards and Committees have allowed members not on the Board/Committee to speak on ward issues.

6.7 The Full Council rules of debate shall apply to meetings of the Cabinet but these may be varied or suspended at the discretion of the Leader in the interests of efficient and effective management of the committee.

7 Developing the Budget Framework

7.1 The Council is responsible for adopting the [Budget & Policy Framework](#) but the Leader is responsible for developing proposals and implementing it. The process for developing the Budget Framework is:-

Action	Timing
The Leader publishes his/ her draft budget and policy framework proposals in accordance with this timetable	By 31 st December or as soon as reasonably practicable thereafter
Consultation including referring proposals to the relevant Council Scrutiny Committee ¹⁵ and community and stakeholder groups	At least 4 weeks from publication of draft proposals
Action	Timing
The Leader considers the responses from the budget consultation, including reports from the relevant Council Scrutiny Committee and Opposition Groups and may amend his/ her proposals	Pre 11 th March
The Leader will submit his/her final proposals (including responses to consultation) to Council for adoption	Pre 11 th March

Conflict resolution

¹⁵ This committee must consider any budget proposals proposed by any Opposition Group before Cabinet present their final proposals to Council

- 7.2 Where the Leader and Cabinet Executive has submitted the draft budget strategy to the authority for its consideration and, following consideration of that draft, the Council has any objections to it, the Council must take the action set out below.
- 7.3 The Council will consider the proposals of the Leader and Cabinet Executive and if the Council has any objections to the policy and budget proposals, the Council must inform the decision taker of any objections and instruct that the policy and budget proposals be reconsidered by the decision-taker within 5 working days (this is a minimum period set out in the Regulations and can be extended if Members so desire) beginning on the day after the date on which the Leader receives the instruction.
- 7.4 Within the 5 working days the Leader may:-
- 7.4.1 submit a revised draft plan of the policy and budget proposals to the Council and the decision-taker's reasons for any amendments; or
 - 7.4.2 inform the Council of any disagreement the decision-taker has with any of the Council's objections and the reasons for any disagreement.
- 7.5 When the 5 working days has expired, the Council must take into account any amendments made by the decision-taker and reasons for those amendments any disagreement and reasons for the disagreement, when either amending, approving or adopting the policy and budget proposals.
- 7.6 The Council meeting must take place within 10 working days of the receipt of the decision-taker's proposals. At that Council meeting, the decision of the Council shall be reconsidered in the light of the decision-taker's comments, which will be available in writing for the Council.
- 7.7 The Council shall at that meeting make its final decision on the matter by way of recorded vote. The decision shall be made public, and shall be implemented immediately.
- 7.8 If before 8 February in any financial year the Leader and Cabinet executive submits to the Council for its consideration in relation to the following financial year:-
- 7.8.1 estimates of the amounts to be aggregated in making a calculation (whether originally or by a substitute) in accordance with any of Sections 31A,31B,34 to 36A, 42A,42B,45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992;
 - 7.8.2 estimates of other amounts to be used for the purposes of such calculation;
 - 7.8.3 estimate of such a calculation; or
 - 7.8.4 amounts required to be stated in a precept under Chapter IV of Part 1 of the Local Government Finance Act 1992,

and following consideration of those estimates, the Council has any objections to them, it must follow the same procedure as set out in paragraph 7.4 above.

This provision shall not apply when the decision-taker submit their proposals to the Council after 8 February

8 Developing the Policy Framework

- 8.1 Development of any element of the Policy Framework will be managed by the Leader in a similar way to the development of the Budget Framework, see 7 above, in that proposals will be agreed by the Leader and consulted upon (including referring proposals to the relevant scrutiny committee before being re-considered by the Leader in the light of consultation responses and submitted to Council for adoption).

Committee Procedure Rules

CONDUCT OF BUSINESS

1. GENERAL

- 1.1 Any reference to a Committee in these Committee Procedure Rules shall include Commissions and Boards.

2. APPOINTMENT OF COMMITTEES & POLITICAL GROUPS

- 2.1 The Council shall at the Annual Meeting appoint such Committees as it is required to appoint by or under any statute or under [Council Procedure Rule 3](#) and may at any time appoint such other Committees as are necessary to carry out the work of the Council but, subject to any statutory provision in that behalf:

2.1.2 shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting of the Council;

2.1.2 may at any time dissolve a Committee or alter its membership.

- 2.2 Members of the Council may notify the Chief Executive of their intention to form a Political Group in accordance with the Local Government (Committees and Political Groups) Regulations 1990 (as amended), and who the Leader (and Deputy Leader, if any) of the Group shall be.

- 2.3 The Chief Executive shall calculate the number of seats on each Committee to be allocated to each of the Political Groups of which he/she has received notice and the number of seats to be allocated to Members who do not form a Political Group (if any) (non-aligned Members) and shall notify the Leader(s) of each of the Political Groups of his/her decision. For the purposes of any such calculation, figures shall be calculated to two decimal points and non-aligned members will be allocated seats in accordance with the legislation governing political balance.

- 2.4 If the Chief Executive does not receive any notice relating to the formation of Political Groups then the allocation of seats on Committees and the appointment of Chairmen and Vice-Chairmen of the Committees shall be decided at the Annual Meeting of the Council.

- 2.5 Following the procedures mentioned in 2.2 above each Political Group shall nominate members of the Council to serve on Committees. Details of the nominations shall be contained in a report to be sent to each member not less than three working days OR AS SOON AS IS REASONABLY PRACTICABLE before the Annual Meeting.

- 2.6 The Leader of any of the Political Groups or a member nominated to the Chair before the beginning of the meeting may submit a written amendment comprising a list with alternative names subject to their being before the Chair prior to the commencement of the meeting.

3. CONSTITUTION OF COMMITTEES

- 3.1 The Council may appoint such Committees, Boards etc. as it considers appropriate. Currently, these are:

- [Appeals Committee](#)

- [Audit Committee](#)
 - [Boundary Review Committee](#)
 - [Governance Committee](#)
 - [Health & Wellbeing Board](#)
 - [Licensing Committee](#)
 - [Personnel Committee](#)
 - [Planning Committee](#)
 - [Scrutiny Committees](#)
 - [Scrutiny Management Board](#)
 - [Standards Committee](#)
- 3.2 The number of members specified for each Committee shall be determined at the Annual Meeting of the Council.
- 3.3 No member of the Council shall be Chairman of more than one Committee unless the Council shall otherwise determine.
- 3.4 The [Mayor](#) shall not sit on any Board or Committee of the Council during his/her year of office.
- 4. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES**
- 4.1 The Council shall at its Annual Meeting elect Members of the Council to be Chairmen and Vice-Chairmen of all Committees.
- 5. VACANCY IN POSITION OF CHAIRMAN/VICE-CHAIRMAN OF COMMITTEE**
- 5.1 In the event of a vacancy arising in the office of Chairman or Vice-Chairman of any Committee during the municipal year the Committee shall at its first meeting following the occurrence of the vacancy appoint a new Chairman or Vice-Chairman as the case may be.
- 6. VICE-CHAIRMAN OF COMMITTEE**
- 6.1 In these Committee Procedure Rules in the absence of the Chairman the Vice-Chairman of the Committee shall preside, where reference is made to the Chairman of a Committee the Vice-Chairman of the Committee shall deputise for him/her in the carrying out of any of his/her functions if not available.
- 7. SPECIAL MEETINGS OF COMMITTEES**
- 7.1 The Chairman of a Committee may call a special meeting of a Committee at any time. A special meeting shall also be called on the requisition of a quarter of the whole number of the Committee delivered in writing to the Proper Officer. The Summons to the special meeting shall set out the business to be considered and no business other than set out in the Summons shall be considered at that meeting.
- 7.2 Unless especially called together at the request of the Chairman of the committee, for the purpose of considering urgent business or for nominating members to Committees, no Committee shall hold any unscheduled meetings in the month of August with the exception of the Planning and Licensing Committees or, in a year when Council Elections are held, between the date of the Election of Councillors and the date of the Annual Meeting of the Council.
- 8. ALTERATION OF DATE/TIME OF MEETINGS**

8.1 The [Mayor](#) or Deputy Mayor or the Chairman of a Committee, may, in any case, when he/she considers it necessary, and provided due notice can be given, alter the date or time of the meeting of the Committee.

9. ESTABLISHING TASK FORCES

9.1 Every Committee appointed by the Council may appoint or disband Task Forces for purposes specified by the Committee.

10. RESIGNATION FROM COMMITTEE

10.1 Any member of a Committee may resign his/her membership of that Committee by notice in writing signed by him/her and sent to the Proper Officer and the resignation shall be effective immediately such notice is received by the Proper Officer.

10.2 Upon receipt of such notice the Proper Officer shall notify the Leader of the appropriate Political Group that a vacancy exists whereupon the appropriate political group, if applicable, may nominate the replacement member of the Committee by giving written notice to the Proper Officer. Upon receipt of the written notice the Proper Officer shall agree the appointment of the replacement member of the Committee.

10.3 The Proper Officer shall also be authorised to agree the appointment of members to newly constituted Committees in accordance with the written instructions of the appropriate political group.

11. QUORUM OF COMMITTEES

11.1 Except where authorised by statute or ordered by the Council, business shall not be transacted at a meeting of any Committee unless at least one quarter of the whole number of the Committee is present with the exception of the Standards Committee where the quorum shall be three. Specific committee membership and quorum numbers are set out at paragraph 4.5 of the Council Procedure Rules.

12. VOTING IN COMMITTEES

12.1 Voting at meetings of a Committee shall be by show of hands. If there is a requisition of any two members of the Committee made before the vote is taken, the voting on any question shall be by roll call and shall be recorded so as to show how each member present and voting gave his/her vote. The name of any member present and not voting shall also be recorded.

12.2 Voting on appointments shall be by an exhaustive vote method. See paragraph 11 of the [Council Procedure Rules](#).

13. RECORDING OF VOTES

13.1 Where immediately after a vote is taken at a meeting of a relevant body any member of that body so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

14. COUNCIL PROCEDURE RULES TO APPLY TO COMMITTEES

14.1 The [Council Procedure Rules](#) 9 - 11 (except those parts which relate to standing and to speaking more than once) shall, with any necessary modifications, apply to Committee meetings.

14.2 As a general rule the Committee Procedure Rules govern the way that committees operate but these may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.

15. MEMBER ATTENDING MEETINGS OF A COMMITTEE OF WHICH HE/SHE IS NOT A MEMBER

15.1 Subject to Committee Procedure Rule 16, a member of the Council attending a meeting of a Committee other than as a member of the Committee has no right to speak, other than subject to the scheme for Public Speaking at the Planning Committee, but subject to general rules on conflicts of interests and the provisions of the [Councillor Code of Conduct](#) may remain after the Committee has resolved to exclude the public under Section 100A (2) or (4) of the Local Government Act 1972 (as amended).

16. MOVER OF MOTION MAY ATTEND COMMITTEE

16.1 A member of the Council who has moved a motion which has been referred to any Committee shall have notice of the meeting of the Committee at which it is proposed to consider the motion. He/she shall have the right to attend the meeting and if he/she attends shall have an opportunity of explaining the motion.

17. EXEMPT PROCEEDINGS IN COMMITTEES

17.1 All agendas, reports, minutes and supporting documents of Committees shall be available for public inspection five working days before the date of the meeting except those considered in private session after a resolution has been passed under Section 100A(2) or (4) of the Local Government Act 1972 (as amended).

Area Working Arrangements

The Council has discretion in deciding whether it wishes to introduce Area Working arrangements.

- **AREA WORKING ARRANGEMENTS**
 - No formal decisions have yet been taken by the Council in respect of Area Working arrangements. The Council does recognise the need to engage with its communities through listening and communicating at the local level; engaging with Parish Councils and other community groups, identifying, reporting and representing the needs of the locality; community planning at the local level; and monitoring the local delivery of services. This is in accordance with the Council's Co-operative values and the Parish Charter.

- **TIMETABLE FOR AREA WORKING ARRANGEMENTS**
 - The Council may introduce Area Working arrangements in the future if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

- **COMPOSITION AND FUNCTION**
 - Decisions will be made at a future date.

Joint Arrangements

This sections sets out how the Council will make use of joint arrangements with other authorities and delegate authority to other local authorities.

JOINT ARRANGEMENTS

- In accordance with Section 101 of the Local Government Act 1972, the Council may establish joint arrangements with one or more local authorities to exercise functions which are not Cabinet functions in any of the participating authorities.
- The Leader and Cabinet Executive may establish joint arrangements with one or more local authorities to exercise their functions. Such arrangements may involve the appointment of joint committees with these other local authorities or other arrangements for joint working with other groups, such as those required for the Local Enterprise Partnership, Joint Health Overview and Scrutiny Committee and regional fostering, adoption and probation services.
- The Leader and Cabinet Executive may only appoint Cabinet members to a joint committee exercising his/her functions (e.g. West Mercia Energy). There is a presumption that Joint Committees which exercise functions which are functions reserved to the Council will be politically balanced.
- Details of any joint arrangements including any delegations to joint committees or other joint arrangements will be found published on the Council's website.

ACCESS TO INFORMATION

- The Access to Information Rules in this Constitution apply to functions of the Leader and Cabinet Executive and to functions of a joint committee provided all the Members of the joint committee are members of the Cabinet within each participating authority.
- If the joint committee contains members who are neither the Leader nor on the Cabinet of any participating authority, then the access to information rules in Part VA of the Local Government Act 1972 will apply.

DELEGATION TO AND FROM OTHER LOCAL AUTHORITIES

- The Council may delegate non-Cabinet functions to another local authority or, in certain circumstances, to the Leader and Cabinet Executive of another local authority.
- The Leader and Cabinet Executive may delegate functions to another local authority or the Leader or Cabinet Executive of another local authority in certain circumstances.

CONTRACTING OUT

- The Council, for functions which are not Cabinet functions, and the Leader and Cabinet Executive, for Cabinet functions, may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under any legislation which allows or requires contracting out Council functions such as section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making power.

Part 3 – Governance, Scrutiny, Oversight and Transparency

Scrutiny

Scrutiny and Oversight Committees

The Following Committees are created to provide oversight and review of decisions made by the Council using the powers identified in the ‘Decision-making’ section of the Constitution. The specific Terms of Reference, functions, powers and duties of these individual Committees are set out below.

The following committees will be appointed by full Council. Delegated powers are given to these committees to discharge their relevant functions.

Committees

Appeals Committee

Functions

- To hear and determine all appeals except those which by statute require to be determined by a separate body, e.g. social services appeals

Audit Committee

- Matters relating to governance, and overseeing the audit, risk management and financial statement process

Personnel Committee

- Appointment of Directors and Statutory Officers
- Local Government Pension Scheme
- To agree at a strategic level all matters relating to the Council’s employees

Governance Committee

- Matters relating to ethics, standards and governance
- To review and recommend changes to the Constitution
- **Member Development**

Scrutiny Committees

- To scrutinise the work of the Council, its Committees and the Cabinet
- To scrutinise the work of other organisations in accordance with national legislation and good practice
- To scrutinise NHS services.

NOTE – The Committees referred to above may, in turn, delegate functions to Sub-Committees and/or officers where they consider appropriate. Any such delegations should be recorded in writing.

Scrutiny Rules

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What is scrutiny?

- 1.1. There is a Scrutiny Assembly, and a minimum of 2 and a maximum of 6 Scrutiny Committees (including the Scrutiny Management Board) that oversees and scrutinises the work of the Leader and his/ her Cabinet and the Council as a whole.
- 1.2. This allows members outside the Cabinet and citizens to have a greater say in Council matters by investigating issues of local concern. This can include questioning Cabinet Members, senior officers of the Council and inviting people from outside the Council to give opinions and expert advice.
- 1.3. Scrutiny Committees also have the power to scrutinise the services provided by organisations outside the Council e.g. NHS services and the work of the Health & Well-Being Board.
- 1.4. Scrutiny Committees can make reports and recommendations to the Leader, the Council and some partner organisations. The Decision Takers are not required to implement the recommendations but do have to consider any recommendations made.
- 1.5. Scrutiny also monitors the decisions of Decision Takers. They can ‘call-in’ a decision which has been made by the Decision Taker but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Decision Taker reconsider the decision. They may also be consulted by the Leader, other Cabinet members or the Council on forthcoming decisions and the development of the Budget & Policy Framework.
- 1.6. The Council has appointed a [Scrutiny Officer](#) with statutory responsibilities to promote the role of the Council’s scrutiny committees within the authority, support the work of the scrutiny committees by providing help and advice to scrutiny members but also those being scrutinised. (This role cannot be held by the [Head of Paid Services](#), the [Chief Finance Officer](#) or the [Monitoring Officer](#).)
- 1.7. There is a [Scrutiny Handbook](#) which does not form part of the Constitution but contains the more detailed operational notes about how the scrutiny function is performed.

How does it work?

- 1.8. Scrutiny is not designed for use for political purposes and accordingly the existence and nature of any party whip must be disclosed at the start of any Scrutiny Assembly or Scrutiny Committee meeting.

The Scrutiny Assembly

Who is on it?

- 1.9. All members of the Council who are not Cabinet Members.

- 1.10. The scrutiny committee that covers education matters has statutory co-optees and other scrutiny committees may also co-opt members.
- 1.11. The [Mayor](#) does not sit on any committees but may attend and participate (but not vote) if he or she wishes.

What does it do?

- 1.12. The Scrutiny Assembly acts as a consultee on scrutiny matters. This may be done by e-mail or at meetings as deemed necessary.

Scrutiny Committees

Who is on them?

- 1.13. Membership of the Scrutiny Committees is determined at Annual Council but can be changed from time to time at the request of the relevant Group Leader to the Proper Officer. Membership of any Joint HOSCs other than the Joint Health Overview and Scrutiny Committee with Shropshire will be the Chair of the Scrutiny Committee with health Scrutiny powers if all participating authorities agree to waive political balance. If political balance is not waived then the Scrutiny Committee with Health scrutiny powers will appoint the members of the Joint HOSC.

What do they do?

- 1.14. Each committee will:
 - 1.14.1. Scrutinise the work of the Council according to their terms of reference as included in the [Scrutiny Handbook](#).
 - 1.14.2. Agree the Committee's work programme and undertake this through formal committee meetings, Member Working Groups and sub-groups.
 - 1.14.3. Meet as required to deliver the work programme.
 - 1.14.4. Be entitled to appoint Co-optees in accordance with legislation and the Policy for Co-opting Scrutiny Members as set out in the [Scrutiny Handbook](#).
 - 1.14.5. Act as consultee for [draft budget & policy framework policy](#) proposals published by the Leader (Finance & Enterprise Scrutiny Committee only) and any alternative proposals developed by opposition groups.
 - 1.14.6. Review the strategies and policies of the Leader and the Council and to scrutinise any matter affecting local people and make proposals to the Leader.
 - 1.14.7. Review the discharge by the Leader of any of his/ her functions, including comparison of performance against any appropriate targets, plans or standards.
 - 1.14.8. Review any decisions or proposed decisions of the Council and of Decision Takers, including call-in (Scrutiny Management Board only).
 - 1.14.9. Consider any matters which affect the Council or its administrative area or the inhabitants of that area and to make recommendations to the Council or the Leader arising from that consideration.
 - 1.14.10. Consider any matter referred to it by the Scrutiny Management Board, from the Leader or the Council and make recommendations to the Leader or the Council accordingly.
 - 1.14.11. Consider applications for additional items to go on the Work Programme.
 - 1.14.12. Consider any Councillor Calls for Action and/ or Petitions
 - 1.14.13. Scrutinise the planning and provision of NHS services for the population of Telford and Wrekin. This power has been delegated by Council to the Health

and Adult Care Scrutiny Committee but the power to make the final decision of referral to the Secretary of State for Health is retained by the Council.

- 1.14.14. Scrutinise the work of partner organisations in accordance with national legislation and good practice.

1.15. The Scrutiny Committees statutory and constitutional duties and powers include:-

- 1.15.1. powers of a Scrutiny Committee in relation to Leader and Cabinet Executive decisions made but not implemented as set out in section 21(3) of the Local Government Act 2000 i.e. Call-in of decisions taken but not yet implemented.
- 1.15.2. Scrutiny of the Crime and Disorder Reduction Partnership (as set out in section 19 of the Police & Justice Act (2006)).
- 1.15.3. Scrutiny of Flood and Water Management (as set out in the Flood and Water Management Act 2010)).
- 1.15.4. Consideration of Social Care referrals on health and social care issues from Healthwatch as set out in the regulations for the Health and Social Care Act (2012)for the Local Involvement Network (LINK) (as set out in section 226 of the Local Government and Public Involvement Act (2007)).
- 1.15.5. Statutory Scrutiny of Local Area Agreements (as set out in section 21E of the Local Government Act (2000)).
- 1.15.6. Statutory health scrutiny function including referral to the Secretary of State for Health and appointing Members and Co-optees to any Joint Health Scrutiny arrangements (as set out in Section 7 of the Health & Social Care Act (2001) and amended by the National Health Service Act (2006)the Health and Social Care Act (2012)). For Telford & Wrekin Council the final decision to make a referral is a matter for full Council.
- 1.15.7. The powers of a Scrutiny Committee in relation to the consideration of Councillor Calls for Action in relation to the relevant Council priority as set out in section 21A of the Local Government Act 2000 and section 19(3) of the Police & Justice Act (2006).
- 1.15.8. The powers of a Scrutiny Committee in relation to petitions as set out in the Local Democracy, Economic Development and Economic Construction Act (2009).
- 1.15.9. Scrutiny of the Leader and Cabinet Executive's budget proposals as set out in the Policy Framework and Budget Procedure Rules of this Constitution.

Scrutiny Management Board and the role of individual Chairmen

Who is on it?

- 1.16. The Chairman, appointed by Council, for each Scrutiny Committee and any other Members appointed by Council. (The Role Description for the Chairman of the Scrutiny Assembly will be set out in the [Scrutiny Handbook](#).)

What does it do?

1.17. The Scrutiny Management Board will:-

- 1.17.1. co-ordinate, oversee and monitor the delivery of the Scrutiny work programme.
- 1.17.2. allocate Scrutiny suggestions to the relevant Scrutiny Committee and may make recommendations about priorities for the work programme and joint scrutiny of issues.

- 1.17.3. be responsible for scrutiny in relation to Leader and Cabinet Executive decisions made but not implemented as set out in section 21(3) of the Local Government Act 2000 i.e. Call-in of decisions taken but not yet implemented.
- 1.17.4. receive requests from the Leader and Cabinet Executive or individual Members and/or the Full Council for reports from the Scrutiny Committee and to allocate them if appropriate to one or more Scrutiny Committees.
- 1.17.5. receive regular updates on Key Decisions which have been approved or noted by the Chair in cases where such Key Decisions are not included on the Notice of Key Decisions and Private Reports/Meetings (in accordance with the rules on General Exceptions or agree to a Key Decision being considered as an Urgent Decision and therefore being exempt from call-in.)
- 1.17.6. review and make recommendations to the Council Constitution Committee regarding changes to Scrutiny Arrangements including Call-in. Scrutiny Assembly Members will be informed of any proposed changes.
- 1.17.7. may make changes to the scrutiny structure and processes after consulting with the Scrutiny Assembly. The [Scrutiny Handbook](#) will be updated to reflect the changes. Changes will be reported back to the next full Council meeting.
- 1.17.8. periodically review and make changes to the Policy for Co-opting Scrutiny Members.
- 1.17.9. the Chairman will report annually to Council on the work of scrutiny in the previous year and priorities for the future.

Working Practices

The [Scrutiny Handbook](#)

- 1.18. Details about how to undertake scrutiny reviews and general provisions governing the management of the scrutiny process are contained in the [Scrutiny Handbook](#). The [Scrutiny Handbook](#) includes details and protocols on:
 - 1.18.1. Agreeing the Scrutiny Work Programme
 - 1.18.2. Role of Cabinet Members in Scrutiny
 - 1.18.3. Scrutiny Member and Officer relations
 - 1.18.4. Councillor Call for Action
 - 1.18.5. Call – In
 - 1.18.6. Media Protocol
 - 1.18.7. Terms of Reference for the Scrutiny Assembly and Scrutiny Committees
 - 1.18.8. Role Description for the Scrutiny Chairmen
 - 1.18.9. The Policy for Co-opted Scrutiny members
- 1.19. Changes to the [Scrutiny Handbook](#) can be agreed by the Scrutiny Management Board in consultation with the Scrutiny Assembly.

Witnesses and other investigatory techniques

- 1.20. Scrutiny Committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration.

1.21. Members of the Cabinet and Officers (at Service Delivery Manager and above) can be called to attend Scrutiny Committees to answer questions within their remit about any particular decision or series of decisions, the extent to which the actions taken implement Council policy and/or the performance of the service. Members and Officers called must attend as soon as is practicable but must be given at least 14 days' notice of the date of the meeting which notice shall include full details of the issues that they are to be questioned about (for more details see the [Scrutiny Handbook](#)).

Call-in

What is it?

1.22. The call-in procedure allows, subject to certain limitations, [Key Decisions](#) which have been made but not yet implemented, to be referred back to a Decision-Taker for reconsideration. Call-in is split between call-in of decisions that are within the Budget & Policy Framework and those that are outside the Budget & Policy Framework.

Call in and urgent decisions

1.23. Urgent decisions are exempt from call-in but will be monitored annually by the Scrutiny Management Board. Further information on the process to agree an urgent decision that is exempt from call-in is set out in the [Scrutiny Handbook](#).

Call-in of decisions within the budget and policy framework?

1.24. A request for call-in must be made, in writing, to the [Proper Officer](#) within 3 working days of the Record of Decisions being published. After this the decision becomes effective and can be implemented. If, however a request for a call-in is received within the time limit the decision to which the call-in request relates is suspended and cannot be implemented until the call-in process has been completed.

1.25. The request for a call-in must be signed by a minimum of 5 members (or Voting Co-optees) and detail the decision that is being called in and the reasons why it is being called in, having consideration to the [Principles of Decision-Making](#).

Limits on call-in

1.26. The call-in procedure does not apply to:

- 1.26.1. Decisions taken by the Leader and Cabinet Executive that are urgent;
- 1.26.2. Decisions of full Council;
- 1.26.3. Any decisions taken by officers that are not [key decisions](#);
- 1.26.4. Recommendations from the Leader and Cabinet Executive to the Council;
- 1.26.5. Specific or individual Employee Relations, Disciplinary or Grievance matters;
- 1.26.6. Matters which are subject to formal or statutory appeal processes or are sub-judice;
- 1.26.7. Individual appeal cases for example, Planning, Licensing, Housing, Education;
- 1.26.8. Decisions of the Standards and Audit Committees or Regulatory Committees;

1.27. The Chairman of the Scrutiny Management Board will determine whether the call-in is valid within 3 days of receipt of the call-in request, he / she may, in consultation with the [Monitoring Officer](#), determine that a request for call-in is not valid if he/she reasonably considers that the reason for the call-in does not prima facie comply with the [Principles of Decision-making](#) or falls outside the remit of call in as set out in 1.26 above.

Before the call-in meeting

- 1.28. The [Proper Officer](#) will record the time and date of receipt of the request and will inform the Decision Taker and the Chairman of the Scrutiny Management Board. The final wording of the call-in proposal will be accepted from the lead call in Member up to 2 days after receipt of the call in.
- 1.29. The [Proper Officer](#) will arrange a meeting of the Scrutiny Management Board and will notify the members who signed/ supported the request for call-in of the time and date and location of the meeting at which the request for call-in will be considered.
- 1.30. In exceptional circumstances where it is not possible to achieve a quorate meeting Scrutiny Management Board within the prescribed timescales, substitute members from the Scrutiny Assembly may be appointed by Group Leaders.
- 1.31. A call-in meeting of the Scrutiny Management Board must be held within 10 working days of the call-in request being received. If it is not held within that time the decision being called-in will take effect from that date.
- 1.32. In the meantime the Decision-Taker may meet with some or all of the members supporting the call-in informally to clarify the points at issue and ensure that there is no confusion regarding the decision and to identify whether the concerns expressed in the request for call-in can be addressed by the Decision Taker in the original decision. This can include formal advice from the [Monitoring Officer](#) and [Chief Finance Officer](#) about whether or not the decision falls within, or is outside the Budget & Policy Framework.
- 1.33. Any member may, in writing to the [Proper Officer](#), withdraw their support for a request for call-in until no later than 24 hours before the start of the meeting of the relevant Scrutiny Committee that is due to consider the request for call-in. If, after one or more members have withdrawn their support, there are less than 5 members still in support of the request for call-in it will no longer be valid and the meeting will be cancelled.
- 1.34. The call-in papers which must be circulated to members of the Scrutiny Management Board and other parties involved in/ attending the meeting at least 48 hours prior to the meeting are:-
 - 1.34.1. the original report on which the decision was based
 - 1.34.2. a copy of the call-in request
 - 1.34.3. one side of an A4 sheet of paper setting out the main points of their argument
 - 1.34.4. background information that supports these arguments, which could include budgetary information, statistical information, maps, consultation results or as summary of changes in legislation.

The call-in meeting

- 1.35. The Chairman of Scrutiny Management Board is responsible for the effective management of the call-in meeting and has discretion over the procedure for the meeting. Generally however he or she will ask the members making the request for call-in to identify a lead call-in member who will be invited to present their argument, ask any questions of the Decision-Taker and put forward alternative proposals (30 minutes) and, at the end of the meeting sum up their position if they want to (5 minutes). The Decision Taker (with officer support if appropriate) will have the opportunity to explain their decision and express their views on any alternative proposals (30 minutes) and, at the end of the meeting sum up their position if they want to (5 minutes). Members of the Scrutiny Committee will consider the papers and may ask questions of anyone in attendance at the meeting at any time or when invited to by the Chairman (no time limit) before considering their response to the request for call-in.
- 1.36. Any Scrutiny Committee member arriving at the meeting after the lead call-in member has started his or her presentation will be allowed to remain in the meeting as an

observer but will not be allowed to take part in the debate or the voting process. This will be made clear on the agenda for the meeting.

Decisions of the Scrutiny Committee on a call-in

- 1.37. If having considered the proposal contained in the request for call-in, Scrutiny Management Board supports the original decision it may be implemented with immediate effect.
- 1.38. If, having considered the request for call-in Scrutiny Management Board is concerned about the original decision, then the decision remains suspended and it will be referred back to the Decision-Taker for reconsideration, or, if the decision is deemed to be outside the Policy and Budget Framework refer the matter to full Council. (see Call in of Decisions outside the Budget & Policy Framework below). These meetings will take place as follows:-
 - 1.38.1. full Council - within 10 working days of the call-in meeting.
 - 1.38.2. Cabinet - at the next scheduled meeting of the Cabinet or a Cabinet meeting convened in accordance with the constitution.
 - 1.38.3. Individual Decision-Taker - within 3 working days of the call-in meeting.
- 1.39. Whether a call-in proposal is supported or not, members may come to agreement on any comments they wish to pass to the decision taker. The Chairman will sum up and clarify any points which member wish to pass to Cabinet. These will be reported to the Cabinet by the Scrutiny Management Board.
- 1.40. A decision can only be called in once. However, if the Decision Taker significantly alters the decision after considering recommendations from the relevant Scrutiny Committee the new decision will also be capable of being called-in.

Call in of decisions outside the Budget & Policy Framework

- 1.41. When a request for call-in has been received and the Scrutiny Management Board consider that the decision is, or if made, would be contrary to the Budget & Policy Framework then the Chair will seek the advice of the Chief Finance Officer and Monitoring Officer if that advice has not already been sought by those making the request for call-in.
- 1.42. If either officer advises that the decision is outside the Budget & Policy Framework then,
 - 1.42.1. If the decision has already been implemented then the relevant scrutiny committee will refer the advice of the Chief Finance Officer/ Monitoring Officer to Council for consideration along with a report from the Leader about the decision.
 - 1.42.2. If the decision has not been made or has been made but not yet implemented the relevant scrutiny committee will refer the (proposed) decision to Council who must consider the advice within 10 working days during which time no further action will be taken in respect of the decision or proposed decision.
- 1.43. Having considered the advice Council may:-
 - 1.43.1. endorse the decision of the Decision-Taker as falling within the existing Budget & Policy Framework;
 - 1.43.2. amend the relevant financial regulations or policy to encompass the decision of the Decision-Taker and agree the original decision with immediate effect; or
 - 1.43.3. Accept the decision of the Chief Finance Officer/ Monitoring Officer, agree no changes to the existing Budget and Policy Framework and require the Leader to re-consider the decision or proposed decision in accordance with the advice of the Chief Finance Officer and Monitoring Officer

- 1.43.4. If the advice is that the decision is within the Budget & Policy Framework then the report of the Chief Financial Officer/ Monitoring Officer and Leader will be reported back to the relevant scrutiny committee.

Procedural Rules

- 1.44. See [Council Rules](#) on Motions without notice, Points of Order, Personal Explanation and Conduct (except rule 14.1) (substituting the Chairman of the relevant scrutiny committee for the [Mayor](#)) which apply to all scrutiny meetings.

Appointment of Chairman/ Vice-Chairman		
Scrutiny Assembly	Scrutiny Committees	Scrutiny Management Board
The Chairman of the Scrutiny Management Board is automatically the Chairman of the Scrutiny Assembly	Council (in year vacancies appointed by group leaders) Vice-Chairmen may be appointed by majority decision of the Committee.	Council (in year vacancies appointed by majority decision of the Committee)
Politically balanced		
No	Yes	
Membership		
All non-cabinet members and all co-opted members	8 and all co-opted members. The Mayor may not sit on a Scrutiny Committee. Joint Shropshire and Telford and Wrekin HOSC 3 elected members and 3 voting co-optees from each local authority. Other joint HOSC arrangements to be determined as agreed by Council. If requirement for political balance is waived by all participating authorities then the chair of the relevant Scrutiny Committee with Health Scrutiny powers will be the Telford and Wrekin	8

	representative on the Joint HOSC. If the requirement for political balance is not waived then the membership of the Joint HOSC will be appointed by the relevant Scrutiny Committee with Health Scrutiny powers.	
Quorum		
n/a	3 Elected Members The quorum for the Joint HOSC is set out in the Terms of Reference for this Committee in the Scrutiny Handbook .	3 elected members
Substitutes		
n/a	no	No
Co-optees		
Yes – but with no voting rights	Yes – but with no voting rights except:- Special Rules children & young people –4 co-optees with voting rights (in respect of educational matters only) (1 Church of England and 1 Roman Catholic diocesan representative and 2 parent governors) Joint HOSC 3 co-optees with voting rights as approved by Council.	Yes – but with no voting rights
Co-optees can be appointed for a fixed term or as a standing member – there is a 1 month notice period on either side. Members of one Scrutiny Committee can be co-opted to work with another Scrutiny Committee.		
Meetings		
As and when required	Meet approximately 6 times a year. Meetings may be	Meet approximately 6 times a year. Meetings may be formal public

	<p>formal public meetings, informal working group or sub-group meetings as necessary to deliver the work programme</p> <p>Joint Scrutiny Committees with other authorities can be established. The Members of the Joint HOSC with Shropshire is a sub-committee of the Health and Adult Care Scrutiny Committee.</p>	<p>meetings, informal working group or sub-group meetings as necessary to deliver the work programme</p>
Meetings held in public		
<p>Yes (subject to rules on exempt information and confidential information)</p>	<p>Yes (subject to rules on exempt information and confidential information)</p> <p>Informal working groups may be held in private but if so notes/ minutes of that meeting will be considered in a public in a future public meeting</p>	
Joint working/ working groups		
	<p>Scrutiny Committee(s) can hold joint meetings/ scrutiny reviews with one or more other Scrutiny Committees and establish working groups, sub groups, joint committees and joint sub committees where the Chairman/ Chairmen of the relevant Scrutiny Committee(s) agree that it is conducive to the efficient delivery of the scrutiny function. Where 2 Scrutiny Committees work jointly on an issue under scrutiny and the meeting is held as a formal public Committee meeting one Scrutiny Committee will be the lead Committee for this area of work.</p> <p>Working Groups are not formal Council meetings and do not have to meet in public or meet the political balance requirements as any findings/ recommendations are reported to the relevant Scrutiny Committee(s) for consideration.</p>	
Calling meetings		
<p>The Chairman may ask the Proper Officer to call a meeting.</p>	<p>A schedule of meetings is agreed by the Committee as required to deliver the work programme or the Chairman may ask the Proper Officer to call a meeting</p>	

Agenda items	
Agreed by the Chair of the Scrutiny Management Board	Agenda items are approved by the Scrutiny Committee Chairman as required to deliver the work programme agreed by the Scrutiny Committee.
Scrutiny Reports	
n/a	Scrutiny reports are sent to the Proper Officer for inclusion on the Cabinet agenda (if within the Budget and Policy Framework) and Council (if outside the Budget and Policy Framework).

Appeals Committee – Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council to decide on the following matters.

TERMS OF REFERENCE

1. To consider and deal with any appeals arising out of the Council's functions as a housing authority.
2. To hear and determine any appeal by an employee of the Council against the decision of dismissal taken in accordance with the disciplinary procedure (except for those dismissals reserved to a meeting of the full Council).
3. To hear and determine matters in relation to employee grievances.
4. To consider appeals against decisions relating to the refusal of free home transport.

PROCEDURE

5. The Committee will be conducted in accordance with the [Council's Committee Procedure Rules](#). NOTE- Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.
6. Individual appeals should be heard by a panel of five members taken from the full membership with a quorum of three.

Audit Committee – Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council to oversee the Council's audit, governance (including risk management) and financial processes and to decide on the following matters.

TERMS OF REFERENCE

Internal Audit

1. The approval (but not direction) of, and monitoring of, progress against, the internal audit charter and plan.
2. Review summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary.
3. To be able to call senior officers and appropriate members to account for relevant issues within the remit of the Committee – governance (including information governance), internal audit, risk management, statement of accounts and external audit.
4. The Committee will not receive detailed information on investigations relating to individuals. The general governance principles and control issues may be discussed, in confidential session if applicable, at an appropriate time, to protect the identity of individuals and so as not to prejudice any action being taken by the Council.

External Audit

5. Review and agree the External Auditors annual plan, including the annual audit fee and receive regular update reports on progress.
6. To consider the reports of external auditor.
7. Meet privately with the external auditor as required.
8. Ensure that there are effective relationships between external and internal audit that the value of the combined internal and external audit process is maximised.

Governance

9. Consider the effectiveness of the Council's governance processes and their compliance with legislation and best practice including:
 - 9.1. the Council's Code of Corporate Governance;
 - 9.2. the Council's information security framework;
 - 9.3. receipt of the Caldicott Guardian's Annual Report
 - 9.4. oversight of commercial projects;
 - 9.5. the management of opportunities and risks; and
 - 9.6. other corporate governance arrangements.
10. Be responsible for the review and approval of the authority's Annual Governance Statement ensuring that it properly reflects the governance, control and risk environment and any actions required to improve it. Following approval, it should accompany the Accounts.

Treasury Management

11. To review and monitor the Council's Treasury Management arrangements including Treasury policies, procedures and the management of the associated risks and make recommendations to the Cabinet as appropriate.

Statement of Accounts

12. Review and approve the Statement of Accounts, external auditor's opinion and reports on them to members and monitor management action in response to the issues raised by external audit.

Fraud & Corruption

13. To approve the Anti-Fraud and Corruption Policy and to recommend its adoption by the Council, and to monitor its operation. The policy will be reviewed it at least once every two years.
14. To approve the Speak Up Policy ('*whistle blowing*') and to recommend its adoption by the Council, and to monitor its operation. This policy will be reviewed at least once every two years.

Complaints

15. Recognising that Complaints/Compliments are a Cabinet function, the Committee should:-
16. Review the Annual Complaints Report and seek assurances that the Council is improving in response to complaints raised.

General

17. The meetings will follow the principles of scrutiny, i.e. no party whip will be applied and a constructive, evidence based approach will be used.
18. To ensure that adequate training is received by the members of the committee on the areas covered by these terms of reference.
19. To ensure that any sensitive or confidential information obtained as a result of membership of the Committee is treated as confidential.
20. Annually review their effectiveness and their terms of reference.

PROCEDURE

1. The Committee will be conducted in accordance with the Council's [Committee Procedure Rules](#).

Governance Committee – Terms of Reference, Functions, Powers and Duties **(including the Hearings Sub Committee)**

The Committee has the responsibility and delegated powers to oversee the Council's Constitution and to act on behalf of the Council in dealing with the oversight of its governance, to ensure that good ethics and standards are upheld and to oversee the Council's member development strategy.

TERMS OF REFERENCE

THE COUNCIL CONSTITUTION

1. To receive reports from the Monitoring Officer about the operation of the Constitution.

Note-The Monitoring Officer (or the Head of Paid Service in the absence of a Monitoring Officer) has delegated power to monitor and review the operation of the Constitution, to make minor administrative amendments or make changes to reflect changes in law and report regularly to this committee on whether or not it is achieving its purpose or could be amended better to achieve its purpose.

2. To consider proposed changes to any part of the Constitution and, if appropriate, make recommendations to Council to change the Constitution.
3. To consider its terms of reference in so far as they relate to the Council Constitution annually at the first meeting after the Annual Council Meeting
4. The Council via the Governance Committee has delegated the following powers and functions to the Monitoring Officer in consultation with the Chairperson of the Committee
 - a. To amend the Constitution to correct minor administrative errors,
 - b. To amend the Constitution to update job titles
 - c. To amend the Constitution where legislative changes result in any section of the Constitution being in conflict with any relevant legislation

Provided that the Chairperson may decide for any proposed amendments as detailed in paragraphs a to c above that it be considered by the Governance Committee.

STANDARDS AND THE CODE OF CONDUCT

1. To promote and maintain high standards of conduct by members and co-opted members of the Council.
2. To support Town and Parish Councils within the Borough to promote and maintain high standards of conduct by members and co-opted members of the Council.
3. To recommend to Council the adoption of a code dealing with the conduct that is expected of members and co-opted members of the Authority.
4. To keep the [code of conduct](#) under review and recommend changes/ replacement to Council as appropriate.
5. To publicise the adoption, revision or replacement of the Council's [Code of Conduct](#).

6. To oversee the process for the recruitment of an Independent Person (and up to 2 reserves) and make recommendations to Council for their appointment.
7. To receive reports from the Monitoring Officer about:-
 - a. complaints;
 - b. the progress and outcome of investigations; and
 - c. the establishment and maintenance of the register of interests of members and co-opted members of the Borough and Town and Parish Councils within the Borough boundaries;
 - d. dispensations granted to members and co-opted members of the Council.

HEARINGS SUB COMMITTEE

1. To consider investigation reports in respect of [Code of Conduct](#) complaints that are referred to it by the [Monitoring Officer](#) and to report its findings to the Borough Council, Town or Parish Council, as appropriate for information.
2. Where a breach is found, to make decisions about sanctions as set out in the Council's arrangements for dealing with breaches of the Code of Conduct.
3. To consider applications for dispensations where:-
 - 3.1. The dispensation is in the interests of persons living in the Borough of Telford & Wrekin area; or
 - 3.2. It is otherwise appropriate to grant a dispensation.
4. The Governance and Ethical Standards Committee have delegated the following powers and functions to the [Monitoring Officer](#)
 - 1 The power to receive and make an initial assessment of formal Code of Conduct complaints and decide whether further action or investigation is required.
 - 2 The power to make arrangements for local settlement of complaints where the Monitoring Officer considers it appropriate including arranging mediation if required.
 - 3 The power to consider and grant dispensations to Members where:
 - i. The number of Members precluded from transacting the business is so great that it would impede the business of the Council, committee or Executive
 - ii. The political balance is affected to the extent that it could affect the outcome of a vote relating to the business

PROCEDURE

The Committee will be conducted in accordance with the Council's [Committee Procedure Rules](#). NOTE - Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions.

MEMBER DEVELOPMENT

1. To establish a comprehensive and robust Member Learning and Development process
2. To champion and encourage Member development and engage all Elected Members in the process
3. To champion and encourage the use of digital equipment amongst all Elected Members

4. To develop and implement a Member Development Strategy
5. To assist in the shaping and prioritising of member development activities including a comprehensive and robust induction
6. To ensure Member development and learning opportunities relate directly to Telford & Wrekin's Priorities
7. To assist in generating creative and innovative ideas for the advancement of the Member Development programme
8. To establish a mechanism to evaluate overall effectiveness of Member development
9. To identify financial resources required to deliver development needs
10. To encourage an effective member/officer working relationship

Personnel Committee and The Panel - Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council to deal with the Council's personnel functions (except those that are reserved to Council) and decide on the following matters.

NOTE: For the purposes of these rules Statutory Officer means the Head of Paid Services, the Monitoring Officer and the Chief Financial Officer

TERMS OF REFERENCE

The Personnel Committee will:-

1. Agree, at a strategic level, issues relating to employees including terms and conditions and employee relations.
2. Duty to designate officer as the head of the authority's paid service, and to provide staff etc.
3. Duty to designate officer as the monitoring officer and to provide staff etc.
4. Duty to designate officer as the chief finance officer and to provide staff etc.
5. Advise upon corporate policies and procedures affecting some or all employees employed by the Council including nationally and locally negotiated terms and conditions of employment.
6. To consider and recommend to Council the Pay Policy Statement.
7. All functions relating to the local government pension scheme.
8. The invitation of Independent Persons to be considered for appointment to the Panel and the appointment of 2 Independent Persons to a Panel to advise full Council whether or not to approve a proposal to dismiss the Council's designated Head of Paid Service, Monitoring Officer or Chief Financial Officer.
9. [Oversee the recruitment](#) of, and make recommendations to Council to confirm the appointment of the officer designated as Head of Paid Service.
10. [Oversee the recruitment](#) of Directors, and officers designated as the Monitoring Officer and the Chief Finance Officer.
11. [To consider Grievances of senior officers](#) including the officer designated as the Head of Paid Service (Appeals stage), Directors,
12. Consider whether or not to suspend any statutory officer to enable investigations into allegations to take place, to consider disciplinary actions against statutory officers prior to the submission to the Independent Person appointed to the Council and recommendation to full Council.
13. Consider whether or not to recommend to Council the [dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer](#).
14. Annually at the first meeting after the Annual Council Meeting consider its terms of reference.

PROCEDURE

The Committee will be conducted in accordance with the Council's [Committee Procedure Rules](#). NOTE - Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions.

THE PANEL

A Panel approved by Council in accordance with statutory requirements including 2 Independent Persons members for the purposes of giving advice, views or recommendations to full Council when [considering whether or not to approve the dismissal of the Council's designated Head of Paid Service, Monitoring Officer or Chief Finance Officer.](#)

TERMS OF REFERENCE

The Panel will:-

1. To give advice, views or recommendations to full Council when considering whether or not to approve the dismissal of the Council's designated Head of Paid Service, Monitoring Officer or Chief Finance Officer.
2. When considering whether or not to give any advice views or recommendations and what advice views or recommendations to give the Panel shall have regard to the decision of the Personnel Committee and the hearing and background papers and the notes of any such hearing.
3. The Panel will convene a meeting that will take place within 7 days of being appointed and they will be supported by representatives from Human Resources and Legal Services (or appropriately qualified external advisers if circumstances make it more appropriate).
4. The Panel must be appointed at least 20 days before a meeting of full Council to consider whether or not to approve a proposal to dismiss the Council's designated Head of Paid Service, Monitoring Officer or Chief Finance Officer.

MEMBERSHIP

- ✓ Two Independent Persons as appointed by the Personnel Committee from time to time:-
- ✓ At least one Independent Person appointed by Council in accordance with the provisions of s28(7) of the Localism Act 2011 who is registered as a local government elector in the register of electors in Telford & Wrekin in accordance with the Representation of the People Acts – one of whom shall be appointed to be Chair of the Panel; and
- ✓ An Independent Person appointed by Council; and/ or
- ✓ An Independent Person who has been appointed by another authority or authorities

No allowances are payable for this role.

Oversight

This section details the rules that we use to govern our financial transactions and how members and officers should behave. It also details the rules governing the appointment and dismissal of officers

Policy Framework and Budget Procedure Rules

THE FRAMEWORK FOR CABINET DECISIONS

1. The Council will be responsible for the adoption of its budget and policy framework as set out in the [Leader and Cabinet Rules](#) section of this Constitution. Once a budget or a policy framework is in place, it will be the responsibility of the Leader and Cabinet Executive to implement it.

PROCESS FOR DEVELOPING THE FRAMEWORK

2. The Council is responsible for the adoption of the budget and policy framework. The process by which the budget and policy framework shall be developed is:
3. Before the end of December each year or as soon as reasonably practicable thereafter the Leader and Cabinet Executive will publicise its policy and budget proposals, together with a timetable for taking final proposals to the Council and arrangements for consultation. There will be a minimum 4 week consultation period.
4. During the consultation period:
 - (a) the Leader and Cabinet Executive's proposals shall be referred to the relevant Scrutiny Committee for further consideration.
 - (b) a range of consultation activities will take place with the community and stakeholders so that they can feed their views into the process.
 - (c) it is the responsibility of Opposition Groups to plan their own work programme so that they are able to respond to the proposals within the consultation period.
5. Any budget proposals proposed by Opposition Groups must be presented to the relevant Scrutiny Committee and Chief Financial Officer prior to Cabinet presenting their proposals to Full Council. This may be during the consultation period.
6. Having considered the results of consultation and any reports of the Scrutiny Committee and Opposition Groups, the Cabinet, if it considers it appropriate, may amend its proposals.
7. The Cabinet will submit its final proposals to Council before the 11th March each year for adoption. It will also report to Council on how it has taken into account consultation feedback.
8. The Council will consider the proposals of the Leader and Cabinet Executive in accordance with its normal [rules of procedure](#).
9. The Council shall at that meeting make its final decision on the matter by way of recorded vote. The decision shall be made public.
10. Any other changes to the budget and policy framework are reserved to the Council.

DECISIONS OUTSIDE THE POLICY FRAMEWORK OR BUDGET

11. Subject to the provisions of paragraph 5 (virement) the Leader, Cabinet, other members of the Cabinet, and any officers, committees of the Council, area committees or joint arrangements discharging Cabinet functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by full Council, then that decision may only be taken by the Council, subject to 4 below.
12. If the Leader, Cabinet, other members of the Cabinet, and any officers, committees of the Council, area committees or joint arrangements discharging Cabinet functions want to make such a decision, they shall take advice from the Monitoring Officer and the Chief Financial Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of those officers is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (urgent decisions outside the budget and policy framework) shall apply.

URGENT DECISIONS OUTSIDE POLICY FRAMEWORK OR BUDGET

13. The Leader, Cabinet, other members of the Cabinet, and any officers, committees of the Council, area committees or joint arrangements discharging Cabinet functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
 - (a) if it is not practical to convene a quorate meeting of the full Council; and
 - (b) if the Chairman of the appropriate Scrutiny Committee agrees that the decision needs to be taken as a matter of urgency.
14. The reasons why it is not practical to convene a quorate meeting of full Council and the Chairman of the Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chairman of the Scrutiny Committee, the consent of the [Mayor](#), and in the absence of both, the Deputy Mayor will be sufficient.
15. Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

VIREMENT

16. Virement between budget heads is an integral and important feature of budgetary control. It allows service providers to adapt to service changes within Council policy. The details of virement can be found in Financial Procedures Rules in Part 3 of the Constitution.

CALL-IN OF DECISIONS OUTSIDE THE POLICY FRAMEWORK OR BUDGET

17. Where a Scrutiny Committee is of the opinion that a Leader and Cabinet Executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and Chief Financial Officer.
18. In respect of functions which are the responsibility of the Leader and Cabinet Executive, the Monitoring Officer's report and Chief Financial Officer's report shall be submitted to the decision-taker with a copy to every member of the Council. Regardless of whether the decision is delegated or not, the decision-taker must meet to decide what action to take in respect of the Monitoring Officer's and the Chief Financial Officer's reports and to prepare a report to Council in the event that the Monitoring Officer and the Chief Financial Officer conclude that the decision was a departure, and to the Scrutiny Committee if the Monitoring Officer and the Chief Financial Officer conclude that the decision was not a departure.
19. If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and the Chief Financial Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 10 working days of the request by the Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and the Chief Financial Officer. The Council may either:
 - (a) endorse a decision or proposal of the decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or
 - (b) amend the Council's financial regulations, budget or policy concerned to encompass the decision or proposal of the decision taker and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or
 - (c) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the decision-taker to reconsider the matter in accordance with the advice of the Monitoring Officer/Chief Financial Officer.

Financial Regulations

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1. Status of Financial Regulations

- 1.1 Financial Regulations are part of the Council's control environment providing a framework for managing the authority's financial affairs and contributing to good corporate governance, internal control and the management of risks.
- 1.2 The Financial Regulations apply to all officers and members of the Council and anyone acting on behalf of the Council. They also apply to any partnerships or bodies that the Council is a member of and for which the Council is the accountable body. Where the Council is not the accountable body then the lead Council officer is responsible for ensuring propriety and proper processes are followed so that the Council's reputation is not at risk.
- 1.3 It is the responsibility of Directors to ensure that all staff in their service areas are aware of their responsibilities according to the Financial Regulations and comply with them.
- 1.4 Specific positions and/or officers are named in the regulations and it is their responsibility to ensure compliance. However, named officers can delegate their authority to another appropriate officer as long as this delegation has been recorded.

- 1.5 Where the Leader and Cabinet Executive have been named in Regulations it will be their responsibility to ensure compliance. The Leader and Cabinet Executive can delegate such responsibility to one of its Cabinet members as set out in the Constitution.
- 1.6 All members and officers have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised and provides value for money.
- 1.7 Financial Regulations are set out in self-contained sections, each covering a specific area of control. Each section provides a contact point for further information or clarification. Where appropriate the Regulations are supported by detailed procedure notes which can be accessed on the intranet.
- 1.8 These Financial Regulations cover all areas of Council activity with the exception of schools which have their own set of regulations as part of the Local Management of schools (LMS) Scheme.
- 1.9 Failure to comply with Financial Regulations, or procedures issued under them, may lead to disciplinary action for employees and an investigation by the Chief Financial Officer. For Members any issues will be investigated by the Monitoring Officer.

2. Responsibilities

- 2.1 Section 151 of the Local Government Act (LGA) 1972 places a duty on the Council to make arrangements for the proper administration of its financial affairs, including the appointment of a Chief Finance Officer.
- 2.2 Section 114 of the Local Government Finance Act (LGFA) 1988 requires the Chief Financial Officer to report to the Council if the authority, one of its committees, the Leader and Cabinet Executive or one of its officers:
 - Has made – or is about to make – a decision which has or would result in unlawful expenditure;
 - Has taken, or is about to take, an unlawful action which has or would result in a loss or deficiency to the authority; or
 - Is about to make an unlawful entry in the Council's accounts.

Section 114 of the LGFA 1988 also requires the Chief Financial Officer to nominate a properly qualified member of staff to deputise, should the Chief Financial Officer be unable to perform the duties under Section 114 personally.

* The Council – means the full Council who provide the political and strategic direction of the authority. They approve the policies of the authority, including relevant strategies and the budget.

* The Leader and Cabinet Executive – means the Leader of the Council and the Cabinet members, who propose to Council policy and budget strategies.

* Chief Financial Officer (CFO) Responsibilities (s151/s114) – these have been allocated to the Director: Finance & Human Resources and include:

- provision of financial advice for service delivery, strategic planning and policy making across the authority;
- provision of advice on the optimum use of available resources on the management of capital and revenue budgets;
- provision of financial management information;
- preparation of statutory and other accounts, associated grant claims and supporting records;
- provision of an effective internal audit function and assistance to management in providing safe and efficient financial arrangements;
- provision of effective financial management systems and procedures
- provision of effective income collection and payments systems;
- advising on treasury, investment and cash-flow management; and
- advising on the safe custody of assets and insurance.

* The Director Finance & Human Resources has delegated responsibility under the Accounts and Audit Regulations 2015 to maintain an adequate and effective Internal Audit service.

* Senior Management Team (SMT) (Chief Executive, Executive Directors and Directors) are responsible for ensuring that Directors provide services that meet the Council's overall policy objectives. This includes ensuring compliance by Directors with the Council's governance arrangements including Financial Regulations and Contract Procedure Rules.

* The Chief Executive is responsible for leading on corporate governance issues throughout the Council.

* The Finance Managers will act as deputy Section 151 Officer.

* Directors are responsible for ensuring the delivery of services by their respective Delivery Units. This includes ensuring compliance by Delivery Managers with Financial Regulations and Contract Procedure Rules within their service areas.

* Delivery Managers (this definition includes Service Delivery Managers, Group Managers and/or Team Leader with budget and staff responsibilities) are responsible for the day to day provision of services and the management of the associated budget. This includes ensuring that all staff comply with Financial Regulations and Contract Procedure Rules in performance of their duties.

2.3 Financial Training

2.3.1 CFO and Monitoring Officer (MO) to provide relevant training that is sufficient to enable Executive members and appropriate officers to fulfil their respective roles (recognising the resource constraints on finance/service area staff and members) in respect to:

- Financial planning and management;
- Information governance and information security; and
- Governance and fraud prevention.

3. Financial Planning

3.1 The Council is responsible for approving the budget, various plans and policies, which will be proposed by the Leader and Cabinet Executive. This will include the policy framework, the budget (including the capital programme) and the Council Plan. See [Budget and Policy Framework Procedure Rules](#) within this Constitution.

3.2 Service & Financial Planning Strategy

The CFO shall, within the general direction of the Leader and Cabinet Executive produce a draft Service & Financial Planning Strategy taking into account the projected resources available.

CONTACT: Director – Finance & Human Resources

4. Accounting Systems, Financial Records and Returns

4.1 Proper accounting records are one of the ways in which the Council discharges its responsibility for stewardship of public resources. The Council has a statutory responsibility to prepare annual accounts which are subject to internal and external audit.

4.2 The CFO should ensure that there is a proper retention policy for financial documents which all officers must follow.

4.3 The CFO is responsible for determining the accounting systems and procedures adopted by the Council. No variations shall be made to accounting records and procedures without the written agreement of the CFO. In particular Directors should confer with the CFO before introducing or amending any books, forms, records, administrative procedures or computerised systems used in conjunction with accounting for cash, income, expenditure, stores and financial transactions generally.

4.4 Directors are responsible for ensuring the completion and submission of Grant applications and financial returns. The Chief Financial Officer/Chief Executive/Audit, IG & Insurance SDM should have adequate notice to request appropriate explanations or information as may be required prior to signing and the AD forwarding to the relevant government department or agency.

CONTACT: Corporate & Capital Finance Manager

5. Financial Management and Control – Revenue

5.1 Preparation and Approval of Budget

5.1.1 The Council will approve the overall spending plans of the Council.

5.1.2 The revenue estimates shall be determined by the CFO in consultation with Senior Management Team within the general guidelines of the Leader and Cabinet Executive and relevant professional requirements. Estimates shall be prepared annually before the start of the financial year and revised, if the CFO considers appropriate, during the course of the year.

5.1.3 Once the Council's budget for the year has been approved the Directors and Delivery Managers can authorise expenditure within the limits agreed subject to the separate rules on virement.

5.1.5 The Delivery Managers must exercise financial control including monitoring income and expenditure on a regular basis. Once approved, responsibility for budgets rests with the relevant Delivery Manager and Director.

5.2 Budgetary Control

5.2.1 The corporate finance information system determined by the CFO is the Council's prime accounting record. It provides the mechanism for Directors and Delivery Managers to monitor and control their budgets.

5.2.2 Directors and Delivery Managers are required to monitor their budgets regularly during the year and take immediate action as necessary. If it is considered that a particular budget head requires increasing, virement must be sought before any overspending occurs (see Virement section). Under no circumstances should expenditure be incurred without appropriate provision being put in place first.

5.2.3 Regular financial updates will be taken to the Leader and Cabinet Executive.

5.2.4 Generally all Council budgets are prepared on a cash limited (outturn) price base. This means that no supplementary estimates will be provided for inflation or other increases once budgets have been approved, except in exceptional circumstances.

5.2.5 All reports to Senior Management Team (SMT) or Members must be passed to Finance to identify any financial implications and should be made available to those staff in reasonable time before due for submission.

5.3 Supplementary Estimates

5.3.1 The Council sets budgets for gross expenditure and income in the context of a cash limit. No additional expenditure or commitments are permitted once the budget has been approved without prior approval from the relevant Director and CFO. In exceptional circumstances this may not be possible and if this is the case, a report should be taken to Full Council outlining the reasons and seeking approval for additional spend and funding.

5.4 Grants

5.4.1 Applications for grant bids must be approved and be considered by Senior Officers, as detailed below, to ensure they align with the Council's key priorities and that any financial implications, such as a requirement for match funding, are identified:

1. Where the value is £10,000 or less approval should be given by the relevant Director

2. Where the value exceeds £10,000 but is less than £50,000 approval should be by SMT
3. Where the value exceeds £50,000 the relevant Cabinet Member and Director should give approval

In all cases, grant bids must be approved by the relevant Finance Manager prior to submission.

- 5.4.2 Acceptance of grant terms must also be approved by the relevant Director and a Finance Manager.
- 5.4.3 All grant claims must be certified by a Finance Manager subject to the conditions of the grant awarding body. In addition where certification is required by Internal Audit adequate notice should be given to enable this work to be undertaken.
- 5.4.4 Directors are responsible for ensuring adequate records, financial and otherwise, have been maintained for all externally funded schemes subject to audit by the European Commission or grant awarding bodies.

5.5 Virement

5.5.1 Virement between budget heads is an integral and important feature of budgetary control. It provides Senior Managers with the flexibility to adapt expenditure patterns which they consider appropriate in meeting changing locally determined service needs and objectives consistent with Council policy.

5.5.2 Virement may be necessary for several reasons. For example:

- unforeseen cost increases,
- demand for a particular service, in line with existing policies, exceeding estimates,
- a local requirement to provide a different service from that anticipated when the budget was set, or
- utilising efficiency or other savings.

5.5.3 Except where allowed under the scheme of virement only the Council can approve changes to the budget it has previously agreed.

5.5.4 Approval is required where there is a proposed change to the use of budgets in terms of services being delivered, subject to the limits set out in the table below,

Limit	Approved By	
Virements less than £50,000	Service Delivery Manager and Finance Manager	All virements must 1. be within the overall policy framework; 2. not involve an increasing commitment in future years, which
Virements £50,000 or more but less than £250,000	Cabinet	

Over £250,000	Full Council	cannot be contained within existing approved budget allocations
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- 5.5.5 Directors/Service Delivery Managers should notify the relevant Finance Manager of all proposed virements in their area so that the correct approvals are gained and the budget and financial system are updated.

CONTACT: Corporate & Capital Finance Manager

5.6 Reserves & Balances and the Robustness of Estimates

- 5.6.1 The budget report will contain a comment by the CFO (Chief Financial Officer) on the robustness of the estimates and the adequacy of reserves, in accordance with the requirements of the Local Government Act 2003 and CIPFA guidance. The CFO must also be satisfied that the decisions taken on balances and reserves represent proper stewardship of public funds.
- 5.6.2 Specifically, the budget report will include a statement on the adequacy of general reserves and provisions for the forthcoming year, linked to the medium term financial strategy.
- 5.6.3 An annual review of earmarked reserves will be undertaken as part of the budget preparation process and a statement will be presented to Council alongside the budget report.
- 5.6.4 The level and purpose of reserves and balances held must be clearly defined and justified by Directors. Further regular reviews should be undertaken to ensure continuing relevance and adequacy.
- 5.6.5 There is no statutory minimum level of reserves required. This will be a matter of local judgement determined by the CFO but taking into account relevant national guidance.

CONTACT: Corporate & Capital Finance Manager

6. Financial Management and Control – Capital

- 6.1 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the authority, such as land, buildings and major items of plant and equipment or vehicles. Capital assets shape the way services are delivered for the long-term and create financial commitments for the future in the form of financing costs and revenue running costs. Capital resources can only be used to fund capital expenditure, unless a specific capital direction has been granted by the Secretary of State.
- 6.2 The Council will comply with the requirements of CIPFA’s Prudential Code for Capital Finance in Local Authorities and will set and monitor a range of Prudential Indicators accordingly to ensure that borrowing is affordable, prudent and sustainable.
- 6.3 The Council will determine the capital programme for the Authority after considering:

overall Corporate Priorities, the Council's Asset Management Plan, the Transport Asset Management Plan, the Capital Strategy; availability of funding; affordability and ongoing revenue implications.

- 6.4 The capital programme shall focus on the medium term service & financial planning period; the total cost and phasing of each approved scheme shall be identified along with the proposed source(s) of funding. The overall Service & Financial Planning Strategy will reflect the revenue implications of the capital programme.
- 6.5 The CFO shall determine the method of funding for each capital scheme within the context of the various capital resources available.
- 6.6 All proposed investments should be subject to a financial appraisal which takes into account the full costs of using the capital resources.
- 6.7 The CFO shall ensure that an effective monitoring system is in place during the year to control capital expenditure and funding. Delivery Managers are responsible for the delivery of capital projects. Directors are responsible for notifying the CFO if it seems likely that there will be a significant variation in spending on a scheme and any changes to budgeted capital receipts.
- 6.8 Virements, can be approved by those designated below, subject to the limits shown, if there is no significant impact on the delivery of individual elements of the capital programme and/or on the overall capital strategy.
 - (a) Up to £50,000 (LIMIT G) – CFO in consultation with the relevant Director
 - (b) Over £50,000 up to £250,000 (LIMIT K) – Leader and Cabinet Executive approval required
 - (c) Over £250,000 (LIMIT R) – full Council.

6.9 Supplementary Capital Estimates

Any changes to the capital programme, including new capital approvals, must be approved by Full Council.

CONTACT: Corporate & Capital Finance Manager

7. Taxation and Leasing

Taxation

- 7.1 Like all organisations, the Council is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers and members to be aware of their roles and responsibilities.
- 7.2 It is the responsibility of Directors to ensure compliance with all tax regulations relating to their Delivery Units. This will include Income Tax, National Insurance, V.A.T. and tax accounted for under C.I.S. If in doubt, Directors should consult with the CFO. Delivery

Units will be liable for any costs, including any penalties and interest charged for incorrect tax treatment.

- 7.3 Each year the Council has to demonstrate that it has not breached the partially exempt VAT threshold. If the threshold is exceeded there are significant financial implications for the Council which include having to repay VAT previously claimed back from Revenues & Customs. It is therefore important that the tax implications of business decisions are fully understood and Directors and Delivery Managers must ensure that taxation is considered as part of their everyday operations and in particular when service changes are proposed.
- 7.4 Directors and Service Delivery Managers must check the employment status of anyone engaged in their Service Area to ensure that tax is correctly calculated. This is particularly relevant to self-employed consultants or “contractors”. Where an individual is deemed to be an employee of the Council they must be paid through payroll.
- 7.5 All officers have a responsibility to ensure that tax is correctly accounted for so that the risk of financial penalty is minimised and tax paid to Revenues & Customs is correct.
- 7.6 The Council’s Taxation Officer will provide guidance in relation to taxation.

Leasing

- 7.6 Leasing is a method of financing the acquisition of certain types of capital assets and allows the cost to be spread over several financial years through annual rentals. It is a specialised area of finance with complex legal and financial agreements. Leasing arrangements may only therefore, be entered into by the CFO or his designated officer. Normal contract procedures should be followed in relation to leasing arrangements.
- 7.7 Detailed guidance on leasing issues is incorporated within specific procedure notes on the Intranet.

CONTACT: Corporate & Capital Finance Manager

8. Authorised Levels and Controlled Stationery

- 8.1 The CFO will set (and review in consultation with the Monitoring officer) authorisation levels for officers in respect to expenditure. The current levels are:-

What	Who	Limits
Authorising Orders and invoices	Requisitioners	Up to £100
	Team Leaders/Group Managers/Specialists	
	SDMs	£100 - £19,999
	SDM plus Director	£20,000 - £49,999
	Director plus Exec	£50,000 - £99,999
	Director/CE or another specified	Over £100,000

Authorising use of the imprest account	CFO	All
Travel and subsistence claims Timesheets and Overtime Claims	Team Leader/Group Managers and below	SDM
	SDM	Director
	Director	Exec Director
	Executive Director	Chief Executive
	Chief Executive	Monitoring Officer CFO
	Members	Monitoring Officer CFO

8.2 All cheques and other controlled stationery, including receipt books, invoices, and Electronic Fund Transfer (E.F.T.) forms may only be ordered by the CFO or an authorised representative who shall make proper arrangements for their safekeeping.

8.3 Only authorised signatories may commit the Council to expenditure, including electronically, in line with relevant procedure notes by:

- Authorising Orders & Supplier Invoices
- Certifying expenses claims
- Authorising petty cash purchase
- Certifying timesheets and overtime claims
- Signing and awarding contracts (see also Section 7, Contract Procedure Rules)
- Over certain limits more than one officer should be involved in the authorising process.

8.4 Directors are responsible for informing the CFO of any changes to authorised signatories and the responsibilities of officers.

CONTACT:

For authorised signatories: Finance Officers.

For controlled stationery: Print & Post Team.

9. Internal Audit

9.1 The Chief Financial Officer (CFO) under section 114 of the LGFA 1988 and the Accounts and Audit Regulations 2015 has a statutory responsibility for the overall financial administration of the Council's affairs. Section 5(1) of the Accounts and Audit Regulations 2015, says that the authority "*A relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance*". The Chief Financial Officer shall, therefore, in accordance with relevant legislation arrange for a continuous and current internal audit of all areas of Council activities.

9.2 The relevant Internal Audit Standard setters for Local Government are CIPFA and they have endorsed the UK Public Sector Internal Audit Standards (The Public Sector Internal Audit Standards are based on the mandatory elements of the Institute of Internal Auditors (IIA) International Professional Practices Framework. Internal Audit will

operate to these Standards and any other relevant guidance. The definition of Internal Auditing within the Standards is:

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

- 9.3 As the definition outlines Internal Audit has a key role to play in independently reviewing the effectiveness of the Council's entire control environment in respect to the processes for governance, risk management and control. It contributes an objective opinion to the Council's Annual Governance Statement.
- 9.4 The existence of a continuous internal audit service does not in any way diminish the responsibility of SMT for the delivery of priorities and Directors for the management of the Delivery Units under their control and their responsibilities in respect to risk management and the systems of internal control.
- 9.5 The Internal Audit, Information Governance & Insurance Services SDM is the Council's Chief Audit Executive as defined under the Standards and is the Chief Internal Auditor as defined in CIPFA's Statement on the Role of the Chief Internal Auditor who reports to the CFO and should ensure that Internal Audit remains independent in its planning and operation. The Audit, IG & Insurance SDM should be responsible for maintaining periodic audit plans which have due regard to the key priorities and associated risks of the authority, the objectives and risks for each service area in delivering their services and the requirements of the external auditor. The plan will deliver work to provide reasonable assurance to the Council based on the resources available. The Audit, IG & Insurance SDM must report to the s151 officer or the Audit Committee if there are insufficient resources or limitations in the scope of their work to provide reasonable assurance or a service consistent with the definition of Internal Audit in paragraph 9.2.
- 9.6 **It is the responsibility of Audit & IG to review, evaluate and report**
- upon the soundness and adequacy of financial and other records and the processes for governance, risk management and control within the Council to provide their assurance for the Annual Governance Statement;
 - the extent to which the Council's assets and interests are accounted for and safeguarded from losses of all kinds arising from:
 - fraud and other offences
 - waste and inefficient administration, poor value for money or other cause
 - the suitability and reliability of financial and other management data developed within the organisation.
 - The soundness and adequacy of the data quality systems operating to collect and report on performance information
- 9.7 **The Chief Finance Officer's authorised Audit & IG representatives shall be empowered to:**

- enter at all reasonable times any Council premises or land.
- have access to all Council and partner records (includes business e-mail and internet records), documentation and correspondence relating to any financial and/or other transactions or other business of the Council, its employees or members, as considered necessary by the CFO, MO or Audit, IG & Insurance SDM.
- have access to records belonging to third parties such as contractors or partners when required.
- require and receive such explanations as are regarded necessary concerning any matter under examination from any employee, member, partner or third party.
- require any employee or member of the Council or any partner/third party to account for cash, stores or any other Council property which is under his/her control or possession on behalf of the Council.

9.8 All work carried out shall have due regard for the requirements of the access to information legislation (e.g. Data Protection Act 1998, Freedom of Information Act 2000, etc.) and the Human Rights Act 1998, together with any other relevant legislation current at the time of the audit.

9.9 Delivery Managers should agree the draft report and indicate the actions they propose within one month of receipt of the draft report. Directors and Delivery Managers are responsible for implementing the agreed recommendations within Audit & IG reports within an appropriate timescale.

9.10 Failure to implement statutory, policy or financial regulation recommendations within the agreed timetables may be referred to the Chief Finance Officer and the appropriate members, following consultation with the appropriate Director.

9.11 Internal Audit has specific fraud related responsibilities which are set out in the corporate Anti-Fraud & Corruption Policy. It is the duty of any Officer or Member to follow the corporate Anti-Fraud and Corruption Policy. Any officer or member who suspects that an irregularity involving cash, materials or any other property of the Council may have occurred must inform the Director or report the matter directly to the Audit, IG & Insurance SDM or Section 151 Officer. Confidentiality, wherever possible, will be respected in any dealings on such matters. The Section 151 Officer shall report to the Chief Executive, the MO, the relevant Director, Executive Director and Cabinet or a specific member of the Cabinet and the Leader, if appropriate, any matter of a significant nature.

9.12 Any decision to refer a matter as outlined in paragraph 9.11 to the Police is to be taken by the Audit, IG & Insurance SDM after informing the Council's Section 151 Officer or their representative and the MO. Where a Member is involved the Chief Executive, MO and where appropriate, the External Auditor, will be consulted. Where Police advice is sought but it is not intended that any criminal prosecution shall take place, the Audit, IG & Insurance SDM shall ensure that the anonymity of the individual(s) concerned shall be maintained at all times.

- 9.13 Internal Audit will define and manage consultancy assignments as set out in the PSIAS.
- 9.14 The Audit, IG & Insurance SDM reports to the Audit Committee as defined in their terms of reference. This includes the following information:
- a) the Internal Audit plan and Charter;
 - b) quarterly reports summarising the internal audit work undertaken and any key findings; and
 - c) an Annual Report which provides Internal Audit assurance for the Annual Governance Statement.
- 9.15 The Audit, IG & Insurance SDM, MO and CFO have the authority to report, as appropriate, on any matter, without fear or favour, to all levels of the Council. This can include reporting directly to the Chief Executive, Leader or any Cabinet Executive (including the lead Member for Governance), Chairman of the Audit Committee, SMT, the Monitoring Officer or the Council's External Auditors.

CONTACT: Audit, IG & Insurance SDM

10 Risk Management

- 10.1 The Leader of the Council is the lead member for Governance for the Council, including risk management.
- 10.2 The Chief Executive is the lead officer in respect to Governance which incorporates risk management. The Chief Executive is responsible for the development, co-ordination and maintenance of the Council's Risk management processes which form part of the Service Planning process. However it is the responsibility of all employees and members to ensure that the Council's risks are properly managed.
- 10.3 SMT will:
- (a) regularly review the Council's strategic risks
 - (b) report to the Cabinet on an exception basis when significant risk management issues arise
 - (c) keep the Cabinet Member for Council Finance & Service Delivery updated on their reviews of strategic risks.
- 10.4 The Leader and Cabinet Executive will:
- (a) receive the exception reports on significant risk management issues arising during the year; and
 - (b) agree the Annual Governance Statement.
- 10.5 The Audit, IG & Insurance SDM will keep the Audit Committee informed of any issues arising from the risk management activities of the Council and exception reports presented to Cabinet. This will enable the Audit Committee to independently review the Council's risk management processes as set out in their terms of reference.
- 10.6 SMT is responsible for the management of risks within the services, projects and priorities that they lead. Directors are also responsible for ensuring that a proper risk

assessment is undertaken for all new activities, projects, changes to services or partnership arrangements and that where required controls are implemented or revised to manage these new/revised risks.

10.7 Each Director submitting a report to the Leader and Cabinet Executive, the Council or one of the Council's committees must ensure that any opportunities or risks arising from the proposed action or decision are clearly included in the impact assessment contained in the report.

11. Information Security

11.1 The MO is the Council's designated Senior Information Risk Owner (SIRO) and is responsible for ensuring that there is a proper information governance framework in place.

11.2 The SIRO is responsible for approving all Information Sharing agreements.

11.3 SMT is responsible for ensuring compliance with the Council's Information Governance framework.

11.4 Directors are the owners of the information within their service areas and this information encompasses information stored on computers, transmitted across networks including the internet, printed out or written down or spoken in conversation.

11.5 SMT must ensure compliance with the Corporate Information Security Policy to ensure:

1. Confidentiality of information
2. Integrity of information
3. Availability of information
4. Proper retention of information
5. All software installed is appropriate for business use and is properly licensed.

11.6 Directors must ensure appropriate Data Protection Registrations are in place for their service areas. This includes compliance with the regulation of information relating to individuals including obtaining, holding, using and the disclosure of individual's information.

CONTACT: Audit, IG & Insurance SDM

12. Public Accountability – Responsibilities.

12.1 Members and officers have a Code of Conduct and rules on Gifts and Hospitality which they must comply with.

12.2 Members and officers must not:

- Accept any bribe or personal inducement in connection with council business.
- Use Council property, assets, materials or information for other than the purposes of Council business.
- Subordinate their duty to the Council to their private interest or put themselves in a position where their duty and private interests conflict.

12.3 All members and officers must adhere to the Council's Anti-Fraud and Corruption Policy and report any suspected irregularities to the CFO.

12.4 SMT – the Chief Executive, Executive Directors and Directors are responsible for leading and demonstrating good governance and ensuring that the Council's Governance Statement is a true reflection of the Council's governance arrangements.

13. Purchasing Arrangements.

General:

13.1 These Financial Regulations should be considered in conjunction with the relevant parts of Contract Procedure Rules relating to contracts. Directors must ensure that any purchasing contracts comply with Contract Procedure Rules, related guidance and, statutory requirements.

Financial Thresholds & Limits

13.2 All contracts must adhere to the contract thresholds set out in the Contract Procedure Rules in Conducting a Purchase.

Works/Goods/Services

Requisitions, Authorisation, Goods Received, Payments

13.3 Every officer and member of the Council has a responsibility to declare any links or personal interests which they may have with purchasers or suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Council. Officers should complete a Declarations of Interest Form and submit this to the Director or relevant Executive Director as soon as they become aware of such an interest. Members are responsible for amending their own entries in the Register of Interests held by Member Services as soon as they become aware of such an interest.

13.4 Official Orders are to be issued only by officers authorised by Directors. Authorised officers are responsible for authorising orders within their control and in particular for ensuring that the expenditure is necessary, legal and within the approved estimates or covered by a special financial provision.

13.5 The CFO should be notified of all officers authorised by Directors to authorise official orders.

13.6 Official orders shall be issued for all work, goods or services to be supplied to the Council; this must be in the form of an electronic order generated by the approved Corporate Procurement System, unless the Government Procurement card is used (see section 14 below). Authorising officers must be able to demonstrate that the work, goods or services are required in order to provide Council Services. Orders should not be raised for supplies of utilities, periodic payments such as rent or rates, or for purchases made through imprest accounts. When ordering from an individual their status must be confirmed using the HMRC Employment Status Indicator and recorded on the financial system.

- 13.7 Telephone orders may be used in exceptional circumstances but when this happens they must be confirmed using an electronic emergency order.
- 13.8 All orders must be governed by the Authority's standard terms and conditions; these must not be varied without the prior approval of the Director: Policy & Governance.
- 13.9 Official orders must not be raised for any personal or private purchases, nor should personal or private use be made of Council contracts.
- 13.10 Directors and Service Delivery Managers shall separate the responsibilities for raising requisitions, authorisation of requisitions and receipt of goods, so that 2 different officers are involved.
- 13.11 Goods and services should be checked on receipt to ensure they are in accordance with the order and a Goods Receipt Note raised on the Financial Management System. Discrepancies should be dealt with as agreed procedures.
- 13.12 All payments, apart from the authorised use of imprest accounts (see Financial Regulation 18); due from Service Delivery Units and chargeable against their budgets shall be made in such manner as outlined by the CFO. Apart from payments from cheque imprest accounts the normal method of payment of money due from the Council shall be by BACS or other instrument drawn on the Council's bank account by the CFO. The use of direct debit and credit shall require the prior agreement of the CFO.
- 13.13 All invoices will be received by the Purchase Ledger team unless otherwise agreed. Once received the invoices will be scanned into the system and matched to the order and goods received note, where they exist. Mismatches will be resolved as per the agreed procedures.
- 13.14 Payments to construction contractors on account of contracts shall be made only on a certificate issued by a relevant member of SMT or other officer or external consultant nominated in writing for this purpose. This certificate shall show the total amount of the contract, the value of the work executed to date, retention money, amount paid to date and the amount now certified.
- 13.15 Any interest charged to the Council in respect of late payment under the Late Payment of Commercial Debts (Interest) Act 1998 will be passed on to the Delivery Unit that ordered the goods/services.
- 13.16 The Audit, IG & Insurance SDM and Employment Services Manager shall examine accounts to the extent considered necessary and shall be entitled to make such enquiries and to receive such explanations as may be required.
- 13.17 Detailed guidance on Requisitions, authorisation, orders, good received notes and payments can be found within specific procedure notes on the Intranet.

CONTACT: Procurement & Brokerage Manager or Employment Services Manager

14. Corporate Credit Cards and the Government Procurement Card (GPC)

14.1 Usage is restricted to the following

- Corporate Credit Cards: The Leader and Directors may have corporate credit cards. The CFO also has a card which can be used by other Council officers following strict guidance and authorisation procedures.
- Government Procurement-Cards – as part of the process operated by the Procurement Team.

14.2 Corporate Credit Cards: there are strict guidelines and procedures associated with the use of corporate credit cards which clearly state card holder responsibilities and allowed expenditure. The cardholder is responsible to account for all expenditure that is incurred on their card. Expenditure must be for business purposes only and VAT receipts must be provided for each transaction. There are set limits for expenditure against the Corporate Credit Card Account which must not be exceeded. The CFO will approve any additional cardholders.

14.3 GPC – the GPC process is in place to enable purchases by telephone, face-to-face or via the internet to streamline the procurement of low value, high volume transactions. Users will be authorised by their Service Delivery Manager and the process controlled by the GPC coordinator in the Corporate Procurement Team. Each card will have set limits for expenditure which must not be exceeded. Each user and their manager receives specific guidance on usage and their responsibilities. The GPC process negates the need for a traditional order; instead the user maintains a monthly log of expenditure, which is validated against the statement issued by the supplying bank at the end of each accounting period. The cardholder is responsible for all expenditure on their card and the essential monthly reconciliation, which is set out in an acceptable use policy. The account will be settled by Direct Debit on a monthly basis. The GPC card spend will be published on the Council's website on a monthly basis.

CONTACT:

**Corporate Finance for further advice and guidance on the Corporate Credit Cards
Procurement for further advice on the Government Procurement Cards**

15. Income and debtors

- 15.1 ADs and SDMs must ensure that all income due to the Council is identified, collected, receipted (and recorded and securely retained prior to banking) and properly banked. They should, wherever possible seek pre-payment for goods and services; otherwise income collection should be by the most cost effective procedures.
- 15.2 AD's and SDM's are responsible for ensuring that there are proper refund procedures and that appropriate approval is recorded.
- 15.3 ADs and SDMs must monitor outstanding debt on a regular basis and, as far as possible, ensure transparent separation between those responsible for the identification of debt and those responsible for its collection.

- 15.4 The Council does not accept the discharge of a debt other than by payment in full other than in respect of write-offs, as below:-

What	Who
Value up to the level of Revenues Court costs - £80	R&B Team Leader
Revenues Court Costs to £999.99	Revenues Group Manager
£1,000 to £9,999.99	Revenues SDM
£10,000 to £24,999.99	AD – Finance & HR
Where the debtor has been declared insolvent or bankrupt and all monies due in dividend has been received or, if the debtor is a company where it has ceased trading or is insolvent	AD – Finance & HR
A debt of more than £25,000 which is not subject to insolvency or bankruptcy proceedings	Leader/Cabinet

- 15.4 Money held on behalf of the Council shall not be used to cash cheques for members, employees or third parties.
- 15.5 All income over £100,000 coming in to the Council must be notified by the AD/ SDM to the CFO as must contracts and leases that involve the receipt of such sums.
- 15.6 ADs will review charges made for services provided within their service delivery areas at least annually.

CONTACT: CFO

16. Banking Arrangements

- 16.1 All arrangements with the Council's bankers must be made or approved by the CFO who shall be authorised to operate such bank accounts, including giro bank accounts as required.
- 16.2 Cheques drawn on the Council's banking account shall bear the facsimile signature of the CFO or be signed by him/her or such other identified senior officers as he/she may from time to time designate in writing.
- 16.3 The CFO shall maintain a list of identified senior officers who may on his/her behalf give instructions to the Council's banker and countersign cheques. These designated senior officers must countersign cheques for amounts of £50,000 or more (LIMIT G).
- 16.4 Standing order and direct debit payments may only be established by the CFO or such other identified senior officers as he/she may from time to time designate in writing.

CONTACT: Corporate & Capital Finance Manager

17. Payments to Employees

- 17.1 The Council's Pay Policy Statement must be adhered to in respect to all payments to employees.

- 17.2 ADs must ensure that the CFO is notified of all matters affecting the payment of employees and members as soon as possible after there has been a change made that will affect any employee/member.
- 17.3 Any pay records shall be in a form agreed by the CFO.
- 17.4 No payment will be made to a person deemed to be an employee other than through the normal payroll procedure. AD's and SDM's should confirm before engagement the employment status of self-employed consultants or "contractors" and clarify their payment mechanism with the CFO. Office Holders should also be engaged through payroll as they are subject to PAYE.
- 17.5 All claims (travel, subsistence, overtime, additional hours etc.) should be submitted within 3 months.
- 17.6 There are special rules on foreign travel available separately.

CONTACT: Employment Services Manager or Human Resources Manager

18. Imprests

- 18.1 The CFO in consultation with appropriate Directors may make imprest advances to officers for the purposes of paying minor items of expenditure and any other items as may be approved by him/her.
- 18.2 The CFO reserves the right to withdraw imprest facilities from officers if it is deemed that they are being used inappropriately, the expenditure limit is exceeded, or the facility is rarely used.
- 18.3 The accounts should be maintained on an imprest basis using standard Council imprest stationery and recording procedures for this purpose. All officers should maintain a record of their receipts and payments in a form and manner prescribed by the CFO.
- 18.4 No income received on behalf of the Council may be paid into an imprest account but must be banked or paid into the Council as in section 15 of these regulations.
- 18.5 The imprest account should be continually kept in balance and records submitted as required by the CFO at regular intervals for examination and the reimbursement of expenditure.
- 18.6 The officer responsible for an imprest account shall, if requested, give the CFO a certificate confirming the amount held. Upon leaving the Council or at the request of the CFO the responsible officer shall repay to the Council the balance of the imprest held.
- 18.7 Cheque imprest accounts should not be allowed to go overdrawn. The Delivery Unit concerned will be responsible for all bank charges, interest payments and administration charges if this occurs as a result of failure to submit reimbursement claims or if they are submitted too late in order that timely processing can take place.

- 18.8 Imprest should not be used to pay or reimburse employees, or to purchase items from which they will benefit.
- 18.9 Detailed guidance on Imprest and Petty Cash Accounts is incorporated within specific procedure notes which are included on the Intranet.

CONTACT: Corporate & Capital Finance Manager

19. Insurance

- 19.1 The MO will be responsible for the Council's insurance. Only the officer identified by the MO may obtain insurance cover on behalf of the Council.
- 19.2 Directors are responsible for ensuring that all new activities or assets that may introduce an insurable risk to the Council are notified to the Insurance Manager.
- 19.3 Directors must assess the risks associated with their services and notify the Insurance Team Leader of any changes to risk exposure.
- 19.4 As soon as officers are aware of any loss, liability or damage-causing event that may give rise to a claim of any kind against the Council they must notify the Insurance Manager who will take the appropriate action to safeguard the Council's position.
- 19.5 Appropriate officers will co-operate at all times with the investigations of the Insurance Manager into any claims and will supply all information upon request. It is imperative that officers comply with the timescales for investigating claims. Failure could directly affect the authority's ability to defend a claim or could result in financial penalties being imposed on the authority/Delivery Unit.
- 19.6 The appropriate officer will make an annual declaration of any claims or events likely to give rise to a claim not yet reported to the MD.
- 19.7 It is the responsibility of the Delivery Manager to ensure that all third parties using the Council's buildings are appropriately insured and that Contractors employed by the Council hold appropriate and valid insurance.
- 19.8 The MD will ensure that the CFO is regularly briefed on actual or pending insurance claims and in any event will notify the CFO of actual or pending claims when the potential liability is £50,000 or more.

CONTACT: Insurance Team Leader

20. Security and Control of Assets

20.1 Stocks and Stores

- 20.1.1 Directors are responsible for determining an efficient stock holding policy to ensure stock levels are not in excess of normal requirements.

- 20.1.2 The Director shall supply the CFO with such information relating to stores with a value exceeding £1,000 as may be required for the accounting, costing and financial records of the Council.
- 20.1.3 Directors shall ensure periodic test examinations of stocks and shall ensure that all stocks are checked at least twice a year, and that a return of stocks in hand at the 31st March is certified.
- 20.1.4 After each stock check a return should be completed indicating any differences between actual and recorded stock. Where, after thorough investigation, differences cannot be reconciled, then the necessary adjustment should be made to the stores accounts. Adjustments to the accounts should be clearly identified and appropriately authorised. Copies of all adjustments should be available for inspection by Audit Services. If the adjustments account exceeds £10,000 (LIMIT B) in any year, the CFO shall report the circumstances to the lead member on the Cabinet responsible for finance and enterprise, together with explanations for the surplus/deficit.
- 20.1.5 Directors should ensure that any material surpluses or obsolete stock are disposed of in line with agreed Council procedure. All disposals should be recorded and the records should be available for inspection.

21. Inventories

- 21.1 Inventories shall be maintained by all Delivery Units of all Council assets, including ICT (see 21.2.2). The CFO shall define the extent to which the assets of the Council shall be recorded and the form in which inventories shall be kept.
- 21.2 A corporate inventory for all ICT assets shall be maintained by the Director: Communities, Customer & Commercial Services and as such all items will be clearly identified and labelled. Delivery Managers should not arrange relocation or disposal without appropriate notification to the Director: Communities, Customer & Commercial Services.
- 21.3 All leased equipment should be clearly identified and labelled. The labelling should indicate that the item should not be sold (as it does not belong to the authority).
- 21.4 The Council's assets shall not be removed from Council premises except in accordance with the ordinary course of the Council's business unless specifically approved by the Director. Council property shall only be used for the Council's purposes unless specific instructions are issued by the appropriate Director. The Director shall be responsible for ensuring that any such agreements are recorded. Attractive and portable items such as computers, cameras, TVs, video recorders and playback/recording equipment should be identified with security markings as belonging to the Council.
- 21.5 All disposals will be in line with agreed Council procedures and E.U. directives. In addition, special procedures are in place to deal with the disposal of leased equipment – any queries should be referred to the appropriate Finance Manager.
- 21.6 Service Delivery Managers are responsible for carrying out an inventory check at least once a year and ensuring that all items are accounted for. All discrepancies must be reported to their Finance Manager.

21.7 Detailed guidance on Inventories and Disposal of Assets is incorporated within specific procedure notes which are included on the Intranet.

22. Land and Buildings

22.1 The Director: Housing, Employment & Infrastructure shall be responsible for the Asset Management Plan and maintain or make arrangements for the maintenance of a terrier of all properties owned or rented by the Council.

22.2 The terrier should record:

- the date of acquisition or appropriation
- Council authority
- the holding Board
- purpose for which held
- location, extent and plan reference
- purchasing details
- particulars of nature of interest and rent payable
- particulars of tenancies granted

CONTACTS

**Stocks and Stores, Appropriate Finance Manager Inventories, Audit, IG & Insurance
SDM**

Land and Buildings, Director: Housing, Employment & Infrastructure

23. Treasury Management

23.1 The CFO shall arrange all borrowing of monies, and make all arrangements concerning the investment or utilisation of capital monies or other funds.

23.2 In exercising the function, the CFO should comply with the contents of CIPFA's 'Code for Treasury Management in Local Authorities'.

23.3 The Council shall adopt a Treasury Policy Statement and an annual Treasury Management Strategy. The responsibility for their implementation and monitoring will be delegated to the Leader and Cabinet Executive.

23.4 The CFO shall report (at least half yearly) to the Audit Committee on the activities of the Treasury Management function and on the use of delegated Treasury Management powers.

23.5 The Audit Committee through their terms of reference (rather than the Budget & Finance Scrutiny Committee) will scrutinise the Councils Treasury management arrangements as set out in best practice guidance. The CFO will provide appropriate information to enable them to fulfil this role.

CONTACT: Corporate & Capital Finance Manager

24. Unofficial and Voluntary Funds

- 24.1 An unofficial or voluntary fund is defined as any fund, other than an official fund for the Council, which is controlled wholly or in part by an officer by reason of his or her employment by the Council.
- 24.2 Staff should seek approval from the appropriate Director before establishing an unofficial fund.
- 24.3 The Director shall maintain a register of all such funds. The register will include the following details for each fund:
- The name of the 'Responsible Officer', as defined in the procedure notes on Voluntary and Unofficial Funds, responsible for the day to day running of the fund;
 - The accounting period (which should generally be 1st April to 31st March);
 - Bank account details; and
 - Cheque signatories.
- 24.4 Directors shall ensure that all such funds are audited by suitably qualified auditors and are submitted within 6 months of the end of the accounting period to the Council and any other parties (i.e. clients, sponsors, charitable bodies) with an interest in the fund.
- 24.5 The CFO reserves the right to inspect all documentation relating to unofficial funds and seeks such explanations that are necessary to ensure they are being appropriately managed.

CONTACT: Corporate & Capital Finance Manager

APPENDIX A

Financial Limits

As financial limits require amending from time to time the limits itemised in the various regulations are referenced to this appendix. When amendments are actioned they will take the place of the amounts currently included in the detailed regulations.

Limit Reference	£
A	5,000
B	10,000
C	25,000
D	5,001 to 10,000
E	10,001 to 24,999
F	25,000 or over
G	50,000
H	75,000
J	100,000
K	250,000
L	500,000
M	Over 100,000
N	200,000
P	Over 200,000
Q	100,000 to 250,000
R	Over 250,000
S	Statutory Threshold
T	Statutory Threshold

The Contract Procedure Rules

The Local Government Act 2000 requires the Constitution to include rules, regulations and procedures relating to the Authority’s procurement process. The rules are contained within this document. There is also a considerable amount of guidance and templates that underpin and facilitate these rules. Links to this guidance are shown as underlined [blue narrative](#)

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Guidance Documents

1. [Guidance to the Contract Procedure Rules](#)
2. [Procurement Flow Chart](#)
3. [Guidance for Health and wellbeing, care, education and Support](#)
4. [Additional procurement guidance for Construction](#)
5. [Grant Decision Guide](#)
6. [Social Value Guide](#)

1 **Purpose**

- 1.1 The aims of the Contract Procedure Rules (“the Rules”) are to:
 - 1.1.1 achieve value for money
 - 1.1.2 ensure compliance with all legal requirements
 - 1.1.3 ensure transparency, openness, non-discrimination and fair competition
 - 1.1.4 support the Council’s corporate aims, values, priorities and good governance
 - 1.1.5 protect officers
 - 1.1.6 demonstrate probity, consistency, accountability and integrity
 - 1.1.7 assist in time management and planning for procurement
- 1.2 The Rules are supported by Guidance. Officers should have due regard to this Guidance when planning and carrying out any activity as detailed below.

2 **Scope**

- 2.1 The Rules apply to all contracts with outside organisations, or people, including agreements with or on behalf of other public sector organisations & partner agencies, where there is an agreement to supply goods, works or services, in return for money or payments in kind, whether that agreement is formal or informal. This includes:
 - 2.1.1 purchasing of all goods and services or works
 - 2.1.2 loan or leasing arrangements
 - 2.1.3 instruction of outside experts or consultants under contracts for services
 - 2.1.4 tenders for sub-contracts
 - 2.1.5 grants and external funding arrangements
 - 2.1.6 Sale of services, goods and assets
- 2.2 These Contract Procedure Rules do not apply to contracts of employment or contracts relating to interests in land.

3 **Legal and Statutory Requirements**

- 3.1 The Council is obliged by virtue of section 135 of the Local Government Act 1972 to make contract procedure rules to ensure competition and regulate the procurement process.
- 3.2 Every contract whether made by, or on behalf of, the Council must comply with the relevant statutory requirements.
- 3.3 Contracts must also comply with the Council’s Financial Regulations and protect the Councils’ interests fully.
- 3.4 The risks of non-compliance with are significant and include awards of damages, a fine for the authority and contracts being cancelled. A breach of these Rules could constitute a disciplinary matter.

3.5 Where there is a conflict between the Rules and any statutory requirements then the statutory requirements will apply.

4 **Responsibilities**

4.1 Every officer and member of the Council has a responsibility to declare any links or personal interests which they may have with purchasers or suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Council. Officers should complete a [Declaration of Interest Form](#) and submit this to the Director or relevant Executive Director as soon as they become aware of such an interest. Members are responsible for amending their own entries in the Register of Interests held by the Democracy Team as soon as they become aware of such an interest.

Designation	Responsibilities
Executive Directors, Directors and Associate Director	<p>Ensure that their teams comply with these Rules.</p> <p>Ensure that key strategic procurement projects are properly resourced and have legal, financial, procurement and, where necessary, HR input at the outset.</p> <p>Ensure that schemes of delegation are obtained as required.</p>
Service Delivery Managers or equivalent	<p>Ensure that officers with sufficient training, experience and knowledge of the Rules carry out procurement.</p> <p>Ensure that resources are available to allow compliance with the Rules.</p> <p>Ensure contracts are signed at the appropriate level in accordance with the Finance Regulations and the Rules</p> <p>Appoint a Procurement Champion for their Service Delivery Area.</p> <p>Attend Auctions to bid for items providing that funding is in accordance with approved budgetary estimates.</p> <p>Enter into leasing arrangements on behalf of the Council.</p>
Officers	<p>Comply with these Rules, Financial Regulations, and the Code of Conduct for employees and with all legislation.</p> <p>Ensure they and any team members they are responsible for are suitably trained before they procure.</p> <p>Ensure that any agents, consultants and contractual partners acting on their behalf also comply with the Rules.</p> <p>Maintain an audit trail of all authorities given and decisions made to show how the Rules have been complied with in a fair and transparent process.</p> <p>Involve Procurement and Legal Services at the earliest opportunity and at all necessary stages of the procurement</p> <p>Store all documents in electronic form, including any correspondence in a restricted shared drive or eTeam site.</p>
Third Parties	<p>Must comply with the Rules where applicable and appropriate and Officers instructing third parties to procure contracts on the Council's behalf must supply them with a copy</p> <p>Officers and third parties must ensure that any Conflict of Interest is considered and avoided in the first instance or declared to the appropriate Director using the Declaration of Interest Form. Legal advice must be obtained by Officers</p>

Designation	Responsibilities
	where any conflict has the potential to impact on a contractual relationship.

5 **General Requirements**

5.1 **The Public Services (Social Value) Act 2012**

5.1.1 The Act requires public bodies in England and Wales to consider:

- how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and
- how, in conducting the process of procurement, it might act with a view to securing that improvement.

5.1.2 Officers should be mindful that there may be a legal requirement for other impact assessments to be undertaken. In this respect, Corporate Procurement should be consulted who will advise based on the procurement that you are undertaking.

The Act must be considered at the pre – procurement stage of all contracts for services.

For further information please refer to the [Social Value Guide](#) guidance.

5.2 **Equalities**

5.2.1 The general equality duty, set out in the Equality Act 2010, requires Councils to have due regard to the need to:

5.2.2 eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act

5.2.3 advance equality of opportunity between people who share a [Protected Characteristic](#) and those who do not and

5.2.4 foster good relations between people who share a protected characteristic and those who do not.

5.3 The Council must consider the impact the procurement outcome may have on the people who live and work in their area, with regard to any protected characteristic.

5.4 If the procurement:

5.4.2 may have a high negative impact,

5.4.3 had a previous impact assessment that identified a high negative impact,

5.4.4 impacts on a large number of people, or,

5.4.5 deals with particularly sensitive issues

You may need to carry out an Impact Assessment at the planning stage of your procurement. Further guidance can be found on the [Assessing Impact](#) page of the Council's intranet.

6 **Key Decisions**

- 6.1 Officers must consider whether the decision to procure is a [Key decision](#) and if so ensure that details are entered onto the [Notice of Key Decision](#) in good time for a decision to be properly made.
- 6.2 Where the procurement is a key decision, the Officer must obtain evidence of the key decision being approved such as the minutes from the relevant cabinet meeting, and store this for completeness with the tender and contract documentation.

7 Contract Classification and Forms of Contract

- 7.1 Officers should consider which type of contract they are procuring:-
 - 7.1.1 A contract for works, including [construction and engineering](#)
 - 7.1.2 A contract for services or
 - 7.1.3 A contract for goods
- 7.2 If the procurement is for a “mixed” contract then the predominant purpose will prevail. The appropriate terms and conditions for that type of contract must be used as detailed below.
- 7.3 The Council’s Terms and Conditions must be used for all tenders and contracts and the Council must avoid entering into contracts under provider’s/contractor’s terms and conditions.
- 7.4 On occasion, there may be a requirement for a specialised service which brings with it a need for non-standard Terms and Conditions. In this case the Terms and Condition must always be discussed with Procurement Team in advance and approved prior to any tender issue and contract award.
- 7.5 Officers should ensure that any Terms and Conditions indicated by use of a regional or national framework do not differ significantly the Council’s own Terms and Conditions and if in doubt should have these reviewed by the Legal team.
- 7.6 Officers must consider the total value of the contract at the outset (see [guidance to contract procedure rules](#)) and follow the prescribed route below using the [Procurement flow chart](#) for guidance.

Total Value	Action
Under £10,000	Achieve best value through informal quotes
Between £10,001 and statutory procurement threshold	Request for quotes obtained through the eTendering system
Over statutory procurement threshold	Formal Tender Using eTendering system

7.7 For all works procurement, the following will apply

Total Value	Action
Under £10,000	Direct contract or single quotation with supplier. If the opportunity is a Disabled Facilities Grant this must be advertised via the biT Team’s DPS
Between £10,001 and £800,000	Use the biT team’s Minor Works DPS if available. If not available or not

	appropriate then follow requirements for non-construction contracts above.
Over £800,000	Use the biT team's Major Works DPS if available. If not available or not appropriate then advertise via eTendering system.

8 In House Provision and Corporate Contracts

- 8.1 Officers must check if there is an option to access current in-house Services for example Facilities Management, Cleaning Services, Catering Services, Professional Services and Maintenance for Building and Construction, Communications, Energy Management, Training. Use of an in house resource should offer better overall value.
- 8.2 Officers must also check if there is an option to access an existing [Corporate Contract](#) Where a suitable Corporate Contract exists this must be used unless there is a justifiable reason not to. A list of corporate contracts can be found on the Procurement Intranet page.

9 Frameworks and Dynamic Purchasing Systems (“DPS’s”)

- 9.1 Officers must ensure that they follow the rules in the framework or DPS which set out how individual contracts can be awarded. This may be direct award in relation to Frameworks if prices are provided but more often this will involve a further procurement activity, referred to as a mini or further competition. Officers must ensure that the cost quality evaluation criteria used as part of the initial framework award is used to select suppliers through further competition but relevant extra sub criteria can be added. Officers must also check that all terms and conditions of the framework comply with and compliment the Council's own values and priorities.
- 9.2 Authority to establish a new framework agreement or DPS (as opposed to ordering from a framework or DPS) must be agreed by the relevant Director.
- 9.3 See [guidance to contract procedure rules](#) for further information

10 Joint and Collaborative Procurement and Schemes financed partly or wholly by another Public Sector Organisation,

- 10.1 Where the Council acts as a Lead Authority to let contracts on behalf of a consortium of public sector bodies, these Rules must be complied with and all records kept by the Council's nominated officer.
- 10.2 Officers leading or participating in multi-agency schemes where the key decision process applies must obtain approval from the CFO prior to committing the Council to participate in the scheme.
- 10.3 Officers leading multi-agency schemes must ensure that partnership working agreements are in place before procurement activity for the scheme begins or the contract is let.
- 10.4 Purchasing of goods, services or works which are being funded by another party may require specific procurement rules to be followed in addition to these rules.
- 10.5 See [guidance to contract procedure rules](#) for further information .

11 Appointing Experts and Consultants,

- 11.1 A [Use of Consultants](#) Business Case must be completed for any procurement of a consultant or expert where the total value of their services will exceed £500.
- 11.2 Specific Council [Consultant terms and conditions](#) must be used for the appointment of a consultant. It is essential that an appointed Consultant has suitable Professional

Indemnity Insurance and certificates should be checked before any contract commences and on an ongoing basis until all advice is completed.

11.3 See [guidance to contract procedure rules](#) for further information .

12 eProcurement

12.1 The Council's eTendering system must be used for all procurement activity over £10,000 unless otherwise agreed with Corporate Procurement. This will ensure a robust audit trail and is a cost saving to both the Council and potential suppliers. Full details on how this can be used are available via the Procurement intranet page.

12.2 Prior approval must be obtained from the Director: Policy & Governance if you wish to procure without using the Council's eTendering system.

12.3 See [guidance to contract procedure rules](#) for further information .

13 Supporting the Economy and advertising,

13.1 All requirements over £10,000 must be advertised via the Council's eTendering System. Officers can advertise requirements below £10,000 if they feel that it may be of benefit, both for the Borough and the Council.

13.2 The Procurement Team will manage advertising of the requirement through social media and the Council's internet page.

13.3 See [guidance to contract procedure rules](#) for further information.

14 ICT Facilities & Services,

14.1 Regardless of value, all purchases of ICT hardware, software, licenses, systems, services, or works must be through, or with the agreement of, the ICT team for the purposes of system integration, monitoring compliance with corporate standards and obtaining of Best Value. The ICT team should be consulted at the earliest stage when considering any IT related project or solution.

14.2 The requirement must initially be logged with the ICT Service Desk by the Service Area that requires it. The ICT Service Desk will then take appropriate action to make the purchase or provide stakeholder input to an ICT Project Mandate, the specification and project plan.

14.3 ICT will also support negotiations regarding annual maintenance charges and system upgrades.

15 Leasing Arrangements,

15.1 Leasing is a method of financing the acquisition of certain types of capital assets and allows the cost to be spread over several financial years through annual rentals. It is a specialised area of finance with complex legal and financial agreements. Leasing arrangements may only therefore, be entered into by the Director or his designated officer.

15.2 Please see the [Financial Regulations](#) for further information.

16 Transfer of Undertakings (Protection of Employment) Regulations 2006,

16.1 Where a contract is to be re-procured and TUPE may apply, the contract manager must write to the existing supplier and request TUPE information to be supplied via a [TUPE template](#) well in advance of the tendering exercise commencing.

16.2 Officers must ensure that sufficient time is built into the procurement so that the costs and implications can be shared with potential bidders through standard TUPE provision within the tender documents.

16.3 The contract terms and conditions for any new service contract must contain an up to date TUPE clause to ensure that future TUPE details are shared well before any subsequent retendering.

16.4 See [guidance to contract procedure rules](#) for further information.

17 Grants

17.1 Officers shall confirm with their Finance Manager that the monies that they wish to issue to a third party can be done so in the form of a grant. If the monies to be issued have been received into the Council as a grant initially the terms of the grant should be referenced in the legal agreement to the final recipient.

17.2 Officers must adhere to the approvals limits as detailed in section 8.1 of the Financial Regulations and use the [Grant Conditions](#) document when issuing a grant.

17.3 The Officer is responsible for recording the grant on the Grant register held on the Procurement e-team site.

17.4 See [guidance to contract procedure rules](#) for further information .

18 Memorandum of Understanding (MOU) and Service Level Agreements (SLA),

18.1 SLAs and MOUs can only be used following agreement with Legal services

18.2 All Directors have authority to sign a MOU or a SLA provided that legal approval has been given.

18.3 See [guidance to contract procedure rules](#) for further information.

19 Parent Company Guarantee and Bonds,

19.1 A performance bond or adequate security will be required where:

19.1.1 the nature and length of the contract is such that the risk of failure is sufficiently high; or

19.1.2 the estimated cost of re-establishing a service if the contract fails is

19.1.3 relatively high; or

19.1.4 the financial and technical standing of the contractor is such that the risk of the failure is sufficiently high.

19.2 The amount of the bond will be 10% of the total contract value unless otherwise agreed by the Director of Finance & Human Resources.

20 Keeping Records and Updating Contracts Register,

20.1 Each Service Area must keep proper electronic records of:

20.1.1 the different stages of the tendering process including all the quotes and letters received, and notes of phone calls and meetings about selecting suppliers in addition to all information already held on the eTendering system

20.1.2 the awarding of the contract.

20.1.3 any information provided to tenderers or contractors.

20.1.4 any decisions made, together with the reasons for those decisions.

20.1.5 any exemptions granted to the number of quotes/tenders sought.

20.1.6 Officers must keep all procurement documents for specific periods of time as laid down in the [Council's Corporate Retention and Disposal Scheme \(CRDS\)](#).

20.1.7 all contracts over **£10,000 must** to be passed to the Procurement Team.

20.1.8 original Sealed contracts must be stored in Legal Service's deeds room

20.1.9 Officers must complete all information required on the Council's [Contracts Register](#) following award of the contract

21 **Signing Contracts**

21.1 All contracts must be signed by an authorised officer as set out below:

Contract Value	Executed By
Up to £19,999	Team Leader or equivalent One signature is required
Up to £49,999	One signature required Service Delivery Manager or equivalent.
£50,000 to £499,999	One signature required Executive Director, Director or Associate Director or any officer authorised by one of them.
£500,000 and above	KEY DECISION Contracts must be sealed by the Director: Policy & Governance or their authorised representative instead of being signed. Authority to seal the contract must be provided in writing to Legal Services by an Executive Director or Director

22 **Contract management**

22.1 Once awarded, all contracts over £10,000 must be recorded on the Council's [Contract Monitoring Document](#). This document provides the data source for the Council's externally published Contracts Register.

22.2 The Contract Monitoring Document must be updated after each contract monitoring meeting and any savings resulting from the meetings reported through to the Procurement team for recording.

22.3 See [guidance to contract procedure rules](#) for further information.

23 **Contract Variations or Amendments**

23.2 Officers can enter into extensions or variations provided;

23.2.1 there is provision within the contract to extend (and this has not already been utilised to its full extent)

23.2.2 the provision is within scope and does not constitute a material change

23.2.3 the budget has been confirmed in writing

23.2.4 the variation is in accordance with any statutory requirements

23.3 Standard [contract variation documentation](#) is to be used to enact the changes of the extension or variation. If the contract to be varied was sealed then a [deed of variation](#) is required.

23.4 Once signed or sealed, a copy of the variation should be sent to the Procurement team for scanning and filing in the Deed Room linked to the original contract to enable change control.

23.5 Legal advice must be sought if proposed changes may amount to a significant or material change such as the new requirement not being related to any part of the

original advertisement or a value change but it is unlikely this will be permissible.

24 Exemptions and Exceptions to the Contract Procedure Rules

24.2 Contracts that may be exempt from the application of the regulations and the Rules are:

- 24.2.1 Contracts relating solely to the acquisition or disposal of an interest in land and buildings
- 24.2.2 Call-offs under framework agreements and dynamic purchasing systems, providing compliant with statutory requirements
- 24.2.3 transactions conducted by the Director of Finance & Human Resources in respect of dealing in the money market
- 24.2.4 in the cases of Social Care contracts for an individual, when there is immediate risk to an Individual's health or wellbeing
- 24.2.5 In the case of Social Care contracts where a change to a provider is not in the interests or needs of an Individual and such change would be detrimental to the Individual's outcomes
- 24.2.6 In the case of Social Care contracts where an out of Borough placement is required to facilitate personal choice.
- 24.2.7 where goods, services or execution of works are obtainable only from one source or contractor and there is no reasonably satisfactory alternative from a weak market
- 24.2.8 In the case of circumstances beyond the Council's control requiring emergency Works, Supplies or Services when the best value for money option to remedy will apply as a temporary solution.

24.3 Exceptions to the Rules may be:

- 24.3.1 by the direction of the Council or (in relation to Cabinet functions) the Cabinet. The report to Council/Cabinet must clearly state the reasons why the exception is requested and the alternative contract letting method to be used to ensure best value.
- 24.3.2 there is a case for urgent decisions outside the budget or policy framework ;
- 24.3.3 compatibility issues such that procurement from another source would be uneconomic given the investment in previous infrastructure;
- 24.3.4 a waiver of the rules would be in the interests of the efficient management of the service;
- 24.3.5 where there is a legal requirement to contract with a particular supplier.
- 24.3.6 Where tendering has resulted in insufficient competition (i.e. only 1 supplier) after two attempts at open competitive tender.

Where an Officer seeks an exemption or exception to the rules they must complete a [Waiver Request Form](#) and this will be considered by the Monitoring Officer.

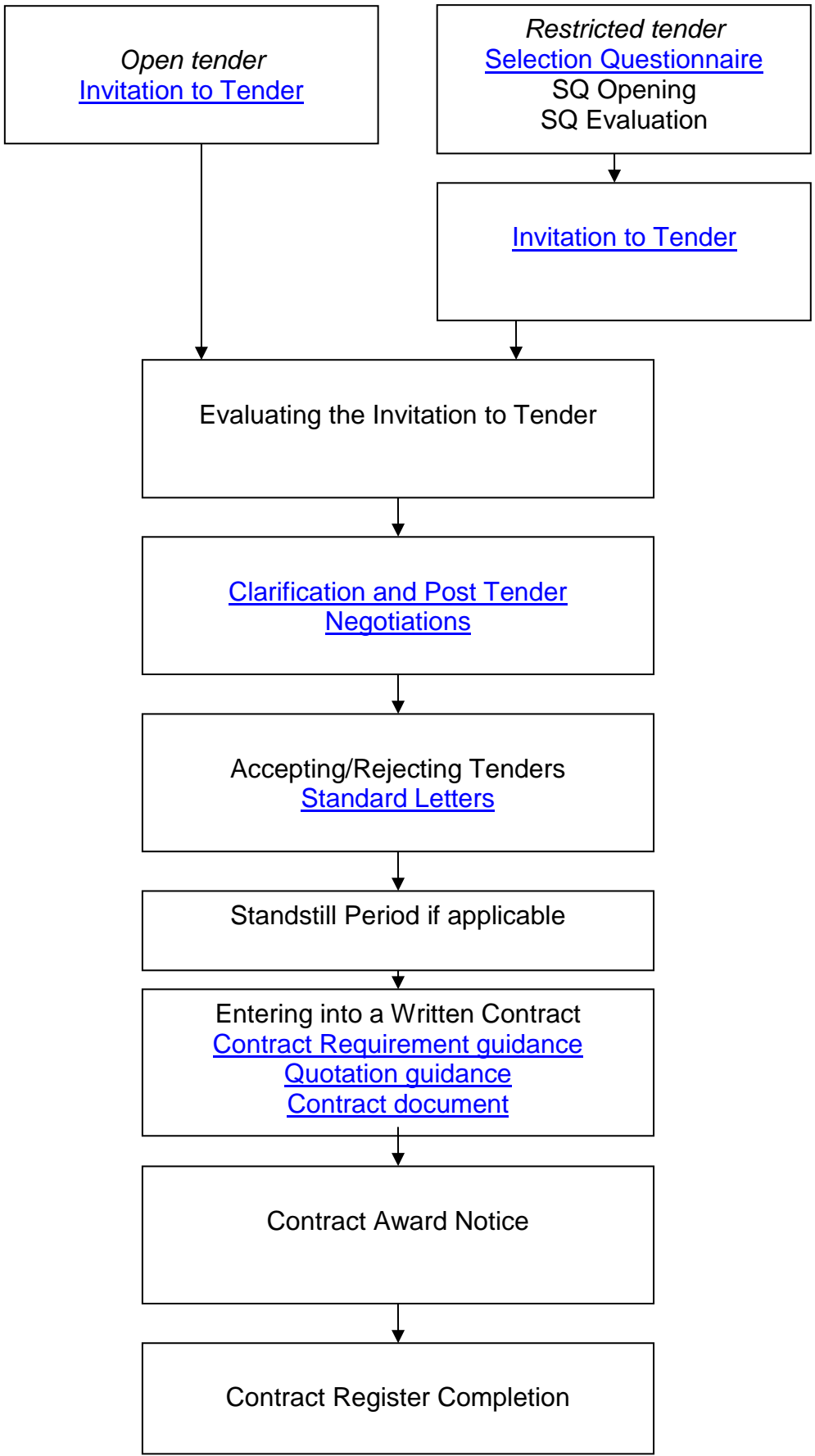
Any such review should include consultation with the Chief Finance Officer (or his/her nominated deputy) and reference to the section of the Rules for which an exemption is being sought. The Monitoring Officer has delegated powers to decide to approve, refuse or refer the request to the Cabinet (for the Cabinet to determine as set out at section 24.2 above).

- 24.4 Other than in exceptional circumstances Waivers will not be granted where poor time management and planning have resulted in insufficient time to carry out a compliant process.
- 24.5 No waivers can be granted for requirements which contravene any statutory requirements

- 24.6 Agreed waivers will be recorded by the Procurement Team on the Council's waiver register.
- 24.7 All exemption decisions must be kept by the originating officer along with the contract/quotation documents in accordance with the Council's Retention and Disposal Policy.

25 Sale of Services, Asset Disposal and Trading

- 25.2 When selling Council goods or assets Officers must comply with the aims of the Rules specifically the need to achieve best value, ensure transparency, openness, non-discrimination, probity and accountability.
- 25.3 Surplus goods and materials belonging to the Council may be sold by agreement of the appropriate Service Delivery Manager or Director subject to compliance with Financial Procedure Rules.
- 25.4 Where sales are proposed the procedures set out in these Rules for the purchase of goods shall be followed, but "highest" shall be substituted for "lowest" in respect of best bids.
- 25.5 Officers can make use of the Council's eBay account to sell lower value items. More information can be obtained via the Procurement Intranet page.
- 25.6 Officers undertaking selling goods must be aware of product safety regulations and take reasonable steps to ensure equipment is fit for purpose and safe to use. If electrical, equipment it must bear a current valid electrical testing sticker. If there is any suggestion the product may be unsafe it should not be sold. Advice on product safety regulations is available from the Trading Standards section.
- 25.7 No IT related equipment or materials may be sold / disposed of by Officers. The Council's disposal policy specifies that all such equipment must be returned to ICT who will arrange disposal in accordance with statutory requirements and the principles of Best Value. The principle should always apply that it should never cost more to dispose of an asset than its residual worth, except where this is governed by legislation. Officers should obtain a minimum of three offers for items up to £50,000 and obtain Legal Advice for sales of over £50,000.
- 25.8 Local authority services trading is a complex area. It is service dependent, some services being prevented by statute from charging/trading. Consideration must also be given to whether the service is a discretionary service or whether there are specific charging or trading powers, and whether there is an intention to either just recover costs or to make a profit. When supplying a service to a private sector body, there is a requirement for them to accept the additional liabilities that can apply as FOI. Should an Officer consider trading services advice must be sought from Legal Services in the first instance.





Telford & Wrekin Council Councillor Code of Conduct

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage,

- on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

This Code will **not** apply in relation to your private life **unless** you make reference to your position as a Councillor. For example, if you operate a private social media account but reference your work as a Councillor, show pictures of you acting in your role as Councillor or otherwise make it clear that you are a Councillor, then this Code will apply to your social media activity.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

You are also expected to fulfil the role of corporate parent and ensure that appropriate steps are taken to protect all children, young people and vulnerable

adults living, working or in education within the Council's area and, where necessary, refer any matters that **might** amount to a safeguarding concern to Family Connect.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's

identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

- 4.1 I do not disclose information:**
 - a. given to me in confidence by anyone**
 - b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice**

provided that the thirdparty agrees not to disclose the information to any other person; or

iv. the disclosure is:

- 1. reasonable and in the public interest; and**
- 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
- 3. I have consulted the Monitoring Officer prior to itsrelease.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to bylaw.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You should be aware that your behaviour in your personal capacity may result in action being taken under this Code of Conduct if you identify as being a Councillor whilst behaving in a manner which is in breach of the Code of Conduct or if you give members of the public the impression that you are a councillor despite acting in your personal capacity. One exception to this is where you are found guilty of certain criminal offences which would preclude you from being a councillor or would bring the role of councillor into disrepute regardless of whether you had identified yourself as a Councillor.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes

undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources & facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts & hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**

- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B – Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Non-pecuniary Interests.)**

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of Disclosable Pecuniary Interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Non-Pecuniary Interests

6. Where a matter arises at a meeting which **directly relates** to one of your non-pecuniary interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest
7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under non-pecuniary interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.

Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Non-Pecuniary Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- c) A matter that **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate,
- d) A matter that **affects**:–
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or

Members' Remuneration Scheme

The Members Remuneration Scheme set out below was approved by the Council on 19 September 2019. The Council received a report from an Independent Remuneration and Allowances Panel which recommended a new Remuneration Scheme for the Authority.

REMUNERATION SCHEME

The Members Remuneration Scheme provides for:-

1. All Members to receive a basic allowance, currently £9,703.71
2. The following positions attract a special responsibility allowance (in addition to the basic allowance).

Leader of the Council	£	30,417
Deputy Leader of the Council	£	19,159
Cabinet (Executive) Member	£	14,555
Group Leader (Main Opposition)	£	12,129
Group Leader (Minority Party consisting of 4+ Members)	£	4,518
Chair Scrutiny Management Board	£	8,792
Chair Scrutiny Committees	£	8,058
Chair Planning Committee	£	9,703
Chair Licensing Committee	£	9,703
Chair Audit Committee	£	8,086
Chair Health & Wellbeing Board	£	8,086
Chair of Standards Committee	£	4,043
Chair of Boundary Review Committee	£	4,043
Chair of Appeals Committee	£	2,943
Speaker	£	2,946

3. The scheme provides for the provision of maternity and paternity leave.
4. The scheme provides for travel, subsistence, childcare and dependant carers allowances to also be claimed by Members.
5. It is a condition of the Scheme that a Member can receive no more than one Special Responsibility Allowance even if he/she occupies more than one position which has a Special Responsibility Allowance entitlement.
6. The Scheme allows for an annual uprating of the Basic Allowance and Special Responsibility Allowances in line with the pay award for local authority employees. The annual uprating will be applied at the start of the Municipal Year and backdated to the start of the civic year if the pay award has not been formalised by the date of Annual Council. The table above will be updated by either the Head of Paid Service, Chief Financial Officer or Monitoring Officer in light of amended allowances.
7. The Scheme is subject to analysis & review by the Independent Remuneration Panel. The Panel is required to meet and recommend a new scheme to the

Council as per the terms of The Local Authorities (Members Allowance) (England) Regulations 2003 (as amended).

Member/Officer Protocol

1. Introduction

- 1.1 A positive and trusting relationship between members and officers is essential to ensure that the Council operates economically, efficiently and effectively providing the right services, in the right way, for local people.
- 1.2 This Protocol has been drafted to summarise the important and different contributions that members and officers make to the running of the Council. It recognises that these distinct roles impose some similar and some different responsibilities.
- 1.3 This Protocol sets out the roles and responsibilities and general principles of behaviour for members and officers, it details what members and officers can reasonably expect when working together and what would happen if the provisions of this Protocol are breached.

2. Responsibilities and roles

Members	Officers
Members are responsible to the electorate and serve for their term of office	Officers are responsible to the Council and have a duty to advise the Council, committees and individual members, on the work that they do
Members are responsible for:-	Officers are responsible for:-
<ul style="list-style-type: none"> • the policy direction of the Council and political leadership 	<ul style="list-style-type: none"> • advising members on the development of policy
<ul style="list-style-type: none"> • representing the Council externally 	<ul style="list-style-type: none"> • representing the Council externally
<ul style="list-style-type: none"> • representing their constituents 	<ul style="list-style-type: none"> • implementing Council policy and day to day management of Council services
<ul style="list-style-type: none"> • Members with special responsibilities (for example, the Leader, cabinet members, chairmen etc.) will generally work more closely with officers than those members without additional responsibilities 	<ul style="list-style-type: none"> • Statutory officers have responsibilities over and above their obligations to the Council

3. Expectations

	Members	Officers
Co-operative working	Members and officers:-	
	Recognise that we have a professional working partnership which means that we will treat each other with respect, dignity and courtesy	
	Will be mindful of our respective roles, workloads and pressures	
	Training and development is essential in order to carry out our respective roles effectively	
	Officers will provide members with regular, up to date information on matters that can reasonably be	Officers will not be subject to bullying or to be put under undue pressure. Members should have regard to the seniority of officers in determining what

	considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold	are reasonable requests, having regard to the power relationship between members and officers, and the potential vulnerability of officers, particularly at junior levels
	<p>A Member who is unhappy about the actions taken by, or conduct of, an Employee should:</p> <ul style="list-style-type: none"> • Avoid personal attacks on, or abuse of, the Officer at all times; • Ensure that any criticism is well founded and constructive; • Never make personal criticism of the particular officer in public; and • Take up the concern with the employee privately or if the Member is not comfortable taking the matter up with the employee directly, they should speak to the employee's Director. 	Officers will provide timely response to enquiries and complaints
Governance	Members will respect the particular responsibilities of the statutory officers	
	Neither officers or members will use their position or their relationship with other officers or members to advance their personal interests or those of others or to influence decisions improperly	
	Officers and members will at all times comply with the relevant Code of Conduct	
		Officers will not raise personnel issues with members outside the agreed procedures
Politics	Members must provide political leadership and direction	Officers work for and advise the Council, not a political group but will have an awareness of and sensitivity to the political environment
	Members will respect the political neutrality of officers.	Offices will provide professional advice, not influenced by political views or preference.

4. Breach of these principles or rules

- 4.1. If a member or an officer reasonably considers that an officer or member has breached any of the provisions of this protocol we agree that we will work together to resolve them informally and if this does not prove possible formal

procedures will be used.

4.2. Informal resolution

Directors may raise issues with:-

For Members	the relevant Group Leader
For Group Leaders	the Chief Executive and Monitoring Officer

Members may raise issues with:-

For officers	Director
For Director	the relevant Executive Director
For Executive Director	the Chief Executive

4.3 Formal resolution is through use, for officers, of the Grievance Procedure or the Council's Disciplinary Procedures and, for members, the Councillor's Code of Conduct

4.4 Further advice

Further advice and assistance is available from the Chief Executive and the Director: Policy & Governance.

Officer Employment Procedure Rules

These rules take account of the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

1. APPOINTMENTS

1.1 Declarations

1.2 The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the partner or close family relative of a serving Member or employee of the Council or the partner of such a person. This statement will be included in appropriate recruitment literature.

1.3 Where a candidate has declared such a relationship, any offer of employment shall be subject to approval by the appropriate Director, except where the Director is the officer to whom the candidate has declared a relationship, in which case the appropriate Director will approve any proposed offer of employment or, in the event that the Chief Executive is the officer to whom the candidate has declared a relationship, in which case the Director: Policy & Governance will approve any proposed offer of employment.

1.4 Seeking support for appointment

1.5 The Council will disqualify from consideration any candidate who directly or indirectly seeks the support of any Member or officer for any appointment with the Council. The content of this paragraph will be included in any recruitment information.

1.6 No Member or officer will seek to support any candidate for appointment. Councillors must not stand as referees for officers or candidates for appointment as officers of the Council.

2. APPOINTMENT OF CHIEF OFFICERS

2.1 For the purpose of these Rules, the term Chief Officer shall have the same meaning as in the Local Government and Housing Act 1989, and is referred to as the Chief Executive and Executive Director. The term Deputy Chief Officer in that Act means a Director.

2.2 Where the Council proposes to appoint a Director and it is not proposed that the appointment be made exclusively from among its existing officers, the Council will draw up a statement specifying:

2.2.1 the duties of the officer concerned: and

2.2.2 any qualifications or qualities to be sought in the person to be appointed

2.2.3 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

3. APPOINTMENT OF HEAD OF PAID SERVICE

- 3.1 The Chief Executive will be designated as the Head of Paid Service. The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by [Personnel Committee](#) that must include the Leader or at least one member of the Cabinet.
- 3.2 The offer of appointment as Head of Paid Service must not be made until the [Personnel Committee](#):-
- 3.2.1 notify the Proper Officer or, if the offer is to an Acting Head of Paid Service, the Director: Policy & Governance shall take the place of the Proper Officer, of the name of the proposed appointee and any other particulars which are considered relevant to the appointment;
- 3.2.2 the Proper Officer has notified every member of the Leader and Cabinet Executive of:-
- 3.2.3 the name of the proposed appointee
- 3.2.4 any other relevant particulars as notified to him/her
- 3.2.5 the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Leader and Cabinet Executive to the Proper Officer
- and either
- 3.2.6 the Leader, within the specified time period, notifies the Proper Officer that neither he nor any other member of the Leader and Cabinet Executive has any objection to the making of the offer;
- 3.2.7 the Proper Officer has notified the Panel no objection has been received; or
- 3.2.8 the [Personnel Committee](#) is satisfied that any objection received from the Leader is not material or is not well founded.

4. APPOINTMENT OF DIRECTORS & STATUTORY OFFICERS

- 4.1 The appointment of a Executive Director or Statutory Officer will be made by [Personnel Committee](#) which must include the Leader or at least one member of the Cabinet Executive.
- 4.2 The offer of appointment as Executive Director/Statutory Officer must not be made until the [Personnel Committee](#) notify the Proper Officer of the name of the proposed appointee and any other particulars which are considered relevant to the appointment;
- 4.3 the Proper Officer has notified every member of the Leader and Cabinet Executive of:-
- the name of the proposed appointee
 - any other relevant particulars as notified to him/her;
 - the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Leader and Cabinet Executive to the Proper Officer;

and either

- 4.2.2 the Leader, within the specified time period, notifies the Proper Officer that neither he nor any other member of the Leader and Cabinet Executive has any objection to the making of the offer;
- 4.2.3 the Proper Officer has notified the Panel no objection has been received; or

4.2.4 the Panel is satisfied that any objection received from the Leader is not material or is not well founded.

5. OTHER APPOINTMENTS

5.1 Appointments of officers below the level of Director are the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Members. All appointments will be made in accordance with the Council's recruitment and selection policy.

6. DISCIPLINARY ACTION IN RESPECT OF HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCE OFFICER

6.1 Suspension

6.1.1 The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended on full pay while an investigation takes place into alleged misconduct or incapability. Suspension does not itself constitute disciplinary action and does not imply guilt.

6.1.2 Suspension must terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

6.2 Member Involvement

6.2.1 No disciplinary action may be taken in respect of the Council's designated Head of Paid Service, Monitoring Officer or Chief Financial Officer except after consideration of any advice, views or recommendations from the Panel and after hearing representations, if any, from the officer who is the subject of the disciplinary process.

6.2.2 Members will not be involved in disciplinary action against any officer below Director except where such involvement is necessary for any investigation or inquiry into alleged misconduct or incapability.

7. DISMISSAL

7.1 The Full Council will decide whether or not to approve the dismissal of the Council's designated Head of Paid Service, Monitoring Officer or Chief Finance Officer only after taking into account recommendations from the Personnel Committee and any advice, views or recommendations from the Panel and after hearing representations, if any, from the officer who is the subject of the disciplinary process.

7.2 The dismissal of a Directors must not be made until the [Personnel Committee](#) notify the Proper Officer of:-

7.2.1 the name of the proposed dismissee;

7.2.2 any other particulars which are considered relevant to the dismissal;

7.2.3 the Proper Officer has notified every member of the Leader and Cabinet Executive of the name of the proposed dismissee and any other relevant particulars as notified to him/her;

7.2.4 the period within which any objection to the making of the decision is to be made by the Leader on behalf of the Leader and Cabinet Executive to the Proper Officer

and either

7.2.5 the Leader, within the specified time period, notifies the Panel that either he or any other member of the Leader and Cabinet Executive has any objection to the dismissal;

7.2.6 the Proper Officer has notified the Panel no objection has been received; or

7.2.7 the Panel is satisfied that any objection received from the Leader is not material or is not well founded.

Members will not be involved in the dismissal of any officer below Director except where such involvement is necessary for any investigation or inquiry into alleged misconduct or incapability.

Note: For the purpose of the Officer Employment Procedure Rules, the Proper Officer shall be the [Head of Paid Service](#), except where the appointment/dismissal relates to the Head of Paid Service, in which case the Proper Officer shall be the [Monitoring Officer](#).

Employment Status →	Head of Paid Service	Executive Director	Monitoring Officer and S151 officer	Director	Service Delivery Manager	Below SDM
Employment Process ↓						
Recruitment						
Appointment	Council on recommendation of Personnel Committee	Personnel Board	Personnel Board	HPS	Director	Line Manager
Cabinet Notification	✓	✓	✓	✓	✗	✗
Relevant Policies	Recruitment & Selection Policy; JNC Conditions of Service for Local Authority Chief Executives	Recruitment and Selection Policy; JNC Conditions of Service for Chief Officers			Recruitment and Selection Policy	
Grievance (Workplace Issues)						
Step 1 (Informal)	Informal	Informal	Informal	Informal	Informal	Informal
Step 2 (Formal)	Leader of the Council	Head of Paid Service	Executive Director	Executive Director	Director	SDM
Step 3 (Appeal)	Council	Appeals Committee	Appeals Committee	Appeals Committee	Alternative Director/Ex Director	SMT member
Relevant Policies	Resolving Workplace Issues & JNC Conditions of Service for Local Authority Chief Executives	Resolving Workplace Issues and JNC Conditions of Service for Chief Officers			Resolving Workplace Issues	
Disciplinary action**, Redundancy, Performance Management and Sickness dismissals						
Suspension	Personnel Committee*	HPS	Personnel Committee	Executive Director	Director	Director
Use of Panel	✓ Personnel Committee	✗	✓ Personnel Committee	✗	✗	✗
Decision maker	Full Council	HPS	Full Council	Executive Director	Director	SDM
Cabinet Notification	✓	✓	✓	✓	✗	✗
Appeal	N/A	Appeals Committee	N/A	Appeals Committee		

Relevant Policies	Disciplinary Issues at Work, Sickness, Redundancy and Performance Management Procedures; JNC Conditions of Service for Local Authority Chief Executives	Disciplinary Issues at Work, Sickness, Redundancy and Capability Management Procedures; JNC Conditions of Service for Chief Officers	Disciplinary Issues at Work, Sickness, Redundancy and Capability Management Procedures
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NOTES

[Personnel Committee](#)

a politically balanced committee of 8 members including the Leader or a cabinet member appointed by the Leader

[Appeals Committee](#)

a politically balanced committee of 8 members

Cabinet Notification

If applicable an offer of appointment, or a decision to dismiss cannot be made until:- the Personnel Committee or Head of Paid Services (as appropriate) has notified the Proper Officer*** of the name of the proposed appointee or proposed dismissee (as appropriate) along with other relevant particulars. Once received the Proper Officer must provide this information to every member of cabinet and identify the period within which any objection to the proposed appointment or dismissal, which must be made by the Leader, may be made to the Proper Officer; **and** **either** the Leader has, within the specified period notified the Personnel Committee or Head of Paid Services (as appropriate) that he/she nor any member of the Cabinet has any objection to the proposed appointment or proposed dismissal, or the Proper Officer notifies the Personnel Committee or Head of Paid Services (as appropriate) that no objection has been received or the Personnel Committee or Head of Paid Services (as appropriate) is satisfied that the objection received from the Leader is not well founded

* suspension of the officer must be for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect

** “disciplinary action” in relation to a member of staff of a local authority means any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the authority, be recorded on the member of staff’s personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract;

which case the

The Proper Officer shall be the HPS except where the proposal relates to the appointment or dismissal of the HPS in
Proper Office shall be the Monitoring Officer

Employee Code of Conduct

1. What is the Code of Conduct?

- 1.1 The Code of Conduct outlines the standards of behaviour that Telford & Wrekin, as a Cooperative Council, expects from you as an employee, as well as the Council's responsibilities as an employer towards you. It has at its core, the Council's Co-operative values and sets out the way we do things and what we stand for. The Code forms part of your overall contract of employment.

2. Who is the Code of Conduct for?

- 2.1 The Code of Conduct applies to all employees. We also require anyone acting as our agent or working on our behalf to uphold the standards set out in the Code, therefore it applies to volunteers, work experience placements, agency workers, contractors, suppliers, consultants and partners¹⁶.

3. What can you expect from the Council?

- 3.1 As an employee, you can expect:
- 3.2 Clarity about what is expected of you at work and, where relevant, outside work
- 3.3 A safe and healthy working environment
- 3.4 Support for your rights and recognition of diversity
- 3.5 Opportunities for learning, development and support
- 3.6 Open and honest communication and involvement
- 3.7 To be treated reasonably and fairly
- 3.8 Recognition and feedback on your performance

4. What can the Council expect from you?

- 4.1 In return, the Council has the following expectations of you:
- 4.2 Commitment to the Co-operative Council's values of openness and honesty, ownership, fairness and respect and involvement
- 4.3 To carry out your role with the best interests of customers in mind
- 4.4 To protect the Council's well-earned reputation
- 4.5 To act in accordance with Council policies and procedures and terms and conditions of employment
- 4.6 To speak up promptly about any concerns you have

5. Our Principles:

- 5.1 The following key principles should guide our decision-making, our behaviour and our actions on a daily basis.

6. Personal & Business Integrity

- 6.1 Integrity is central to how we deliver services and we will lead by example, as follows:
- 6.2 We work for and serve the whole Council, recognising our duty as public sector employees to discharge public functions reasonably and within the law.
- 6.3 We are open and honest and transparent in all we do.

¹⁶ The term employee is used in the Code to cover employees as well as all of the categories referred to in this paragraph.

- 6.4 We demonstrate high personal standards, treating others as we would expect to be treated ourselves, fairly and with respect.
- 6.5 We never ignore or condone wrongdoing.
- 6.6 We are accountable for what we do and take responsibility for our actions and decisions.

7. Bribery

- 7.1 We do not offer or accept bribes or facilitation payments or engage in any form of corruption whether directly or through a third party. Gifts and hospitality will be operated within strict council guidelines.

8. Fraud, deception and dishonesty

- 8.1 We will not engage in, condone or ignore any kind of fraud, false claim, deception or dishonest behaviour or allow someone else to do this on our behalf.

9. Conflicts of Interest

- 9.1 We will avoid situations in which our personal circumstances could lead to a conflict of interest. Our focus is work which will lead to improvements for our community and individuals within it.

10. Political Interests

- 10.1 We follow every policy of the Council and will not allow our own personal or political opinions to interfere with our work. We will comply with statutory restrictions on political activity both at work and in our personal lives. We will respond to people's needs in a fair and consistent way.

11. Working with third parties

- 11.1 We will conduct due diligence on all prospective suppliers/agents and partners and will work with third parties whose policies and standards support ours.

12. Legality and Competition

- 12.1 We operate lawfully at all times encouraging fair, open and honest competition to achieve value for money and refuse to engage in practices that try to achieve an unfair competitive advantage.

13. Further Information:

- 13.1 Anti-Fraud & Corruption Policy
- 13.2 Gifts & Hospitality Guidance
- 13.3 Business Activities & Private Work
- 13.4 Contract Procedure Rules

14. Making Every Contact Count

- 14.1 Our sole aim as an employer is to serve the public. Without them we have no main function or purpose. Our employees are critical in achieving our ambition to 'make every contact count'.
- 14.2 We will treat our customers and the community as we would want to be treated ourselves and make every contact they have with us count.
- 14.3 We will work together with our community, involving them in decisions which affect their lives and being prepared to listen and take on new ideas.

- 14.4 We will be ambassadors for the Council when dealing with the public, acting as its eyes and ears.
- 14.5 We will live and breathe our values when serving the public and will be willing to go the extra mile; nothing will be too much trouble for our customers.
- 14.6 We will create an environment which enables our customers to access the help and support they need not only about our own services but those of our partners as well.

15. Further information:

- 15.1 Customer Charter
- 15.2 Customer Service Strategy

16. Open & Honest Working Relationships:

- 16.1 We aim to be an organisation where we treat each other with honesty and respect and where everyone has the opportunity to reach their full potential. We believe that no one should be harmed as a result of any work we do.
- 16.2 We select, promote, develop and reward on the basis of skills and merit and are committed to removing barriers to equal opportunity.
- 16.3 We will be truthful and open about decisions affecting working lives.
- 16.4 We treat each other with respect and dignity and support employee's rights and diversity.
- 16.5 We value and respect those who work for and with us.
- 16.6 We are committed to providing a healthy, supportive and safe working environment.

17. Health & Safety

- 17.1 We will not compromise the safety of anyone involved in or affected by our services and recognise that safety is the responsibility of everyone.

18. Drugs and alcohol

- 18.1 We will not misuse any substance before or during working hours to the extent that:
 - 18.1.1 it impairs our performance and/or
 - 18.1.2 it potentially or actually puts our own or others health or safety at risk and/or
 - 18.1.3 it adversely affects the public image of the Council.

19. Equalities

- 19.1 We are committed to maintaining high standards of employment practice and undertake that all employees, and those who apply for employment, will be treated with fairness, respect and dignity.

20. Harassment and bullying

- 20.1 We will treat all colleagues and customers with respect and dignity and will not tolerate any form of harassment, discrimination, bullying or victimisation.

21. Human rights

- 21.1 We are committed to upholding the human rights of all those we serve, who work for us and with us.

22. Further Information:

- 22.1 [Health & Safety Policy](#)
- 22.2 [Substance Misuse Policy](#)
- 22.3 [Equality & Diversity Policy – Fairness for All](#)
- 22.4 [Equal Opportunities Charter](#)
- 22.5 [Dignity at Work](#)
- 22.6 [Protocol on Member/Officer Relations](#)
- 22.7 [Disciplinary Procedure & Disciplinary Rules](#)
- 22.8 [Grievance Procedure](#)

23. Keeping assets and data safe

- 23.1 When we are entrusted with personal information and Council data, we will keep it safe.
- 23.2 We respect and safeguard confidential and personal information.
- 23.3 We will use computer systems and communication devices appropriately.
- 23.4 We will be transparent and honest in our communications and our dealings with our community and stakeholders.
- 23.5 We record all financial transactions completely, accurately and honestly.

24. Protecting Personal information

- 24.1 We respect individual's rights to privacy and will treat all personal information as confidential, complying with data protection and privacy laws.

25. Safeguarding confidential information

- 25.1 We keep confidential information safe and protect it from unauthorised disclosure whether wilful or accidental.

26. Use of IT and communications systems

- 26.1 We have secure IT and communications systems and use them responsibly to undertake our Council roles, with restricted personal use. We recognise that the improper use of social media sites, whether at work or in a personal capacity, can impact upon our employment relationship and responsibilities and commit to using these sites responsibly.

27. Financial controls and record keeping

- 27.1 We ensure that the public funds entrusted to us are used responsibly, properly and in a lawful manner. We ensure we have suitable financial controls in place and that our records and reporting processes are complete, accurate and transparent.

28. Protecting the Council's assets

- 28.1 We understand the value of all our assets and resources and will protect them from improper use. We will not utilise property, vehicles or other Council facilities for personal use unless authorised to do so.

29. Communications

- 29.1 Our communications will be timely, honest, open and without misrepresentation. All external media communications will be managed through the Corporate Communications Team.

30. Further Information:

- 30.1 [Corporate Information Security Policy](#)
- 30.2 [Financial Regulations](#)
- 30.3 [Media Protocol](#)
- 30.4 [Social Media Policy](#)

31. Protecting our community and environment

- 31.1 We are committed to operating as a sustainable organisation by caring about our people, our communities and the environment we live in. We want to protect and improve our environment for the future.
- 31.2 We will operate proper and sustainable procurement policies to safeguard the environment.
- 31.3 We will ensure that our suppliers adopt similar environmental standards and controls.
- 31.4 We will be aware of our own role in promoting social responsibility and helping to keep our borough clean and safe and a borough to be proud of.

32. Why is it important to Speak Up?

- 32.1 If you have any concerns that a breach of the Code of Conduct might be taking place, it is important to speak up about it. Speaking up early helps to protect you, makes investigation easier and could protect the Council's reputation. You can do this through the Council's Speak Up policy.

33. What if you are unsure?

- 33.1 We all want to do the right thing. If you are unsure about whether a course of action is right or wrong just ask yourself the following questions:
- 33.2 Am I comfortable with it? Would I be happy if my colleagues or the press knew about it? Would I be proud to tell my friends and family about it? What would a reasonable member of the public think?
- 33.3 Is it in line with our values? The Council has clear values – openness & honesty, ownership, fairness & respect and involvement. Does this action sit well with these?
- 33.4 Does it seem honest? If something seems less than totally open and above board, it probably is.

34. Is it fair?

- 34.1 Think carefully about whether the course of action gives someone unfair advantage over others, both internally or externally.

35. Could it damage our reputation?

- 35.1 Reputations are hard earned. If you think our good reputation is at risk, seek appropriate advice.
- 35.2 If you are still unsure, or have any doubts, talk to someone. This could be your Line Manager, or if this is not appropriate, you can contact People Services or Audit & Information Governance.

Local Code of Good Governance

Delivering Good Governance in Telford & Wrekin Council Local Code 2016

Definition:

Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.

In order for the Members and Employees¹⁷ of Telford & Wrekin to deliver good governance whilst working to achieve the Council's objectives they must **act in the public interest at all times.**

PUBLIC INTEREST PRINCIPLES - Acting in the public interest requires a commitment to and effective arrangements for:

- A. Behaving with integrity, demonstrating strong commitment to ethical values (including the Council's values¹⁸), and respecting the rule of law.
- B. Ensuring openness and comprehensive stakeholder engagement (including with individual citizens, service users and institutional stakeholders).

Achieving good governance also requires a commitment to and effective arrangements for:

- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits.
- D. Determining and planning the actions necessary to optimise the achievement of the intended outcomes.
- E. Developing the Council's capacity, including the capability of its leaders and the individuals within it. This includes ensuring effective relationships and a clear understanding of the roles and responsibilities of Member and officers.
- F. Managing risks, performance and data through robust internal control and strong public financial management.
- G. Implementing good practices in transparency, reporting, and assurance (including audit) to deliver effective accountability.

¹⁷ Employees includes partners, joint arrangements and volunteers.

¹⁸ Fairness & Respect: Ownership: Openness & Honesty; Involvement

Transparency

Citizens and the Council

This sets out what citizens can expect from the Council, what rights they have and their responsibilities in return.

CITIZENS' RIGHTS

1. The term "citizen", means everyone who lives and works in the Borough of Telford & Wrekin.
2. Citizen's rights, in terms of engaging with the democratic process, are set out below. Other rights for citizens such as making applications for housing benefit or making planning applications are not contained in this document but details are available on the Council's website www.telford.gov.uk
 - 2.1 **Voting and petitions.** Citizens on the electoral roll for the area have the right to vote for their local Councillor(s) and to sign a petition to request a referendum for an elected mayor form of Constitution. Citizens will have a right to vote for an elected mayor in the event of a referendum being held.
 - 2.2 **Information.** Citizens have the right to:
 - 2.2.1 attend as observers, meetings of the Council, Cabinet and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
 - 2.2.2 find out from the Notice of Key Decisions what key decisions will be taken by the Leader, the Cabinet Executive or by an officer under delegated authority
 - 2.2.3 inspect reports and background papers, and any records of decisions made by the Council and its committees and the Leader and Cabinet Executive; and
 - 2.2.4 inspect the Council's accounts and Audit Commission's Annual Audit and Inspection Letter and make their views known to the external auditor.
 - 2.2.5 such other information as may be specified in the Council's Freedom of Information publication scheme
http://www.telford.gov.uk/info/20117/data_protection_and_freedom_of_information/58/data_protection
3. **Assembly Sessions.**
 - 3.1 The Council shall facilitate further participation by holding, as and when required, meetings of Assembly Sessions at which partner organisations may through nominated spokespersons attend and debate with elected members matters of public policy. As appropriate these Assembly Sessions may also invite for debate, reports from other public and private agencies and from the Borough's, Westminster, European and other representatives.
 - 3.2 Citizens will have the right to express views on all aspects of local government and the Council will take steps to consult effectively, and have the right to have those views considered.
4. **Complaints.** Citizens have the right to complain to:

- 4.1 the Council itself under its complaints scheme;
http://www.telford.gov.uk/info/200025/complaints/79/comments_compliments_and_complaints
- 4.2 the Ombudsman after using the Council's own complaints scheme;
<http://www.lgo.org.uk/>
- 4.3 the local Standards Committee about a breach of the Councillor's Code of Conduct.
http://www.telford.gov.uk/info/20242/councillors_mps_and_meps/358/councillor_code_of_conduct

5. CITIZENS' RESPONSIBILITIES

- 5.1 A healthy democracy depends upon active citizenship. Citizens are encouraged to make conscientious use of their roles as both voters and members of a wider community. In particular, by:
 - 5.1.1 voting at every opportunity
 - 5.1.2 respecting the expression of differing opinions in public debate;
 - 5.1.3 promoting tolerance and respect between their fellow citizens, and
 - 5.1.4 individually and collectively seeking information about the decision-making role of Councillors and respecting the Council procedures which give effect to a representative democracy.

Access to Information - Publication of Agendas, Minutes and Decision Notices

The Council is committed to open and democratic decision-making. This section sets out the process for publishing details of decisions, mainly Key Decisions that are going to be made, agendas and reports for meetings recording decisions taken at meetings or by individuals and public attendance at meetings.

1. Key decisions:-

1.1 Decisions which have a significant financial impact including:

1.1.1 Decisions which will result in the authority incurring expenditure, or making savings, of more than £500,000 e.g. the letting of a contract;

1.1.2 Involve a virement between service budgets of more than £50,000; or

1.1.3 Involve a virement between service budgets of between £25,000 and £50,000 where the sum is more than 20% of the budget; or

1.1.4 Decisions to participate or lead in collaborative schemes funded (partly or wholly) from external sources, which may expose the Council to contractual risk exceeding £500,000, e.g. schemes carrying repayment penalties or schemes where the Council will carry contractual responsibility for execution of the contract.

OR

1.2 **Decisions which are likely to be significant in terms of their effects on communities living or working in an area comprising two or more wards in the Borough.**

2. Limits to Key Decisions

2.1 When considering whether or not a decision is a Key Decision the following guidance should be followed:-

2.1.1 Contracts of employment are to be treated as outside the scope of key decisions.

2.1.2 The aggregate value of multi-year contracts should be considered e.g. a contract for £500,000 p.a. for two years would be caught under the definition.

2.1.3 Reports allocating block capital budgets between specific schemes will be taken to Leader and Cabinet Executive and will be treated as Key Decisions. Changes to these allocations in excess of the virement limits will also be treated as Key Decisions. However the letting of individual contracts funded from these block capital approvals will not be treated as Key Decisions even if they affect more than one ward unless the total value of the contracts exceeds the approved budget for the particular schemes.

2.1.4 The letting of contracts for an individual child by Children & Young People or for a vulnerable adult by Adult Social Care in respect of personal care or "specialist placements" will not be treated as Key Decisions regardless of whether those contracts would be covered by approved budgets, due to statutory

requirements to ensure that appropriate provision is made for personal social services or education. The cumulative effects of such commitments will be subject to reporting requirements to Leader and Cabinet Executive where there is a proposed overspend against budget provision for the year.

- 2.1.5 The nature of Treasury Management decisions is such that decisions to borrow or invest are taken in response to interest rate movements and to the daily cash flow position. These factors cannot be accurately forecast in order to comply with the timetable for key decisions and therefore must be treated as an exclusion to the definition of key decisions.

3. Publication of Information

- 3.1 The Council publishes:

4. Notices of Key Decisions

- 4.1 The decision maker is required, at least 28 working days before the decision is made, to publish a document which sets out details of the key decision(s) to be taken that must be published and be available for inspection by the public at the offices of the Council, **Darby** House and on the Council website.

5. Urgent decisions

- 5.1 Where a Key Decision is required to be taken for which at least 28 days' notice has not been given, the Proper Officer must inform the Chairman of the appropriate Scrutiny Committee in writing of the details of the decision to be made and the reasons why it is impracticable to give 28 days' notice. Where the urgency of the decision is such that five clear days between the notice and the decision cannot be given, the decision-maker must obtain the agreement of the Chairman of the relevant Scrutiny Committee (or in their absence the Mayor or Deputy Mayor of the Council) that the decision does need to be taken as a matter of such urgency, and the reasons why it cannot be reasonably be deferred.

6. Notices of Exempt or confidential information

- 6.1 If a decision is proposed to be taken in private because exempt or confidential information might be disclosed, at least 28 days' notice must be given of the intention to consider that decision in private, along with a statement of reasons. Any representations received by the Cabinet about why the meeting/decision should be open to the public must be published at least 5 clear working days before the meeting, along with the Cabinet's response to any such representations.

7. Agendas and reports of Officers

- 7.1 All agendas and reports (except those that are exempt/confidential) are published at least five working days before the date of the meeting unless the meeting is convened at shorter notice or where an item is added to the agenda at shorter notice in cases of urgency in accordance with the provisions of the Local Government Act 1972.
- 7.2 Members of Cabinet (and Opposition Group Leaders) and any Committee (and substitutes) may request a paper copy of the agenda and all reports. All other Members of the Council will be sent a hyperlink to the Council's website.

Copies of these documents will be available from Democratic and Scrutiny Services upon request.

8. Decision Notices/Minutes of Cabinet and Decision Notices relating to Key Decisions taken by Officers under delegated powers

8.1 Within four working days after a Cabinet decision has been made by the Cabinet as a whole or by an individual member, or a Key Decision made by an officer, the Proper Officer shall make a written record of that decision. All Decision Notices, except those that are exempt/ confidential, shall be published and be available for inspection by the public at the offices of the Council, Darby House and on the [Council's website](#).

8.2 All Decision Notices will be co-ordinated by Democratic Services. Where an individual member of the Cabinet or an officer is taking a Key Decision they must advise Democratic Services in order that Decision Notices are published within the requisite timescale, ie within four working days and sent to all Members of the Council via email.

8.3 To support the call-in process Decision Notices will be e-mailed to all Members within four working days of the decision(s) being taken.

8.4 Decision Notices in respect of Key Decisions on matters that are exempt/confidential will not be available for public inspection.

8.5 A Decision Notice will include the reasons for decision, details of options considered, record of any conflict of interest, and record of any dispensation granted by the Standards Committee.

9. Exceptions for Exempt and Confidential Information

9.1 These rules do not apply where the publication of a report, or background paper or attendance at a meeting would be likely to disclose exempt or confidential information, as defined in the Local Government Act 1972, Schedule 12A (as amended). Such reports or background papers shall only be sent to Members of the Council.

10. Meetings

10.1 All meetings of the Cabinet and Committees are held in public, although the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.

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