

To: Members of the Cabinet

Date: 20 July 2016

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Dear Councillor

You are invited to attend a meeting of the **CABINET** to be held at **10.00 am** on **TUESDAY, 26 JULY 2016** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

Yours sincerely

G Williams
Head of Legal, HR and Democratic Services

AGENDA

PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING

1 APOLOGIES

2 DECLARATION OF INTERESTS

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

4 MINUTES (Pages 7 - 14)

To receive the minutes of the Cabinet meeting held on 28 June 2016 (copy enclosed).

5 PART 9 OF THE SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014 - REGIONAL PARTNERSHIP BOARD (Pages 15 - 26)

To consider a report by Councillor Bobby Feeley, Lead Member for Social Care, Adult and Children's Services (copy enclosed) setting out the requirements to establish a Regional Partnership Board in each health board region in Wales, and the steps being taken to establish this Regional Partnership Board.

6 EMPLOYMENT AND ICT POLICIES (Pages 27 - 116)

To consider a report by Councillor Barbara Smith, Lead Member for Modernisation and Housing (copy enclosed) presenting a number of employment policies for adoption.

7 STRATEGY FOR THE PREVENTION AND DETECTION OF FRAUD, CORRUPTION AND BRIBERY (Pages 117 - 160)

To consider a report by Councillor Barbara Smith, Lead Member for Modernisation and Housing (copy enclosed) presenting the revised strategy for the prevention and detection of fraud, corruption and bribery for approval.

8 ANNUAL TREASURY MANAGEMENT REPORT 2015/16 (Pages 161 - 176)

To consider a report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) updating members on the performance of the treasury management function and demonstrating compliance with treasury limits and Prudential Indicators during 2015/16.

9 FINANCE REPORT (Pages 177 - 192)

To consider a report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) detailing the latest financial position and progress against the agreed budget strategy.

10 CABINET FORWARD WORK PROGRAMME (Pages 193 - 196)

To receive the enclosed Cabinet Forward Work Programme and note the contents.

PART 2 - CONFIDENTIAL ITEMS

EXCLUSION OF PRESS AND PUBLIC

It is recommended in accordance with Section 100A (4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item of business because it is likely that exempt information as defined in paragraphs 12, 13 and 14 of Part 4 of Schedule 12A of the Act would be disclosed.

11 GLASDIR EDUCATIONAL DEVELOPMENT (REPLACEMENT SCHOOL BUILDINGS AND FACILITIES FOR RHOS STRET SCHOOL AND YSGOL PEN BARRAS, RUTHIN) (Pages 197 - 204)

To consider a confidential report by Councillor Eryl Williams, Lead Member for Education (copy enclosed) seeking Cabinet approval to award the construction contract for the Glasdir educational development.

12 TYN Y CELYN, LLANBEDR DYFFRYN CLWYD, RHUTHUN (Pages 205 - 214)

To consider a confidential report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) recommending Cabinet approves the declaration of the farm and land as surplus to requirements and its subsequent disposal.

13 LODGE FARM, DENBIGH (Pages 215 - 224)

To consider a confidential report by Councillor Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance (copy enclosed) recommending Cabinet approves the declaration of the farm and land as surplus to requirements and its subsequent disposal.

MEMBERSHIP

Councillors

Hugh Evans
Julian Thompson-Hill
Eryl Williams
Bobby Feeley

Hugh Irving
Huw Jones
Barbara Smith
David Smith

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of
*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-
*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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CABINET

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 28 June 2016 at 10.00 am.

PRESENT

Councillors Hugh Evans, Leader and Lead Member for the Economy; Bobby Feeley, Lead Member for Social Care, Adult and Children's Services; Hugh Irving, Lead Member for Customers and Libraries; Barbara Smith, Lead Member for Modernisation and Housing; David Smith, Lead Member for Public Realm; Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance and Eryl Williams, Deputy Leader and Lead Member for Education

Observers: Councillors Ray Bartley, Bill Cowie, Ann Davies, Meirick Davies, Arwel Roberts, Huw Williams and Mark Young

ALSO PRESENT

Chief Executive (MM); Corporate Director: Economy and Public Realm (RM); Heads of Service: Legal, HR and Democratic Services (GW) and Business Improvement and Modernisation (AS); Property Manager (DL); Chief Finance Officer (RW), and Committee Administrator (KEJ)

1 APOLOGIES

Councillor Huw Jones, Lead Member for Community Development

2 DECLARATION OF INTERESTS

No declarations of interest had been raised.

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 24 May 2016 were submitted.

RESOLVED that the minutes of the meeting held on 24 May 2016 be approved as a correct record and signed by the Leader.

5 LEAD MEMBER SCHEME OF DELEGATION

The Head of Legal, HR and Democratic Services presented the report seeking Cabinet's agreement to changes to the way in which delegated decisions were taken and the nature of the delegation to Lead Members.

The reasoning behind the proposed changes was explained in order to make the process for delegated decisions more transparent. Cabinet's attention was drawn to the main changes proposed for delegated decisions and the extent of other members' involvement within that process. As previously agreed the recently approved Officer Scheme of Delegation had been circulated to all members for comment, however no feedback had been received.

Cabinet welcomed the proposed changes to the delegated decisions process to ensure greater transparency of decision making and the involvement of all members at an earlier stage in the process, providing an opportunity to input and influence outcomes. During debate further clarification was sought on a number of issues including urgent decisions, confidentiality, and the wider involvement of members prior to 'key' decisions being made.

The Head of Legal, HR and Democratic Services responded as follows –

- elaborated upon existing provisions in respect of urgent decisions outside normal timescales in cases where there was a risk of significant impact together with exemption from the 'call in' procedure
- explained that information regarding delegated decisions would be published on the Council's intranet with restricted access and the usual rules regarding confidentiality would apply; Contract Procedure Rules contained a specific set of authorisations with regard to tenders and contract awards
- the revised process would provide the flexibility to better engage members within the decision making process, particularly non-Cabinet members, and allow Lead Members and Heads of Service to make judgements as to whether specifically contentious decisions needed further member involvement prior to a decision being made – this was essentially a political judgement and further guidance would be produced in that regard
- questions were also answered in respect of the officer delegated decision regarding car parking charges and it was confirmed that the correct process had been followed in that case; the proposal going forward was that in cases where decisions had been referred to members for their views, a short report be published setting out the decision from which the call in period would apply.

The Chief Executive highlighted the importance of all members being familiar with the delegated decision process and to actively engage with it and he raised some concern that no feedback had been received from members following circulation of the Officer Scheme of Delegation. Similarly he felt that officers needed to be better at anticipating those decisions which ought to be brought before members, particularly those with a political dimension. It was agreed that the revised Lead Member Scheme of Delegation be circulated to all members highlighting the importance of the document and members' engagement within the delegated decision process.

RESOLVED that Cabinet agree the Lead Member Scheme of Delegation attached as Appendix 1 to the report and the arrangements by which delegated decisions are made as set out in Appendix 2 to the report.

6 CONTRACT PROCEDURE RULES - PROPOSED CHANGE TO OFFICER AUTHORISATION THRESHOLDS

Councillor Julian Thompson-Hill presented the report seeking Cabinet's endorsement to the proposal to change officer authorisation thresholds within the Council Contract Procedure Rules prior to consideration by full Council on 5 July 2016 as part of the wider item on the revised constitution.

The change had been proposed for operational and efficiency reasons following further analysis of contract volumes and input from Heads of Service. It did not propose any changes to the financial thresholds at which members became involved in the authorisation process.

Cabinet considered the report and in response to questions members were advised that the change would reduce the number of contracts requiring Section 151 Officer and Monitoring Officer authorisation from 1200 to less than 100. Raising the threshold from £25k to £250k would also bring the value in line with most Heads of Service authorisation to approve spend and provide a consistent level of authority. Contracts would still be subject to the usual audit and monitoring processes.

RESOLVED that Cabinet endorse the proposed amendment to the Contract Procedure Rules as set out within the report.

7 CORPORATE PLAN PERFORMANCE REPORT QUARTER 4 - 2015/16

Councillor Julian Thompson-Hill presented the report providing an update on the delivery of the Corporate Plan 2012 – 17 as at the end of quarter 4 of 2015/16.

The performance report provided a summary position for each outcome together with an analysis of key exceptions. All outcomes had been evaluated as acceptable or better and an explanation behind the status of each indicator had been included with key issues elaborated upon further at the meeting. Whilst there would likely always be some individual missed targets the report was generally very positive. Performance Scrutiny Committee also continued to monitor the performance reports on a regular basis.

Debate focused on the following areas –

- data on carbon emissions could still not be provided due to earlier faults in the British Gas billing system but corrected bills were starting to come through and it was hoped that information on last year's consumption could be reported the following month. It was queried whether the Council's reduction in carbon emissions had been as a result of the building rationalisation programme or ongoing work to ensure buildings were more efficient. Councillor Julian Thompson-Hill agreed to look into the matter further and report back thereon
- Councillor David Smith was pleased to note progress in improving the county's roads but highlighted that it had only been possible because additional funding had been specifically allocated for that purpose – he asked that consideration be given to increasing the base budget to safeguard against further deterioration. The Chief Executive confirmed that road quality was currently one of the

Council's top priorities and he was confident that the target for better quality roads overall in 2017 compared to 2012 would be achieved in the next financial year. Future priorities and budgets would be a consideration for the next Council. Councillor Bill Cowie raised ongoing concerns regarding the condition of the A525 and was waiting to see whether assurances he had been given regarding its repair would be forthcoming

- superfast broadband availability – members were disappointed that this indicator remained red and noted it was a project between Welsh Government and BT to deliver. Progress with rollout had been scrutinised and discussed with BT representatives at a recent meeting of the Performance Scrutiny Committee and the Chief Executive reported upon the key outcomes. The coverage target related to certain areas and not the whole county – consequently there was a need to engage with those residents expecting to benefit who would not have access. Welsh Government officials declined to attend the scrutiny meeting and it was important they were held to account and delivered on the project
- despite the largely positive performance report and significant investment made by the Council in specific projects such as school buildings it was noted that the percentage of residents responding positively to the statements relating to (1) the Council being efficient and well run, and (2) acting on the concerns of residents, had been highlighted as red indicators. Some discussion took place on the disparity between the reality of the situation and the perception of residents. It was felt that the publicity generated by the Council's more unpopular decisions outweighed the good news stories and it was an ongoing challenge to change residents' perceptions in that regard. It was felt the Council should be more proactive in responding to negativity and promoting the good work and significant investment made to benefit the county's residents
- discussions also took place on the impact of the EU referendum result to leave the EU with officials and officers beginning to analyse the potential impact on budgets and undertake an assessment process – the Chief Executive agreed to report back on that work as it developed.

Councillor Thompson-Hill thanked members for their consideration and input.

RESOLVED that Cabinet receives the report and notes the progress in delivering the Corporate Plan 2012 – 17 as at the end of quarter 4 of 2015/16.

At this juncture (11.30 a.m.) the meeting adjourned for a refreshment break.

8 FINAL REVENUE OUTTURN 2015/16

Councillor Julian Thompson-Hill presented the report on the final revenue outturn position for 2015/16 and proposed treatment of reserves and balances.

Members were guided through the detail of the report and appendices. In brief the overall outturn position showed an underspend against the approved budget which, together with a better than forecast council tax yield, strengthened the Council's financial position. Consequently it was possible to make recommendations for services to carry forward balances and make transfers to specific reserves that would assist in addressing the financial pressures of the next few years. Whilst there was an overall underspend across individual services and corporate areas the

schools delegated budget showed a (predicted) significant overspend. The final position on service and corporate budgets (including schools) was an overspend of £0.387m which was 0.2% of the net revenue budget. Reference was also made to the transfers to and from earmarked reserves and Cabinet's attention was drawn to a number of year-end transactions recommended for approval.

Cabinet was advised of the positive outcomes in that the Council had been in a position to set up various reserves and carry forward funding in order to meet service requirements whilst also delivering the majority of the savings target for 2015/16. The reserves which had been built up to deliver the Corporate Plan had been significantly reduced this year as those commitments continued to be progressed. Finally reference was made to the risks surrounding school balances given the worsening financial position for schools.

The following matters were raised during the ensuing debate –

- there was some discussion on the financial impact on schools due to a reduction in grant funding from Welsh Government, particularly in terms of the foundation phase which had a significant impact on infant schools, and there were also issues regarding demography and funding for additional learning needs. It was noted that schools in financial deficit would be subject to financial recovery plans and reference was also made to the role of the Schools Budget Forum in supporting schools. However, the importance of ensuring all schools were working effectively going forward was highlighted in order to plan ahead for future challenges with other schools concerned over future finances. Members agreed there was a need to understand all the factors contributing to the position on school balances and felt that more work should be carried out to ascertain the current and future position for schools. It was agreed that Cabinet take on that role by establishing a task and finish group which should also include scrutiny representatives. It was noted that the Council had exceeded the statutory level of protection given to schools over the last 4/5 years and that funding per pupil in Denbighshire was higher than in neighbouring local authorities. The need to provide support to schools and school governors was also highlighted
- reference was made to the review of the Home to School Transport Policy being considered by Communities Scrutiny Committee later in the week and the potential financial implications arising from changes to the existing policy. The Chief Finance Officer advised that whilst an indicative figure had been provided, a more precise cost estimate of implementing the policy would not be available until October/November 2016. The Chief Executive stressed the importance of ensuring a fair and legal policy was in place advising that the quality of the policy should not be compromised due to budget implications. Councillor Meirick Davies stressed the importance of consultation with parents during the review process and suggested collaboration opportunities be explored with neighbouring authorities. Councillor Arwel Roberts detailed his concerns regarding the route for pupils from Rhuddlan to Ysgol Dewi Sant, Rhyl and his attempts to resolve the issue. Councillor Eryl Williams suggested that, in cases which did not quality for statutory provision, schools should seek external funding for school transport provision

- Cabinet considered whether there would be merit in publishing the income and operating costs of individual leisure centres given their financial sustainability. It was noted that extracting the relevant costings might prove difficult given that the leisure centres were managed as separate entities and that income levels from leisure centres linked to schools would not be as high. It was agreed that the Council could be more transparent in publishing such information but there would be a need for provisos to ensure the figures were not misleading.

RESOLVED that –

- Cabinet notes the final revenue outturn position for 2015/16 and approves the proposed treatment of reserves and balances as detailed in the report and Appendices 1, 2 and 3 attached to the report, and*
- Cabinet set up a task and finish group to review the level of school balances and understand the factors contributing to those levels.*

9 FINANCE REPORT

Councillor Julian Thompson-Hill presented the report detailing the latest financial position and progress against the agreed budget strategy. He provided a summary of the Council's financial position as follows –

- the council's revenue budget for 2016/17 with no variances to report at this stage in the financial year
- savings of £5.2m were agreed as part of the budget and at this early stage 42% had already been achieved, with a further 25% making good progress; a number of savings were currently being reviewed and the results would be included in future monitoring reports
- highlighted a number of pressures within the overall budget requiring management action by specific services, and
- a general update on the Housing Revenue Account, Housing Capital Plan and the Capital Plan (including the Corporate Plan element).

Following the EU referendum result to leave the EU assurances were provided that the Council's treasury management was being closely monitored and there was little risk to agreed projects in the Capital Plan given that funding had already been allocated. Risks arising from revenue grants underpinned by EU funding was limited given the timing between EU funding cycles. A meeting between Welsh Treasurers was being held later in the week to discuss the impact on future funding. It was agreed to discuss the matter further once the position became known.

In response to questions members were advised that the percentage of savings not achieved in 2015/16 would likely be achieved in 2016/17 and had been due to issues over timing. A contingency plan was in place to cash flow those savings. Further work was being carried out on the remaining savings following which an update would be provided. With regard to treasury management the rate of return on investments had been consistently less than 1% over the last few years.

RESOLVED that Cabinet notes the budgets set for 2016/17 and progress against the agreed budget strategy.

10 CABINET FORWARD WORK PROGRAMME

The Cabinet Forward Work Programme was presented for consideration and members noted the following additions/amendments –

- Treasury Management Annual Report – July
- Strategy for the Prevention & Detection of Fraud, Corruption and Bribery – July
- Ruthin Town Schools Development – July
- Regional Partnership Board – July
- Faith Based Secondary Provision – moved from July to September
- Former North Wales Hospital (CPO) – future date to be confirmed
- In-House Care Services Review – future date to be confirmed

RESOLVED that Cabinet's Forward Work Programme be noted.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

11 REACTIVE MAINTENANCE FRAMEWORK (MINOR WORKS)

Councillor Julian Thompson-Hill presented the confidential report seeking Cabinet approval to appoint contractors to the Reactive Maintenance Framework.

The framework had been prepared following the changes in procurement rules in respect of the use of approved lists and the tender had been split into four lots. Cabinet's attention was drawn to the proposed contractors, the majority of which were local. As a point of accuracy members were advised that the total estimated value of the works over four years was £11.4m and not as specified within the report. The Property Manager responded to questions from members regarding the new process for minor works, including community benefits, together with aspects of performance monitoring and review. He also confirmed that the framework covered works on all the Council's corporate building stock, including schools.

RESOLVED that Cabinet approve the appointment of contractors to the Framework lots as detailed in Appendix 1 to the report.

The meeting concluded at 12.50 p.m.

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Report To:	Cabinet
Date of Meeting:	26 July 2016
Lead Member / Officer:	Cllr Bobby Feeley; Nicola Stubbins; Bethan Jones Edwards
Report Author:	Nicola Stubbins; Bethan Jones Edwards
Title:	Part 9 of the Social Services and Well-Being (Wales) Act 2014 – Regional Partnership Board

1. What is the report about?

This report sets out the requirements within Part 9 of the Social Services and Well-Being (Wales) Act 2014.

2. What is the reason for making this report?

2.1 This report has been compiled to inform partners of the requirements within Part 9 of the Social Services and Well-Being (Wales) Act 2014 that comes into force on 6th April 2016 and which requires the establishment of a Regional Partnership Board in each health board region in Wales. The Regional Partnership Board will be a statutory body with functions defined by the Act and in subsequent regulations with the force of law.

2.2 This report will also inform North Wales partners of the steps which are being taken to establish this Regional Partnership Board.

3. What are the Recommendations?

It is recommended that the Council: -

- a) Endorses the proposals of the Shadow Regional Partnership Board the establishment of the Regional Partnership Board subject to a continuing two way dialogue between the Board and partners on the work programme and operating arrangements for the Board
- b) Nominates its statutory Director and lead member for Social Services to sit on the Board
- c) Supports the structural option where: -
 - i) The Leadership Group of Officers supports the Board by providing strategic advice and directing operational work.
 - ii) The Board works in partnership with area arrangements to deliver integrated services and pooled budgets (where appropriate)

4. Report details

4.1 The North Wales Region has operated a regional forum bringing together key partners in Social Care and Health (principally Councils and the Health Board) for many

years. This regional body has worked with the Social Services Directors and Health Board Officials to manage grants made available on a regional basis by the Welsh Government to improve joint working between councils, the health service and independent care providers. The Act has transferred this activity to the new, statutory Regional Partnership Boards which will take an overview of a range of regional funding streams as directed by the Minister.

4.2 The new Regional Partnership Board will also take an overview of the promotion of integrated working. It is proposed that the delivery of integrated working and the implementation of pooled budgets (if any) are undertaken at the area level in partnership with the Area Directors of the BCUHB. In order to help meet the statutory timetable a Shadow Board has been established to enable work on the final terms of reference, priorities and work programme of the new Board in a two way dialogue with the constituent members of the Board.

4.3 The Shadow Board has the same membership as that proposed for the formal Board and required by statute. It will prepare for the establishment of the Board in the period between now and the agreement to form the Board by each statutory partner. (The six Local Authorities and the BCUHB). The formal establishment of the Board will be achieved by each statutory partner receiving and agreeing this report and nominating members to serve on the Regional Partnership Board. There will be further discussion of how the operational arrangements might work with an emphasis on local and area delivery within the region led by the Shadow Regional Partnership Board. However, if the issue in question is best dealt with regionally then a North Wales approach will be adopted. The Shadow Board will prepare a consultation pack for the constituent members detailing its proposed work programme, priorities, reporting relationships, operating arrangements and undertake an Equalities Impact Assessment.

4.4 Part 9 of the Social Services and Well-Being (Wales) Act 2014 requires local authorities to make arrangements to promote co-operation with their relevant partners and others in relation to adults with needs for care and support, carers and children. It places a duty on relevant partners to co-operate with, and provide information to, the local authorities for the purpose of planning and delivering their social services functions. This information will be fundamental to compiling a regional needs assessment which will guide the work of areas in delivering integrated working locally.

4.5 Part 9 also provides for partnership arrangements between local authorities and Local Health Boards for the discharge of their functions. It also provides Welsh Ministers with regulation making powers in relation to formal partnership arrangements, resources for partnership arrangements (including pooled funds) and partnership boards.

4.6 The purpose of Part 9 is to improve outcomes and well-being of people as well as improving the efficiency and effectiveness of service delivery.

5. How does the decision contribute to the Corporate Priorities?

5.1 The Regional Partnership Board's work will contribute to the following areas within the Council's Corporate plan:

- Vulnerable people are protected and are able to live as independently as possible
- modernising the council to deliver efficiencies and improve services for our customers.

5.2 The work of the Regional Partnership Board will also contribute to the Denbighshire Well-Being Plan 2014-2018 specifically in relation to the following areas:

- people are active, connected and contribute to their community
- people take notice of what is going on around them, and in doing so, keep learning about their world
- people prioritise their wellbeing and actively plan to maintain their independence.

6 What will it cost and how will it affect other services?

6.1 During this financial year any costs associated with the Regional Partnership Board, its development, work programme and secretariat is funded from the Delivering Transformation Grant which comes to the region from Welsh Government. From April 2016 onwards this funding will be distributed into the Revenue Support Grant and the Board will need to consider how the Board, its work programme and secretariat are funded from 2016/17 onwards.

6.2 With regard to current services in the areas of priority as listed above, there will be a need to integrate these and this could include the provision of pooled budgets.

6.3 There is however, a requirement to have a pooled budget **in** relation to care home accommodation from 6th April 2018.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report

7.1 See attached EqIA.

8. What consultations have been carried out with Scrutiny and others?

8.1 A workshop with current members of the Partnership Forum and Leadership Group was held on 14th March 2016; this was a facilitated session led by the Institute of Public Care, Oxford Brookes University. From Local Authorities this included the Directors of Social Services and the Lead Member for Social Care.

8.2 Directors of Social Services and the Head of Regional Collaboration have presented on the Act to Chief Executives and to the Regional Leadership Board and highlighted the requirements around Part 9 of the Act.

8.3 The draft report has been shared and commented on by representatives of each authority, including the Health Board.

9. Chief Finance Officer Statement

9.1 The impact of the Delivering Transformation Grant transferring into the RSG will have to be monitored though it should not create a cost pressure. The wider impact of integration of social care and health services, particularly the requirement to pool resources, is a significant undertaking in a relatively short time. It is crucial that the organisational, governance and financial arrangements to support this are properly considered and meet the requirements of all partners. There is clearly an opportunity to improve integration and services to people but risks if the arrangements are not

robust. The Partnership Board has co-opted S151 Officer representation to assist with the development of the process.

10. What risks are there and is there anything we can do to reduce them?

10.1 Whilst it is a requirement to have a Regional Partnership Board, there are risks associated with the ambition, pace and prioritised areas for integration of services as required within the Act.

10.2 Ongoing funding to support the Regional Partnership Board, its work and secretariat from April 2017 onwards.

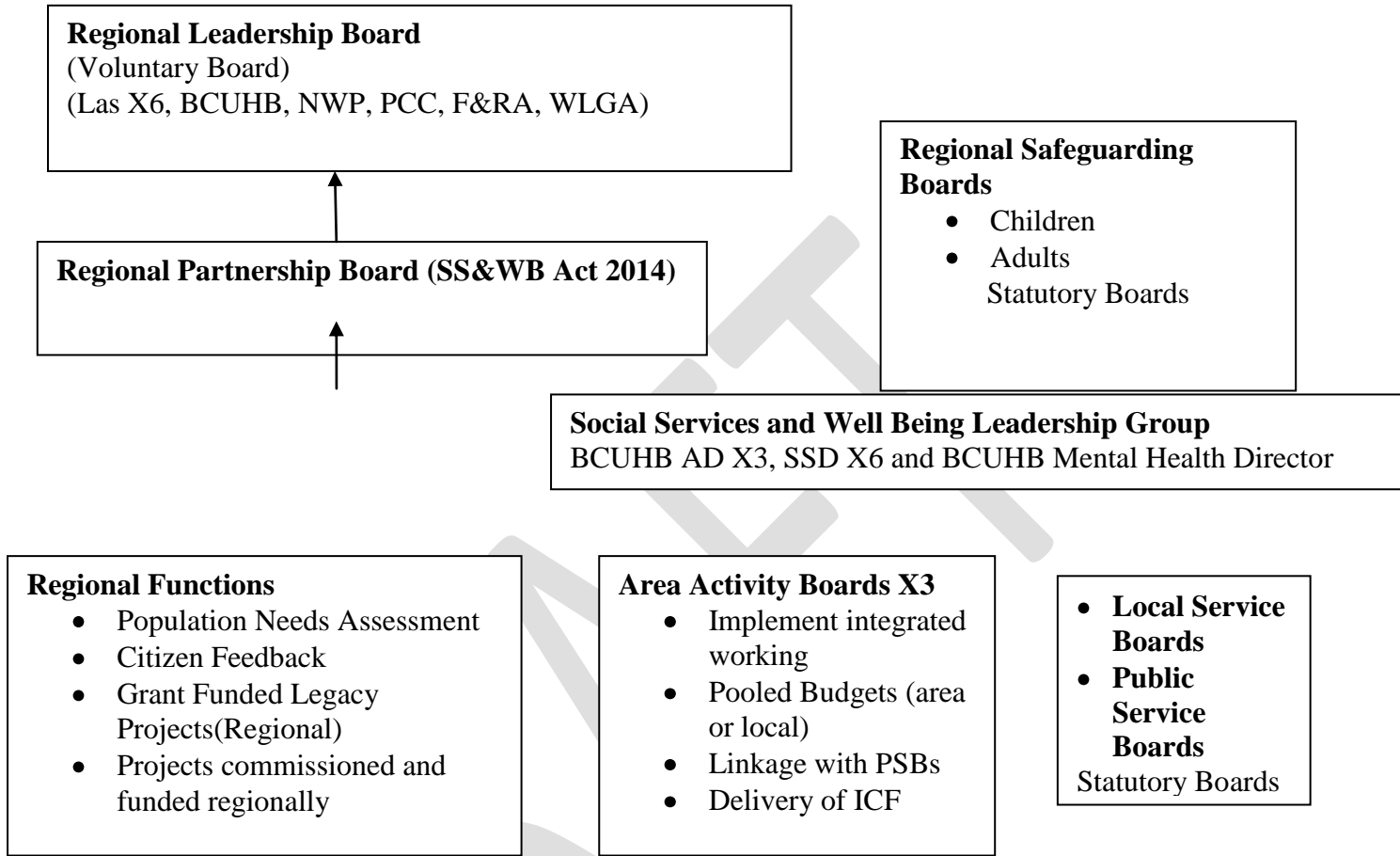
10.3 Whilst the Regional Partnership Board is a statutory body it has no decision-making powers.

11. Power to make the Decision

S168 Social Services and Wellbeing Act (Wales) 2014

Partnership Arrangements (Wales) Regulations 2015

Appendix 1 - Part 9 Partnership Arrangements:



The rationale for this structure is that the Board will play a key role in ensuring the development of regional partnership arrangements and meet the requirements of the Act best through: -

- Overseeing the progress of area arrangements
- Commissioning and overseeing the regional work streams
- Enabling Citizen Feedback and Providers to influence the direction of the Board and thereby the area arrangements.
- Managing grant monies routed through the RPB

The Social Services and Well Being Leadership Group as an officer group will provide strategic advice to the Board and help manage the detail of the Board’s Programmes, including acting as a forum to exchange best practice from the areas within the region.

The Board will be accountable to the seven key statutory partners and have a loose reporting arrangement to the North Wales Regional Leadership Board which is made up of representatives of the 6 LAs, the BCUHB, the PCC, the North Wales Police and the Fire and Rescue Service.

There will be statutory reporting arrangements to the Minister.

DRAFT

APPENDIX 2 – Statutory Guidance – Part 9 – Social Services and Well-Being (Wales) Act 2016

The key aim of co-operation, partnership and integration are described the Statutory Guidance as:

- to improve care and support, ensuring people have more say and control
- to improve outcomes and health and well-being
- provide co-ordinated, person centred care and support
- make more effective use of resources, skills and expertise.

The objectives of the Regional Partnership Boards are to ensure the partnership boards work effectively together to:

- respond to the population needs assessment carried out in accordance with section 14 of the Social Services and Well-Being (Wales) Act
- implement the plans for each of the local authority areas covered by the board which local authorities and local health boards are required to prepare and publish under section 14A of the Act
- Ensure the partnership bodies provide sufficient resources for the partnership arrangements, in accordance with their powers under section 167 of the Act
- Promote the establishment of pooled funds where appropriate.

Regional Partnership Boards will also be required to prioritise the integration of services in relation to:

- Older people with complex needs and long term conditions, including dementia
- People with learning disabilities
- Carers, including young carers
- Integrated Family Support Services
- Develop integrated services for children with complex needs due to disability or illness and for children and young people with mental health problems. This includes transition arrangements from children to adult services
- Ensure that pooled funds are established and managed for the exercise of care home accommodation and family support functions as well as for functions that will be exercised jointly as a result of an assessment carried out under section 14 of the Act. Pooled funds in relation to care home accommodation are required from 6th April 2018.

Statutory guidance lists those who must be members of the Regional Partnership Board as follows however, regions can co-opt

- At least one elected member of a local authority which established the regional partnership board

- At least one member of a Local Health Board which established the regional partnership board
- The person appointed as director of social services under section 144 of the Act in respect of each local authority which established the regional partnership board, or his or her nominated representative
- A representative of the Local Health Board which established the regional partnership board
- Two persons who represent the interest of third sector organisations in the area covered by the regional partnership board
- At least one person who represents the interests of care providers in the area covered by the regional partnership board
- One person to represent people with needs for care and support in the area covered by the regional partnership board
- One person to represent carers in the area covered by the regional partnership board.

With regard to North Wales each local authority will be represented by its statutory director and Cabinet/Executive/Lead Member for Social Services. It has also been agreed by the Shadow Body that the North Wales Board will invite representatives of the Police and Crime Commissioner, the North Wales Police, the North Wales Fire and Rescue Authority and the Fire Service to be co-opted onto the Board.

Appropriate arrangements should be made at a strategic level to engage with other boards and organisations as needed. There is also a need to foster engagement through existing networks or forums wherever possible. In North Wales there is a desire to ensure that existing forums such as Local Service Boards/ Public Service Boards. (See Chart in Appendix 1) are connected to the North Wales Regional Partnership Board and able to influence its work. There is also a project to map relevant regional and area/local partnerships and needs assessments required by law with a view to ensuring an efficient use of resources and that each partnership and assessment is, as far as practicable, complementary to the other. The new Board should have a loose reporting arrangement to the North Wales Regional Leadership Board.

There is a requirement that the Regional Partnership Board prepares and submits to Welsh Ministers an annual report on the extent to which the board's objectives have been achieved. The first report must be prepared and submitted by 1st April 2017 – this report must be published and include information on the membership of the Regional Partnership Board; information on how the board has met its objectives including financial information and progress reports; details of the partnership arrangements in place to respond to the joint population needs assessment and priority areas; how the board has engaged with service users or groups representing service users; information on how the partnership arrangements have contributed to improved outcomes and service delivery and how resources have been effectively utilised; information on the statutory provisions used or informal arrangements underpinned by written agreement.

North Wales Regional Partnership Board July 2016

Equality Impact Assessment

<Title of the proposal being assessed>

Contact: Nicola Stubbins/Bethan Jones Edwards

Updated: July 2016

1. What type of proposal / decision is being assessed?

To establish a Regional Partnership Board as required in Part 9 of the Social Services and Well-Being (Wales) Act 2014

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The Act requires that each region establishes a Regional Partnership Board. The purpose of Part 9 of the Act is to improve outcomes and well-being of people, as well as improving the efficiency and effectiveness of service delivery.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

<Please Select> Yes

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

A workshop with current members of the Partnership Forum and Leadership Group was held on 14th March 2016; this was a facilitated session led by the Institute of Public Care, Oxford Brookes University. From Local Authorities this included the Directors of Social Services and the Lead Member for Social Care.

Directors of Social Services and the Head of Regional Collaboration have presented on the Act to Chief Executives and to the Regional Leadership Board and highlighted the requirements around Part 9 of the Act.

The draft report has been shared and commented on by representatives of each authority, including the Health Board.

5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

(Please refer to section 1 in the toolkit for a description of the protected characteristics)

One of the areas that the Regional Partnership Board is required to oversee is the development of the regional population needs assessment. This is an assessment of all individuals which includes those within the protected characteristics as above.

6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

No

7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.

<Please Select> No

8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?

<Please Select>

Action(s)	Owner	By when?
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	September 2016
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Name of Lead Officer for Equality Impact Assessment	Date
Bethan Jones Edwards, Head of Regional Collaboration	11/07/2016

Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.

Report To: Cabinet
Date of Meeting: 26th July 2016
Lead Member / Officer: Councillor Barbara Smith
Report Author: Catrin Roberts / Andrea Malam
Title: **Employment and ICT Policies**

1. What is the report about?

There are a number of employment policies which have been developed/revised which have been brought to LJCC and they have been recommended for adoption by Cabinet. (Please see point 8 below) The policies are listed below:

- ICT Information Security Policy (Revised Policy)
- Wellbeing and Support Policy (New Policy)
- Phased Return to Work Procedure (New Procedure)
- Travel Policy (Revised policy)

2. What is the reason for making this report?

To recommend that Cabinet adopt these policies.

3. What are the Recommendations?

To gain approval for Cabinet to adopt these policies.

4. Report details

ICT Information and Security Policy

Denbighshire County Council recognises that its information resources are a valuable asset, which are essential in supporting the Council meeting its strategic objectives. The Council recognises its obligations to protect information from internal and external threats and recognises that effective information security management is critical in order to ensure the successful delivery of business functions and services. The council is committed to preserving the confidentiality, integrity and availability of all physical and electronic information assets.

This Policy supersedes the Council's current Information Security Policy, which is now several years old and includes updates that reflect the latest thinking, legislative requirements and best practices in this field. For the first time, our information security policy includes an information security breach procedure and device control procedure. The Policy also reflects changes in job roles and responsibilities that have occurred over the last few years within the Council. The new policy also aims to be more reader-friendly by being split into different sections with hyperlinks provided. This allows readers to jump straight to the section they need.

Wellbeing and Support Policy

This is a new Occupational Health policy.

The council is committed to maintaining a safe and healthy working environment. As part of this commitment the council acknowledges the contribution of its staff. Where staff are experiencing work-related, personal or health problems, it may affect their work performance as well as their quality of life and general sense of wellbeing. The policy highlights the support the council can offer to employees.

The two types of support included within the policy are as follows:

- Counselling Services
- Specialist Therapy Support for Musculoskeletal conditions

Both services are free to the employee and any costs will be charged to the service/dept. Management are to be sympathetic towards leave requests, however there is an expectation that these appointments are to be attended in an employee's time unless the employee can demonstrate that they are unable to attend outside of their normal working hours. In such cases, managers can grant employees paid time off to attend.

Phased Return to Work Procedure

This is a new Occupational Health Policy which recognises that staff who have experienced a prolonged period of absence from work due to illness or injury may require particular support in returning to their normal hours and duties of work. It aims to assist staff in such circumstances to return to work in an effective and productive way which does not compromise their recovery or long-term health by facilitating appropriate measures to support rehabilitation.

This procedure sets out the broad parameters in which a phased return to work programme will be supported and managed. This procedure should be read in conjunction with the Attendance at Work Procedure.

Any agreed phased return to work programme will be time-limited and will normally be between 2-4 weeks not exceeding 4 weeks. In exceptional circumstances, this timeframe may be extended, for example, where medical advice suggests this is appropriate to support whilst undergoing invasive medical treatment.

Travel Policy

The revised policy includes timescales, responsibilities and all new additions are highlighted in yellow. The policy encourages employees and managers to think about the journeys they undertake on council business and possible alternative ways to conduct business without the need to travel.

The policy refers to different methods of travel for journeys under and above 100 miles and refers to subsistence and disturbance rates and where to find that information.

The completion of the DVLA796 form has been made mandatory for all new and existing employees to complete, which will enable the council to check whether the employee is permitted to drive and holds a current valid licence.

The current travel/mileage claim form is currently paper based and applicable to this policy, however in the near future we are looking at implementing an electronic method of claiming mileage through Proactis. The policy will need amending slightly when this process is introduced.

Please refer to policies contained within the appendix.

5. How does the decision contribute to the Corporate Priorities?

All of the above policies will assist the Corporate Priorities by helping to modernise the council by ensuring that managers and employees are aware of their obligations in line with legislation and good practice.

6. What will it cost and how will it affect other services?

Additional resources are not required, therefore there won't be any costs attached to implementing these policies. There will be no particular impact on a particular department. The policies will apply to all staff (where stated).

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report

Please find the EQiA attached. There are no fundamental issues highlighted with the EQiA's.

8. What consultations have been carried out with Scrutiny and others?

The policies have all been to Corporate Joint Meeting on Thursday 19th May and Wednesday 15th June for comments and have been emailed to CJM for feedback from the members of CJM who did not attend those meetings and so all members have been given an opportunity to feedback.

They were submitted to LJCC 29th June 2016. Unfortunately, as the meeting was inquorate, the Employer's side discussed the documents and made amendments. These were subsequently agreed via email with the Employees' side prior to being submitted to Cabinet for adoption.

9. Chief Finance Officer Statement

Not applicable.

10. What risks are there and is there anything we can do to reduce them?

The risks are only associated with not implementing the attached policies. The current versions of the policies are very out of date and new process and procedures

require a policy/procedure to ensure they are being applied correctly and consistently.

11. Power to make the Decision

Not applicable

INFORMATION SECURITY POLICY & PROCEDURES

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Date agreed and implemented	
Agreed by	
Review date	
Frequency	
Author	

Version	Status	Reason for change	Authorised

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Information Security Policy Framework

Information Security Policy
Statement

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E-mail & Instant
Messaging Use
Policy

Internet Use
Policy

Access Control
Procedure

Device Control
Procedure

Information
Security Breach
Reporting Policy

Select control and click on the relevant box above to take you to the corresponding section of this document

INFORMATION SECURITY POLICY STATEMENT

1 Introduction and aim

- 1.1 The information that the Council uses to conduct its day to day business is vital to its core operations. In some instances this information may be classed as commercially sensitive, official information¹ or may be personal data². People and organisations that the Council works with or on behalf of have the right to expect that the Council will manage that information appropriately and keep it secure at all times. The Council has identified Information Security as a key priority in its Information Management Strategy.
- 1.2 Information Security is defined in the ISO27001 International Standard for Information Security Management Systems as controls which ensure the Confidentiality, Integrity and Availability of an organisation's Information Assets.
- 1.3 The Corporate Executive Team is fully committed to ensuring that the Council has in place a system of effective controls and processes to ensure the Security of all Information Assets and will ensure compliance with the above standard. Furthermore, the inappropriate use, loss or disclosure of Council owned information is a risk and is subject to legislative controls if this relates to personal data.
- 1.4 The requirement for sound information security practices needs to be carefully balanced against the need to make information available to internal users, external customers and partner agencies. This policy applies to all Employees, Members and Contractors of Denbighshire County Council. Where reference is made to employees within this policy from this point forward, this also includes Members and Contractors.
- 1.5 This policy applies to all information assets, which are held by or on behalf of Denbighshire County Council whether held in paper or electronic format. This also includes information which might be held by third parties or commercial organisations for or on behalf of the Council. Non-compliance with this policy and associated policies and procedures may lead to disciplinary and/or legal action being taken against an individual or organisation that is found to be liable.

¹ <https://www.gov.uk/government/groups/public-services-network>

² Data Protection Act 1998 definition of personal data.

2 Key Principles

2.1 The Council has adopted the following principles, which underpin these policies and procedures:-

- Information will be protected at all times in accordance with relevant laws and standards;
- Information should be available at all times to those with a lawful, legitimate need;
- The Integrity of information must be maintained at all times; information must be accurate, complete, timely and up to date;
- All members of staff, members, volunteers and contractors who have access to information have a responsibility to handle it appropriately; and
- Information will be protected at all times against unauthorised access, loss or disclosure with appropriate controls commensurate to the level of risk involved.

3 Roles and Responsibilities

3.1 Corporate Executive Team (CET)

3.1.1 The Council's Chief Executive is ultimately responsible for all the information assets which are owned by the Council.

3.2 Senior Leadership Team (SLT)

3.2.1 Members of the Senior Leadership Team and Heads of Service are responsible for all Information that is held within their service and are the Information Asset Owners for that information. Heads of Service are also responsible for ensuring that their staff are made aware of and fully comply with the Information Security Policy and its associated policies and procedures.

3.3 Senior Information Risk Owner (SIRO)

3.3.1 The Senior Information Risk Owner is responsible for ensuring that effective controls and processes are in place to minimise Information risk for the Council. The SIRO is also responsible for reporting to the Council's Corporate Governance Committee, CET and SLT on all relevant issues, which might affect the security of the Council's information.

3.4 Business Improvement and Modernisation Service

3.4.1 Corporate Information Team

The Corporate Information Team establishes the information security policy framework and monitors compliance.

3.4.2 Business Transformation and ICT Department

The Business Transformation and ICT Department have the day-to-day responsibility for implementing and supporting the technical solutions in place that support the Information Security activities. They are also responsible for ensuring that the Corporate Information Team are made aware of any issues which might affect the Security of Council information and for ensuring that the Council complies at all times with the Public Services Network Code of Connection³ and relevant laws and policies by implementing appropriate technical controls as advised.

3.5 Data Protection Officer

3.5.1 The Data Protection Officer acts on behalf of the Data Controller to ensure that Denbighshire County Council complies with the Data Protection Act 1998.

3.6 Members

3.6.1 Members are responsible for ensuring that they comply with the Information Security Policy and its associated policies and procedures.

³ <https://www.gov.uk/public-services-network>

3.7 Employees

3.7.1 Denbighshire County Council employees, secondees, agency staff and temporary employees are responsible for ensuring that they read and comply with the Information Security Policy and associated policies and procedures.

3.8 Managers and system Administrators

3.8.1 Managers and system administrators are responsible for ensuring that any IT systems within their control are managed and maintained in accordance with Council policies and procedures.

4 Legal Implications/Associated Policies and Procedures

4.1 There are a number of laws and regulations covering Information Management and the security thereof. These include:-

- Data Protection Act 1998
- Computer Misuse Act 1990
- Freedom of Information Act 2000
- Copyrights, designs and patents act 1988
- Human Rights Act 1998
- Malicious Communications Act 1988
- Regulation of Investigatory Powers Act 2000
- Public Services Network Code of Connection⁴
- Denbighshire County Council Information Risk Policy

⁴ <https://www.gov.uk/public-services-network>

- Denbighshire County Council Disciplinary procedures
- Denbighshire County Council Internet , E-mail and Telephone Use and Monitoring Policy
- Denbighshire County Council Remote Access Policy
- Denbighshire County Council Wireless Access Policy
- Denbighshire County Council Bullying and Harassment Policy
- Denbighshire County Council Data Protection Policy
- Denbighshire County Council Freedom of Information Policy
- Denbighshire County Council Grievance Policy
- Denbighshire County Council RIPA policy
- Denbighshire County Council ICT Procurement Policy
- Denbighshire County Council Social Media Policy
- General Data Protection Regulation / Protection of Freedoms Act 2012

DEVICE CONTROL PROCEDURE

1 Introduction and Aim

- 1.1 The purpose of this procedure is to provide employees, members and contractors with a set of core principles under which electronic devices issued and managed by Denbighshire County Council are to be used.
- 1.2 The aim of this procedure is to ensure that all users are aware of their obligations with regards to the use and control of electronic devices issued by Denbighshire County Council.
- 1.3 This procedure applies to all electronic devices including PC's, laptops, I Pad's and other tablet devices, all types of external hard drives or removable media devices, telephones and mobile devices.

2 Procedures

2.1 Acceptable Use

- Council supplied devices are to be used for work related purposes only. As such, they should not be used to download or store non-work related material. Any material held for personal rather than work related purposes is not permitted in accordance with this procedure.
- Council supplied devices must not be used to conduct any illegal activity including downloading or sharing unlicensed software and/or copyright protected material.
- Council supplied devices should not be used to conduct a business or used for the direct commercial gain of or by its employees.
- Images, cartoons or files containing nudity, sexually explicit, or other content of an illegal, racist or defamatory nature should not be stored on or sent using Council supplied devices.

- All laptops, tablets and removable media devices MUST have mobile device management in place and be encrypted when used to store or transmit Council related information. Any exemptions to this rule must be requested.
- Misplacement, loss or theft of any device MUST be reported to the ICT Service Desk immediately.
- DO NOT write down any password or PIN numbers.
- DO NOT allow any other person to use the device unless specifically authorised to do so.
- Jail broken devices are strictly not permitted. This means that no device which has had its operating system security features disabled is to be used. You must not attempt to disable any of the device security features or install applications that are not for work related purposes.
- Do not store information or files on the c:/ drive or 'my documents' area of your computer or laptop. These files are not backed up and are at risk of permanent loss if the device is lost or becomes unusable through breakdown. Files should be stored on a network drive i.e. your personal drive or a team drive.

2.2 Use of CD, DVD and USB Memory Storage Devices

- Any information stored on removable media i.e. CD/DVD's, external hard drives and USB memory sticks MUST be encrypted. The council uses software to encrypt files and information on these types of media. When a removable device is inserted into a Council owned laptop or PC you will be prompted to encrypt that device before it can be used.
- Be wary when opening documents or files from removable media as they may contain viruses. Ensure that only content from a known source is opened or access. In case of any queries, contact the ICT Service Desk in the first instance.
- You must ensure that removable media devices are only used for temporary storage and that any material is saved to a network drive as soon as practicable to ensure business continuity. Material should be deleted or removed from the removable media when no longer required.
- Removable devices should not be used for back-up purposes. The Council operates its own back up methods which should be used in all instances.

2.3 Mobile Phones issue and use

- Please refer to the Council's Mobile Device guidance which is available on the intranet.

INTERNET USE POLICY

1 Introduction and Aim

- 1.1 The aim of this policy is to provide guidance to employees and members of the Council regarding the acceptable use and monitoring of the internet.
- 1.2 The Internet is a valuable information resource which is provided by the Council to assist employees and members to conduct the day to day business of the Council.
- 1.3 Many council services are increasingly becoming accessible to the public via the Internet and this is actively encouraged to ensure that Council Services are delivered efficiently and effectively. However, this does provide a high level of risk as recent high profile breaches have demonstrated (Sony and Talk Talk). The use of Cloud and Hosted Services is also included within this policy.

2 Core Principles

- 2.1 The following are a summary of the main requirements of this policy:-
 - The internet is provided for work related purposes only.
 - Personal use of the internet is allowed outside normal working hours.
 - Do not access restricted or illegal websites.
 - Do not download software from the internet without the explicit consent of the Business Transformation and ICT Department.
- 2.2 Managers are responsible for ensuring that their employees are made aware of this policy and comply with it.

- 2.3 This policy should be read in conjunction with the Council's Information Security Policy and any associated procedures.
- 2.4 There are separate policies relating to internet use in educational establishments and public access in libraries and other Council buildings.
- 2.5 Employees and members of Denbighshire County Council are responsible for ensuring that they comply with this policy at all times.
- 2.6 Suspected non-compliance with this policy should be reported to the person's line manager and all reports will be investigated. Any person found to be in breach of this policy as a result will be subject to disciplinary action and potentially criminal action which may result in dismissal.

3 Policy

- 3.1 The Internet is provided by Denbighshire County Council in order to allow staff to conduct the day-to-day business of the Council.
- 3.2 Personal use of the Internet is a privilege and should only be carried out outside of normal working hours for example, at lunch time or before and after work. As many staff are on Flexitime, there are no core working hours so employees must ensure that they are clocked out when accessing the internet for personal use. Line Managers are responsible for ensuring their staff understand and comply with this requirement. Staff on fixed hours must refer to their fixed hours agreed with their Line Manager. Personal use of the internet should be kept to a minimum and not interfere with work commitments.
- 3.3 Staff engaged in the following activities on the Internet will face disciplinary and/or legal action:-
- Knowingly participating in illegal pursuits;
 - On-line gambling;
 - Knowingly accessing, displaying or disseminating pornography;

- Posting information that may disparage, harass or discriminate against others on the basis of gender, race, age, disability, religion, sexual orientation or national origin;
- Knowingly downloading, using, or distributing copyrighted materials from the Internet without proper authorisation.
- Knowingly downloading, using, or distributing software or executable programs.

3.4 These types of sites are normally restricted however, the filters are never 100% guaranteed and if users inadvertently access a site which you consider may be inappropriate and should be blocked, please contact the ICT Service Desk.

3.5 Denbighshire County Council accepts no liability for any loss suffered as a result of personal usage of the internet. All users are reminded that if entering their credit card or banking details to purchase goods or services, they do so entirely at their own risk.

3.6 Please consider the following:-

- The use of the internet carries many risks. Criminals actively target users of the internet to conduct illegal activities and online fraud is rife in the UK and worldwide.
- The Council does not guarantee the accuracy or content of any external website and users should verify content independently before taking any action.
- Do not respond to requests for your password or personal credentials via e-mail. If in doubt verify the validity of such requests with the organisation concerned but DO NOT reply to the e-mail or follow any links provided.
- Software and programs, even free ones, must not be downloaded without explicit consent of the Business Transformation and ICT Department, as doing so could lead to the introduction of malware, viruses and unlicensed software which could affect the correct operation of other Council IT systems.
- Downloading content, music, and videos for personal use is not permitted.

3.7 Internet Filtering

- 3.7.1 In order to prevent accidental or deliberate access to filtered sites, e.g. those containing material of a pornographic or illegal nature, the Council has installed sophisticated content filtering software. Websites are restricted in relation to the website category which is determined by a number of factors. Access to restricted sites may be permitted but must be requested via the ICT Service Desk.
- 3.7.2 The categories of restricted sites may change from time to time, without prior notification however, whilst every attempt is made to verify the effectiveness of the filtering software, Denbighshire County Council does not completely guarantee its effectiveness.
- 3.7.3 When a user has attempted to access a blocked site, a warning message will be displayed. If you think this is incorrect please contact the ICT Service Desk and forward them a copy of the message along with the full URL.
- 3.7.4 Monitoring the use of the internet and other communication facilities is governed in the UK by legislation.
- 3.7.5 The use of the Internet and e-mail will be monitored only for the purposes of ensuring the detection of excessive personal use of the internet during normal working hours, enforcement of this policy, or to detect attempted unauthorised access to Council IT systems and the prevention, detection and investigation of crime.

3.8 Cloud Hosting

- 3.8.1 The terms “cloud computing” or “the cloud” are relatively recent introductions to the workplace, but represent an important and ever-growing industry. Cloud computing is internet-based computing, where resources are hosted externally to the Council and accessible via the internet. This gives the user the ability to access services from any location, at any time and from a range of different devices including laptops, tablets or mobile phones.
- 3.8.2 Cloud services can generally be classified into three models:
- **Software as a service (SaaS):** this encompasses “off-the-shelf” applications such as Verto, cloud storage facilities such as Dropbox or e-mail services such as Egress secure e-mail for sharing sensitive information.

- **Platform as a service (PaaS):** a development platform provided by a third party where the Council can develop and run our own applications.
- **Infrastructure as a service (IaaS):** where the third party provider hosts hardware, software, servers, storage and other infrastructure components on our behalf.

- 3.8.3 The big difference between cloud and traditional computing is that the Council does not directly host these resources, instead entering into contracts with third parties to provide the appropriate level of service we require.
- 3.8.4 Increasingly, Local Government software suppliers are moving their applications onto a cloud model, which brings with it advantages to the Council (for example, no need to provide and maintain our own servers to host applications) but also introduces significant risks.
- 3.8.5 The biggest risks with cloud lie primarily with the processing and storage of data and we must consider this when engaging with a third party to handle sensitive information. The Data Protection Act (1998) applies to data stored or processed in the cloud – as it does to data which is stored or processed locally. This means that the Council’s legal obligation to maintain the security of personal data under the DPA still applies.
- 3.8.6 To mitigate the risks of loss or unauthorised access to personal data, the Council requires potential cloud suppliers to complete a mandatory ICT Security Specification questionnaire in respect of externally-hosted solutions. This form is available upon request to your ICT Business Partner and must be completed prior to the purchase of any new system or solution.
- 3.8.7 Some of the aspects addressed in the questionnaire are:
- The physical location of any data centres and their security arrangements e.g. fire detection capabilities
 - Details on vulnerability assessments carried out on the supplier’s website e.g. to reduce threats from hacking
 - Application specific details, such as whether there is a full audit trail to monitor changes and controls in place to manage user passwords
- 3.8.8 Successful completion of this questionnaire demonstrates to the Council that the third party can be trusted to store the Council’s data securely and responsibly and in line with the Data Protection Act.

E-MAIL & INSTANT MESSAGING USE POLICY

1 Introduction and Aim

- 1.1 The aim of this policy is to provide guidance to employees and members of the Council regarding the acceptable use and monitoring of the Council's e-mail and instant messaging system.
- 1.2 Both systems are provided by the Council to assist employees and members to conduct the day-to-day business of the Council.
- 1.3 E-mail is considered the primary communication tool used by the council and many organisations and individuals and as such must be used appropriately. Instant messaging provides a more informal and faster means of communicating internally.

2 Core Principles

- 2.1 The following are a summary of the main requirements of this policy:-
 - 2.1.1 Reasonable personal use of e-mail is permitted, provided this is legal, not excessive, and does not interfere with work related performance.
 - 2.1.2 Do not use the e-mail system as a storage repository. The E-mail system is a communication tool and not a filing system. Save any important attachments or files to either your network drives or EDRMS for future reference.
 - 2.1.3 Managers are responsible for ensuring that their employees are made aware of this policy and comply with it.
 - 2.1.4 Suspected non-compliance with this policy should be reported to the person's line manager and all reports will be investigated. Any person found to be in breach of this policy as a result will be subject to disciplinary action which may result in dismissal.

3 Policy

- 3.1 Like the internet, the e-mail system is provided by Denbighshire County Council to enable users to conduct the day-to-day official business of the Council.
- 3.2 The following instances of misuse of the e-mail facility could result in disciplinary action being taken against those responsible, including suspension of e-mail facilities:
- Knowingly entering into a legally binding contract by e-mail without having the authorisation to do so;
 - Knowingly sending or forwarding e-mails containing defamatory statements or information about individuals;
 - Knowingly sending or forwarding unwanted e-mails to individuals;
 - Sending aggressive, abusive, or deliberately antisocial e-mail;
 - Knowingly sending or forwarding e-mails containing pornographic content including attachments;
 - Knowingly sending or forwarding e-mails containing information that may disparage, harass, or discriminate against others on the basis of gender, race, age, disability, religion, sexual orientation, or national origin;
 - Sending e-mails in another person's name without their authorisation;
 - Opening another person's e-mail without their authorisation unless done so for investigative purposes;
 - Sending sensitive information via a non-secure e-mail route; and
 - Excessive use of e-mail for personal use.
- 3.3 Similar to letters, memos and other forms of communication, e-mails are a record of council business and should be treated appropriately. For advice on the storage and retention of e-mails, please refer to the Council's Records Retention Schedule, which is available on the Intranet. If further advice is required please contact the Corporate Information Manager.
- 3.4 Users are reminded that e-mails, like other types of communication may be disclosed in legal proceedings or in response to a request for information, for example in response to a Freedom of Information request. Similarly, care should be taken in

respect of how information is recorded as it could be subject to release to any other person in response to a request for information.

- 3.5 Members of Denbighshire County Council are obliged to comply with this policy and are permitted to use the Council's e-mail system for communicating with members of the public in their official council duties but are not permitted to use the Council's e-mail system for canvassing or political petitioning purposes.
- 3.6 To help you avoid unsolicited e-mails and to protect the security of Denbighshire IT systems, do not post your official DCC e-mail address onto public mailing lists or internet forums including the Denbighshire County Council website or any other website. Where contact details are required, a departmental e-mail address should be used. This will help us to protect your personal internet safety and prevent you from receiving unsolicited e-mails and to assist in the reduction of attempted ID fraud.
- 3.7 The content of official e-mails should be factually accurate and not contain any personal opinion or bias.
- 3.8 Secure, encrypted e-mail such as egress or GCSx mailbox should be used to send personal data or confidential information. Both of these can be obtained upon request to the ICT Service Desk.
- 3.9 Do not open any files that have come from an unknown source as these may contain a virus. (Files with extensions such as .vbs, .bat, .exe, .pif and .scr are particularly vulnerable and are often used to propagate malware). Contact the ICT Service Desk if you have any concerns.
- 3.10 Forwarding joke, chain or hoax e-mails is not permitted. They can cause offence and distress to some individuals as well as causing unnecessary demand on valuable IT resources. Inappropriate e-mails could be classed as bullying.
- 3.11 Your personal e-mail/webmail account must not be used to conduct council business.
- 3.12 Do not respond to e-mails or telephone calls from individuals asking for your password. These e-mails often state that the account will be suspended if you if you do not comply. This is a type of fraud known as 'phishing'. Reputable companies will never ask you for your password or for you to confirm it by e-mail. Do not open the links provided in these e-mails as they will direct you to bogus sites. Contact ICT Service Desk for further assistance.

- 3.13 Do not respond to unsolicited e-mails even to ask to be removed from their list. This just confirms that your e-mail address is in use and actually encourages them to send you more. Don't respond to any direct e-mail from any organisation stating that they will remove you from mailing lists, or any offering to clear up your credit reference file. All these are attempts to gain your personal data.
- 3.14 Denbighshire County Council does not guarantee the accuracy of external e-mails received and users should take their own action to verify content before taking any action.
- 3.15 Staff should select "Reply" to the sender unless it is imperative that everyone on the recipient list needs to know your response when the "Reply to All" option should be selected.
- 3.16 The use of abbreviations and acronyms should be avoided wherever possible, as this will help with their understanding.
- 3.17 As e-mails are a record of Council Business and may need to be retained for set periods of time. Please refer to the Council's Corporate Retention Schedule for guidance on this.
- 3.18 Although e-mail has a sense of immediacy, staff should not expect an instantaneous responses. Those matters which are urgent and require an early or immediate reply should be flagged accordingly and followed with a phone call or instant message to ensure receipt.
- 3.19 Staff must consider the requirements of the Welsh Language Standards when using e-mail as a method of communication.
- 3.20 The Council's Instant Messaging system has been provided to deliver a more informal and faster way of communicating with internal colleagues. The following key principles should be followed:
- Correspondence that involves a business decision or transaction should be conducted via a more formal method where a record can be retained e.g. e-mail;
 - Please respect the recipient's status e.g. if they have "do not disturb" or "in a meeting" shown, do not contact them; and
 - Do not use the instant messaging system excessively. Usage can be monitored.

ACCESS CONTROL PROCEDURE

1 Introduction and Aim

- 1.1 The purpose of this procedure is to provide employees and members of the Council with a set of core principles under which access to Denbighshire County Council Information and IT Systems is permitted.
- 1.2 The aim of this procedure is to ensure access to our IT equipment, network and information is only provided to those individuals or organisations with a legitimate and lawful right.
- 1.3 This procedure does not apply to access to Council Information by members of the public in accordance with legislative or in connection with a legitimate customer service request.

2 Procedures

2.1 Acceptable Use

- 2.1.1 Council owned or supplied equipment and applications are for work related purposes only. As such, they should not be used to download or store non-work related information or files. Any information or file, held for personal rather than work related purposes is not permitted.
- 2.1.2 Denbighshire County Council's IT equipment and network must not be used to conduct any illegal activity including downloading or sharing unlicensed software and/or copyright protected material.
- 2.1.3 Denbighshire County Council IT equipment and network should not be used to conduct a business or used for the direct financial or commercial gain of or by its employees.
- 2.1.4 Images, cartoons or files containing nudity, sexually explicit, or other content of an illegal, racist or defamatory nature should not be stored on or sent using Council owned of supplied equipment.

- 2.1.5 There are additional policies relating to the use of the Internet, E-mail and Telephones which should be read in conjunction with this policy.
- 2.2 Access Control
- 2.2.1 Access to the Council's IT Systems is permitted for all Council employees as deemed necessary in accordance with their day to day duties and as requested by the Head of Service or their nominated representative. All requests for access should be directed to the ICT Service Desk.
- 2.2.2 Access is permitted for non-council staff or contractors in certain circumstances. Access will only be granted with the express permission of the Head of Service or their nominated representative where there is a specific business need and access is necessary in order to perform any function as directed by the Council or for the performance of any contract for and on behalf of the Council. All contractors or non-DCC staff should sign the personal commitment statement, which can be found in appendix 1, prior to access being granted.
- 2.2.3 Generic User ID's and Group ID's are not permitted. This is in accordance with the Code of Connection requirements for the Public Services Network⁵ however; there are particular circumstances where this may be necessary and additional controls must be put in place to track and trace usage in these instances. Generic ID's must be specifically authorised by the Business Transformation and ICT Department. .
- 2.2.4 Sharing User ID's is also not permitted and all staff should have their own unique ID. Any request by a colleague to share ID's must be reported to your line manager.
- 2.2.5 Remote access to Denbighshire County Council IT network will only be permitted in accordance with the Council's Remote Access Policy and in accordance with the requirements of the Public Services Network Code of Connection.

⁵ <https://www.gov.uk/public-services-network>

- 2.2.6 Access to IT Systems must be regularly reviewed by the systems administrators to identify any individuals who no longer require access or whether their access level is not appropriate for their current job role. It is suggested that access be reviewed at least once per year.
- 2.3 Wearing Official Identification
 - 2.3.1 Employees of Denbighshire County Council are issued with official identification and these should be worn at all times whilst on Council premises.
 - 2.3.2 Loss of Identification should be reported to a line manager who should arrange with HR Direct for a replacement to be issued.
 - 2.3.3 People who are present on council premises and not wearing official identification should be challenged and requested to wear a visitors badge for the duration of their visit.
- 2.4 Visitors to Council Premises
 - 2.4.1 Visitors and contractors who are required to have access to Denbighshire County Council premises should be logged in a visitors log or book and be issued with a temporary visitors pass, which they should be instructed to wear at all times whilst on council premises.
 - 2.4.2 Ensure that where appropriate, visitors are accompanied and supervised at all times.
 - 2.4.3 Staff based at publicly accessible sites or leisure facilities, should ensure that members of the public only have access to the areas that they are authorised to and not have access to designated staff only areas. In most cases access is controlled by the use of electronic door entry systems or cipher locks.
 - 2.4.4 Any suspicious or unauthorised persons attempting to gain access should be challenged and reported immediately to the building manager for appropriate action to be taken.

2.5 Password Security

2.6 Passwords are an important security feature and the following guidance exists in relation to public services network connected organisation.

- It cannot contain your username or parts of your full name
- It must be at least seven characters in length
- It must contain characters from three of the following four categories:

English uppercase letters (A through Z)

English lowercase letters (a through z)

Numbers (0 through 9)

Symbols (for example, !, \$, #, %)

Examples of valid and invalid passwords:

Q Invalid password examples: jones12345 or password1 or bob21

R Valid password examples: Sunwindr&in99 or Za50yB*h or H0w*sthat

In addition to the above password requirements, please also be aware of the following:

- You will be required to change your password every 45 days (with a 5 day reminder prompt)
- You will not be able to reuse any of your last 20 passwords
- You must not share your password with anyone
- You must not write down or display your password

2.6.2 Your password should be changed immediately if you suspect that it has been compromised. Any such suspicions should be reported to the ICT service desk as soon as possible.

2.7 Locking Workstations

2.7.1 Computer workstations must be locked using the 'windows symbol + L' or by pressing 'control, alt + delete' when you leave your computer unattended for a short break, at lunch time, when you attend meetings or are away from your desk temporarily. This ensures that any applications or information that you may have open and are working on are protected from unauthorised use.

2.8 Clear Desk

2.8.1 In accordance with the Council's flexible working policy, a clear desk policy is in use within the Council. In particular, confidential, sensitive, information classed as official⁶ or personal data should not be left unattended when not in use. This should be kept in a locked drawer or locker.

2.8.2 Any employee who discovers information of this nature has been left unattended should report this as an incident in accordance with the Information Security Breach Procedure.

⁶ <https://www.gov.uk/government/groups/public-services-network>

INFORMATION SECURITY BREACH REPORTING POLICY

1 Purpose

1.1 In order to operate efficiently, Denbighshire County Council (DCC) has to collect and use information about people with whom it works with and for. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, there is other information which is created and held by the Council to perform its function which may be classed as commercially confidential or information which is protectively marked in accordance with Central Government data handling standards.

1.2 Organisations which process personal data and other sensitive data must take appropriate measures against unauthorised or unlawful processing and against accidental loss, destruction of or damage to personal data. Many organisations take the view that one of those measures might be the adoption of a procedure on dealing with an information security breach incident.

1.3 Some key terms that are used in this procedure are:

- **Information assets** - our data, files and documents in any format (paper and electronic);
- **Information Security Breach** - an activity which causes or may cause the loss, damage, misuse or corruption of data (examples are shown in paragraph 2.4); and
- **Security Incident Management** – this refers to the process by which an information security breach may be investigated and the related management procedures; and
- **Personal data** – data which identifies a living individual either by itself or when matched with other data that would allow a clear identification to be made. Examples include – name, address, age, health, ethnic background etc.
- **Official Sensitive Information** – information which is confidential. This is the term used by central government in accordance with their protective marking scheme.

1.4 This procedure has been developed based upon good practice published by the Information Commissioner's Office (ICO) and the Cabinet Office who are responsible for information assurance in the UK. It will ensure that DCC responds appropriately and consistently to any actual or suspected breaches of security, which may jeopardise its information assets and systems and will ensure compliance with government standards for reporting and handling incidents relating to information transmitted via the public services network. This means that:

- a record is made of all such breaches;
- the breach is investigated thoroughly with associated documentation produced and stored on the corporate EDRMS;
- an assessment is undertaken on the on-going risk;
- the breach is contained;
- appropriate actions are taken to address the problem;
- management procedures exist to ensure an incident is handled correctly
- reports are made to external bodies and individuals as required;
- there is proper monitoring and oversight;
- any trends are identified and acted upon; and
- lessons are learned and our information security is improved.

1.5 This procedure encompasses the above requirements and aims to:

- reduce the impact of information security breaches by ensuring events and incidents are investigated and resolved appropriately;
- identify areas for improvement to decrease the risk and impact of future breaches; and
- protect the confidentiality, integrity and availability of our information assets at all times.

2 Context/Scope

- 2.1.1 This procedure applies to all DCC employees, members, contractors and other third parties who may have access to our information assets.
- 2.1.2 The consequences of an information security breach can be severe. From an organisational perspective, an information security breach can result in financial penalties, reputational damage, service disruption or even major service failure. Information security breaches may cause real harm and distress to the individuals they affect – lives may even be put at risk.
- 2.1.3 Disciplinary action could be issued against any employee that has found to have been negligent.
- 2.1.4 The following are examples of events that should be reported using this procedure. In summary, any event which potentially jeopardises the security of our information assets should be reported. It is also important that near-misses are reported to enable lessons to be learned and further protective measures to be considered.
- The theft or loss of any Council IT equipment such as laptops, mobile phones, USB stick, CD/DVDs;
 - Theft or loss of any files or papers containing personal or confidential data (including credit card data);
 - Break-in or other unauthorised access to a Council buildings where personal data or official-sensitive information is stored and may have been put at risk; and
 - Disclosures of personal data or official-sensitive information verbally, in writing or electronically to someone who should not have access to it.

3 Procedure

- 3.1 There are a number of steps involved in this procedure which are detailed below:
- 3.1.1 **Step 1** - If a breach is suspected, the first step is to ascertain if there are any steps you can take to immediately recover the information that might have been lost or stolen and inform your Line Manager immediately. Your Line Manager must then

contact ICT Service Desk (ext. 6299) to report the breach. Depending on the nature of the incident, the Line Manager may also need to contact the following:

- Police, e.g. if there has been a theft or break in; and
- Facilities Management Staff to make premises secure after a break in; or.
- CET Officer on duty (rota available on the DCC intranet) in the event of a critical incident occurring out of hours or at weekends.
- Consideration should be given as to what steps you can do in the short term in order to immediately retrieve the information
- Where personal data has been lost or stolen or disclosed to unauthorised third parties then the Deputy Monitoring Officer and/or the Corporate Information Manager must be contacted in all instances.

3.1.2 **Step 2** – The ICT Service Desk will ask for and record basic information regarding the incident within the ‘Supportworks’ system.

3.1.3 **Step 3** – The ICT Service desk will refer the incident onto the appropriate person for investigation. The investigating officer will contact the person reporting the incident in order to gather information about the reported incident in more detail. In certain circumstances, this may require a face-to-face meeting and staff must be made available to attend this meeting.

3.1.4 **Step 4** - The investigating officer will, in consultation with the person reporting the incident, complete an ‘Information Security Incident Report Form’ (see appendix 2). The purpose of the form is to create a record of the incident, which will include:

- details of the circumstances of the breach;
- identify the data affected*;
- identify the likely impact of the breach;
- assess the on-going risk;
- identify the causes of the breach;

- identify containment and recovery options;
- identify who to notify;
- agree upon a resolution or workaround; and
- agree corrective actions to be taken to prevent reoccurrence, with target dates for their completion.

*where the information security breach involves the loss or compromise of personal data the Council's Data Protection Officer will be contacted.

- 3.1.5 **Step 5** – Dependent upon the outcome of the investigation there might be a number of actions agreed at this stage. It will be the responsibility of the Line Manager to arrange for the implementation of the agreed actions.
- 3.1.6 **Step 6** - After a mutually agreed period of time after the event (maximum of 14 days), the investigating officer and Line Manager will review the progress of implementing the agreed corrective actions.

4 Roles and Responsibilities

- 4.1 All DCC employees, contractors, members and other third parties who have access to our information assets are responsible for:
- ensuring the safety and security of that information and the systems that support it; and
 - following this procedure for reporting all information security breach incidents.
 - informing the service desk of an information security breach; and
 - assisting with the completion of an 'Information Security Incident Form'.
- 4.2 Line Managers are responsible for:
- ensuring that a breach is reported appropriately by their staff;

- assisting with the completion of an 'Information Security Incident Form';
- arranging the implementation of the actions within the agreed timescales; and
- considering whether management action against the employee should be taken.

4.3 ICT Delivery are responsible for:

- recording of all information security breach incidents on the 'Supportworks' system;
- referring all information security breach incidents onto Corporate Information Manager for investigating;
- providing staffing and other resources as necessary to respond to IT security incidents in a timely manner; and
- Arrange or co-ordinate the procurement and installation of new products and services as required to recover from an incident or prevent the re-occurrence

4.4 Corporate Information Manager

- ensuring all associated documentation is created and stored appropriately;
- ensuring that an "Information Security Incident Form" is completed;
- coordinating the response to a reported incident;
- analysing trends in information security breaches and recommending solutions;
- supporting the implementation of any recommend solutions; and
- providing reports on information security breach incidents to (SIRO);

4.5 Senior Information Risk Owner (SIRO)

- responsible for information risk on behalf of the Council;
- maintains overall responsibility for ensuring compliance with this procedure;

- providing reports on information security breaches to Corporate Governance Committee; and
- leads on an investigation into a suspected breach.

4.6 Data Protection Officer

- involved with investigating any incidents that involve the loss of personal data;
- act as the Data Protection Officer on behalf of the Council;
- determine whether the incident requires reporting to the ICO;
- make any reports as necessary and act as the point of contact with the ICO in relation to the loss of personal data; and
- provide legal advice and assistance as required.

5 **Quality Control and Monitoring Compliance**

5.1 This procedure is owned by the Council's Senior Information Risk Owner (SIRO)

6 **Further Guidance**

6.1 Further advice and guidance on the details of this procedure is available from the Corporate Information Manager.

Appendix 1

DENBIGHSHIRE COUNTY COUNCIL Personal Commitment Statement Acceptable Use of DCC IT Systems

I understand and agree to comply with the Denbighshire County Council Information Security Policy, supporting policies and guidance which may be issued from time to time.

For the avoidance of doubt, the rules relating to IT systems usage include the below:-

- I agree that I am responsible for my use of the Denbighshire Network using my user credentials (User ID, password and/or access token if accessing via the Citrix Access Gateway) and e-mail address.
- I agree not to attempt to access any computer system that I have not been given explicit permission to access.
- I will not write down my password.
- I will not share my password with any other person, including colleagues.
- I will comply with the Denbighshire Information Security policy and associated policies at all times.
- I acknowledge that should I fail to comply with the Information Security Policy access to the Denbighshire Network may be suspended and/or withdrawn without prior notice.
- I will inform a representative of Denbighshire County Council and/or the Information Security Officer immediately if I detect, suspect or witness an incident that may be a breach of security.
- I will not attempt to bypass or subvert system security controls or to use them for any purpose other than that intended.
- I will not remove DCC's equipment or information from the premises without appropriate approval.
- I will take all reasonable precaution to protect all computer media and portable computers when transporting them outside DCC premises.
- I will make sure I take every effort not to introduce viruses, trojans or other malware into the Denbighshire Network.
- I will ensure that my use of the internet is appropriate and I will not attempt to access unsuitable material (i.e. pornographic, sexually explicit or racist or defamatory content)
- I understand that my use of the internet is monitored regularly and that any suspected misuse may result in internet access being withdrawn without prior notice.
- I will not disable anti-virus protection provided on any DCC computer.

- I will comply with the Data Protection Act 1998 and any other legal, statutory or contractual obligations that Denbighshire County Council informs me are relevant.
- I acknowledge that my use of the Denbighshire ICT Network may be monitored and/or recorded for lawful purposes.

Send To: IT Service Desk, County Hall, Ruthin, LL15 1YN

I agree to comply with all the requirements of the Denbighshire County Council Personal Commitment Statement – Acceptable use of DCC IT Systems, Denbighshire County Council Information Security Policy and associated policies and any subsequent guidance that may be issued from time to time.

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Signed: **Date:**

Print Name:

UserID:

Appendix 2 – Security Breach Incident Form

Denbighshire County Council Information Security Breach Incident Form	
Date of Incident:	Time of Incident:
Time Reported:	Date Reported:
Name of person who discovered incident:	Location of Incident:
Reported By:	Any other parties who have been involved (Police, Caretakers, ICT etc.):
Service:	Department
Detailed description of the incident:	
Details of any IT equipment or applications involved:	
Description of any information/data compromised:	

Media of information/data (paper, electronic file, USB, CD/DVD etc.):	
Any personal data involved?:	
Cause of the breach:	
Is there any on-going risk?:	Y/N
What steps have been or will be taken to recover records/data (if applicable):	
What lessons have been learned from the incident and how will recurrence be prevented:	
For Information Management use only: Include in this space any other relevant information in order to make any follow up recommendations or actions.	
Actions Agreed:	
Action 1:	Deadline:

Action 2:		Deadline:
Action 3:		Deadline:
Follow-up Date:	Officer Responsible for follow up:	
Recorded on Supportworks?:		Y/N
Does this incident need reporting to the ICO?:		Y/N
Do the subjects need informing of the loss?		Y/N
Who will inform the data subject? (insert name of officer)		
How will the data subject be informed? (insert agreed method of communication)		
Have the individuals involved undertaken any DP training within last 12 months?		Y/N

Revised Information Security Policies May 2016

Equality Impact Assessment

Revised Information Security Policies

Contact: Craig Berry, Corporate Information Manager, Business Improvement & Modernisation

Updated: 26.05.2016

1. What type of proposal / decision is being assessed?

Introduction of revised policies relating to information security

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

To update our current information security policies in accordance with technological developments and current thinking on best practice in this field.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes	
-----	--

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

No consultation has been undertaken.
Policies have been scrutinised in order to undertake assessment.

5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

(Please refer to section 1 in the toolkit for a description of the protected characteristics)

No impact on protected characteristics.

6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

No impact on protected characteristics.

7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.

No

8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?

No No

Action(s)	Owner	By when?
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date: 26/05.2016

Name of Lead Officer for Equality Impact Assessment	Date
<Type Name>	<DD.MM.YY>

Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.

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WELL-BEING AND SUPPORT PROCEDURE

This document is subject to the policy statement included in the Employee Handbook

This document is subject to the standard policy statements

To provide feedback on this document please click [here](#)



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Date agreed & Implemented:	
Agreed by:	
Review date:	
Frequency:	

<i>Ver</i>	<i>Status</i>	<i>Date</i>	<i>Reason for Change</i>	<i>Authorised</i>

Denbighshire County Council is committed to maintaining a safe and healthy working environment. As part of this commitment the Authority acknowledges the contribution of its staff. Where staff are experiencing work-related, personal or health problems, it may affect their work performance as well as their quality of life and general sense of wellbeing.

In accordance with the Equality Framework, Denbighshire County Council will not discriminate in the application of these procedures in respect of age, disability, gender, race, nationality, ethnic or national origin, religion or belief, sexual orientation, trade union membership or lack thereof. Reasonable adjustments will be put in place, as appropriate, to support staff with a disability.

1. Types of support available

1. Counselling Support
2. Specialist Therapy Support for Musculoskeletal conditions.

1.Counselling support

Denbighshire County Council provides access to confidential, professional counselling and support for all staff through the provision of an in house service. The key principles of the service are to ensure that:

- It is available to all staff members at no cost to them (cost is borne by employees Service area)
- Access to counselling is voluntary;
- Professional counselling is provided by qualified psychologists;
- Strictest confidentiality is maintained by the provider;
- Employees seeking assistance will not jeopardise their employment in any way.

How does counselling work?

Workplace counselling is a therapeutic process of providing help and support to employees who are experiences difficulties which are impacting on work. It helps employees see things from a different view point and encourages them to draft their own action plan. Counsellors will support employees to find solutions and develop management strategies to enable them to cope better and build their resilience supporting a return to work or enabling an employee to remain in work whilst going through either personal or work place difficulties.

Counsellors are not able to advise on fitness to work or any other occupational health issues. Any concerns by the counsellor regarding an employee's fitness to work should be discussed with the occupational health advisor before discussing with the employee.

Workplace counsellors are expected to work within a short-term framework; work place counselling is not a long term solution. Employees accessing counselling have a limited number of sessions available to them, usually between two and six sessions and no more than two complete 6 session courses in a twelve month period.

An initial assessment or screening will normally be undertaken; at the end of the initial assessment employees will be given feedback as to their suitability for counselling, expected waiting times before counselling sessions commence, and frequency and duration of sessions;

If further counselling sessions are required, counsellors may advise for these to remain in house (limited to a further six sessions only). This will require consent in writing from management and therefore; either the employee can discuss this with their manager or Occupational Health will on behalf of the employee. Consent for further sessions must be obtained from management in writing before they can be accessed (this will be discussed with the employee by the counsellor prior to seeking consent).

Employees may also be advised to refer onwards to alternative primary care resources through their GP which will not be funded by the Authority.

In the event of the counsellor having any concerns about possible risk to the employee or others at initial contact, the employees GP or Occupational Health will be informed as soon as possible

A consultation or 'session' with a counsellor usually takes place in a confidential setting (traditionally at the approved premises of the counsellor or at the Occupational Health's premises where this is suitably private) and will last between 50 minutes and one hour. The duration and frequency is often dependent on the counsellor's availability and the appropriateness of counselling (dictated by the counsellor in consultation with any supervisor or case manager). Traditionally, counselling happens face to face Workplace counsellors are expected to have an understanding of the council's cultures and workplace factors that might impact on their work. Counsellors will not give advice, but they will help to find solutions to problems or help to create management strategies to cope with them better and to support in putting these strategies into practice.

Feedback of employee's progress will be negotiated with the employee and relayed to referrers where necessary; A standard feedback form will be provided to referee (Appendix 1)

What kinds of problems can you seek workplace counselling for?

Workplace counselling can be sought for any issues that affect working life including (but not limited to):

- Stress
- Depression or anxiety
- Bullying and harassment
- Bereavement and loss
- Relationship and family difficulties
- Substance misuse (including alcohol abuse).

Counselling and confidentiality

Confidentiality is not absolute, but standards need to be set which safeguard clients, counsellors and the council during the counselling process.

Respecting client confidentiality is a fundamental requirement for keeping trust. The professional management of confidentiality concerns the protection of personally identifiable and sensitive information from unauthorised disclosure. Disclosure may be authorised by client consent or the law. Any disclosures should be undertaken in ways that best protect the client's trust. Counsellors should be willing to be accountable to their clients and to their profession for their management of confidentiality in general and particularly for any disclosures made without their client's consent.

There are circumstances in which counsellors cannot legally or ethically maintain confidentiality within the service. Wherever possible, counsellors will make every attempt to communicate first with the employee explaining the reasons for the need to pass on information and to whom this will be given.

Circumstances where a disclosure may be made include:

- 1) Where there is risk of harm to self or others
- 2) Where there is a serious alleged crime
- 3) Where there is a legal requirement (e.g. protection of children or prevention of terrorism)
- 4) Where there is a significant threat to the health and safety of those within the authority.

The key principles are that employees should be able to seek counselling support in confidence (e.g. to attend at a location that is confidential), that inappropriate disclosures to line managers about what is discussed should be prevented, and that notes of any consultations are kept secure so that other related professionals do not have access to them.

Information on who is accessing the service is analysed confidentially in order to measure the impact of the service, identify areas for improvement and for service costing purposes. Employees are tracked through a coded system to maintain confidentiality.

Referral process for the counselling service

Referrals can be made by either employee self-referral or by management referral.

Employees can confidentially refer for counselling by contacting the Occupational Health department on 01824 712522 or by emailing

Occupational.health@denbighshire.gov.uk

Referrals for counselling can also be made by management following discussion with the employee by completing the relevant referral form (appendix 2).

Cancellation of counselling appointments

Employees unable to keep an appointment are required to give at least 24 hours' notice (except in completely unavoidable circumstances such as sudden illness). The appointment can then be used by someone else.

This can be done by either calling: 01824 712522

Or emailing either:

nia.evans@denbighshire.gov.uk or alana.nicandros@denbighshire.gov.uk

For counselling to be of benefit it is important that employees attend regularly. Frequent cancellation of sessions will result in the service being withdrawn, though the counsellor would usually discuss missed sessions with the employee to explore what is happening and understand why they are not able to attend regularly.

If more than two sessions are missed without informing either of the above the service will be withdrawn. If an employee wishes to end the counselling, at least one session's notice must be given.

If the counsellor has to change an appointment for any reason, they will give as much notice as possible and will arrange an alternative date and time.

Time off work for counselling

If employees need to take time off work in order to receive Counselling, Physio, or Osteopathy appointments provided under the Well-Being and Support Procedure, management should be sympathetic towards an employee's request for time off. There is an expectation that appointments should be taken in an employee's own time. However it is recognised there may be exceptional

circumstances in which this is not possible. In such cases, where an employee can demonstrate that they cannot attend in their own time, managers may allow employees to be given paid time off to attend.

2. Physiotherapy/Osteopathy Services

The main objective of this service is to reduce and to prevent sickness absence.

The specialist therapies available cover a range of treatments including physiotherapy and osteopathy. These are available for employees who are absent from work or struggling to cope in work with work induced injuries or with non-work related medical conditions.

If the injury is work induced, managers should consider their duty of care whilst assessing the cost of this treatment.

What is Physiotherapy/Osteopathy treatment?

Physiotherapy: The aim of physiotherapy is to help restore movement and normal body function in cases of illness, injury and disability. Physiotherapists use therapeutic exercises designed to strengthen the affected body area in order help reduce tissue inflammation and pain, and to promote recovery. These exercises need to be repeated regularly, usually daily, for a set number of weeks.

Osteopathy: This is a manual treatment which relies on mobilising and manipulating procedures in order to relieve complaints such as arthritis, asthma, depression, Irritable Bowel Syndrome, migraine headaches and menstrual pain. Osteopaths use their understanding of the relationship between structure and function of the body to help resolve the underlying cause of the problem. Osteopathy not only treats the symptoms but also looks at the root cause of the medical problem.

Accessing treatment

To access the service, employees must:

- be referred to Occupational Health either by their manager or as a self-referral (However, in self-referrals management will be contacted to sanction treatment)
- Managers can complete the relevant referral form (appendix 2)

In relation to non-work induced injuries or medical problems, the manager should assess the feasibility of sanctioning this treatment in order to:

- try to prevent sickness absence
- facilitate an earlier return to work for employees who are on NHS waiting lists

In this instance, the employee will be required to make a contribution towards the cost of the physiotherapy treatment, which relates to repaying the tax of 20% on the total cost of the treatment (this type of treatment is taxable). The tax will be reclaimed during the following tax year by amending the tax code over a period of twelve months.

Prior to any treatment, the manager will be required to provide a cost code which will be used to pay the monthly specialist therapy invoice, which is sent to Occupational Health. For current service costs, please contact Occupational Health on 01824 712522.

Once a referral has been made to the physiotherapy/Osteopathy services the employee will be contacted and an appointment made for an initial assessment. The services will then provide a report with recommendations as to whether further treatment is required. If this is the case consent for the treatment to continue must be obtained by management. At the end of treatment a final discharge report will be provided to Occupational Health and the referring manager by the service with a summary treatment given, success of treatment, number of sessions attended, and any other recommendations including adjusted duties.

Cancellation of appointments

Employees unable to keep an appointment are required to give at least 24 hours' notice (except in completely unavoidable circumstances such as sudden illness). The appointment can then be used by someone else.

This can be done by contacting the service provider directly (contact details should be given when initial assessment appointment is booked. Frequent cancellation of appointments will result in the service being withdrawn and if more than two appointments are missed without informing the service provider the service will be withdrawn; however, the employees department will still be charged for the missed appointments.

Time off for appointments

As above for counselling services.

Appendix One

Denbighshire County Council CASE SUMMARY & EVALUATION		
Employee's name:		DOB:
<p>Please ask the client the following:- Please rate how you felt before and after the counselling. Between 1 and 5 (1 = very poor 5 = very good)</p>		
	Before Counselling	After Counselling
Ability to cope with the demands of my job		
Relationships with my colleagues		
Relationship with my manager		
Satisfaction with my personal life		
Ability to deal with my problems		
	Yes	No
Without counselling would your concerns have caused you to:-		
Miss work		
Have difficulty concentrating at work		
Impacted on your performance at work		
	Yes	No
Work Status		
Were you off sick when commencing counselling?		
If Yes, have you since been able to return?		
If you have not been able to return to work what has been the barrier to a return to work?		
Summary of counselling process [including therapeutic goals reached and clinical		

interventions used]			
Number of sessions agreed		Number of sessions attended	
Details of any further support required			
Work		Counselling	
Employee Signature		Date	
Counsellor's signature		Date	

Appendix Two

Management Referral for Occupational Health Sickness Absence Assessment

*Employee Number	
*Employee Name	
*Address	
*Mobile/contact Number	
*Cost Code	(required to sanction physiotherapy and counselling)
*DOB	
*Job Title	
*Service Area	
*Manager's/ HR's Name/email and contact number	
*Brief reason for referral	
*Start date of Sickness absence or N/A	

***(The above information required is mandatory, referral will be sent back if not fully completed)**

Is this referral for (please tick appropriate box)

- Counselling
 Physiotherapy
 Occupational Health Advisors appointment
 Occupational Health Physicians appointment

For physio/osteo treatment - If the referral is for a non-work related incident, the employee will be required to make a contribution towards the cost of the physiotherapy treatment, which relates to repaying the tax of 20% on the total cost of the treatment (this type of treatment is taxable). The tax will be reclaimed during the following tax year by amending the tax code over a period of twelve months.

(Managers must provide their staff with this information)

Occupational Health will report **ONLY** on the following three areas.

1. What is the employee's current state of fitness for work?
2. Are there any work modifications or adjustments which would alleviate the condition/allow for rehabilitation or enable an early return to work (this includes advice on phased return to work programmes)?
3. What is the likely timescale for the employee to recover/return to work?

If you have any further specific questions you require answering, or wish to provide any further information, please write these below.

Occupational Health will provide a copy of the appointment letter upon receipt of referral and a report will be issued within 3 working days of having attended Occupational Health.

All employees must be notified of a referral to Occupational Health.

*Employee informed of referral verbally By letter In Person

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Wellbeing and Support Policy
16th June 2016

Equality Impact Assessment

Wellbeing and Support Policy

Contact: Alana Nicandros, Occupational Health

Updated: 16.06.2016

1. What type of proposal / decision is being assessed?

A new procedure

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

Denbighshire County Council is committed to maintaining a safe and healthy working environment. As part of this commitment the Authority acknowledges the contribution of its staff. Where staff are experiencing work-related, personal or health problems, it may affect their work performance as well as their quality of life and general sense of wellbeing.

DCC offers the following types of support:

1. Counselling Services
2. Specialist Therapy Support for Musculoskeletal conditions.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

An assessment of protected characteristics and the effects of this policy on those protected characteristics has been undertaken.

Consultation has taken place with the usual CJM and recognised trade unions.

5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

(Please refer to section 1 in the toolkit for a description of the protected characteristics)

This policy has a neutral effect on all of the protected characteristics.

In accordance with the Equality Framework, Denbighshire County Council will not discriminate in the application of these procedures in respect of age, disability, gender, race, nationality, ethnic or national origin, religion or belief, sexual orientation, trade union membership or lack thereof. Reasonable adjustments will be put in place, as appropriate, to support disabled employees.

Part of the process would be looking at individual needs and assessing them at the time.

No employee receives less favourable treatment than another during any stage of a counselling or physiotherapy treatment required.

Where permissible and appropriate all employees are given the opportunity to access the support.

6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

This policy has a neutral effect on all of the protected characteristics.

7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.

No	
----	--

8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?

No	
----	--

Action(s)	Owner	By when?

9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	16.06.2017
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Name of Lead Officer for Equality Impact Assessment	Date
Alana Nicandros	16.06.2016

PHASED RETURN TO WORK PROCEDURE

This document is subject to the policy statement included in the Employee Handbook

This document is subject to the standard policy statements

To provide feedback on this document please click [here](#)



Date agreed & Implemented:	
Agreed by:	
Review date:	
Frequency:	

<i>Ver</i>	<i>Status</i>	<i>Date</i>	<i>Reason for Change</i>	<i>Authorised</i>

Denbighshire County Council is committed to providing a safe and healthy working environment for its staff. It recognises that staff who have experienced a prolonged period of absence from work due to illness or injury may require particular support in returning to their normal hours and duties of work. It aims to assist staff in such circumstances to return to work in an effective and productive way which does not compromise their recovery or long-term health by facilitating appropriate measures to support rehabilitation. This may involve a phased return to work programme.

Denbighshire County Council recognises that the circumstances of each case of long-term absence will differ and will deal with rehabilitation arrangements in a sensitive and flexible manner. This procedure sets out the broad parameters in which a phased return to work programme will be supported and managed. This procedure should be read in conjunction with the Attendance at Work Procedure.

In accordance with the Equality Framework, Denbighshire County Council will not discriminate in the application of these procedures in respect of age, disability, gender, race, nationality, ethnic or national origin, religion or belief, sexual orientation, trade union membership or lack thereof. Reasonable adjustments will be put in place, as appropriate, to support staff with a disability.

What is a phased return to work programme?

A phased return to work is a supportive arrangement which may be put in place to assist rehabilitation following a period of long-term absence from work as a result of illness or injury. Long-term absence is defined as a period of 4 or more week's continuous absence. The purpose of a phased return to work is to rehabilitate to full duties and to enable gradually progress to undertake full normal working hours and duties within an agreed timescale. A phased return to work would not normally apply to short term absences.

In what circumstances will a phased return to work programme be supported?

The appropriateness of a phased return to work will depend on the nature of illness/injury and the stage of recovery. Denbighshire County Council will facilitate a phased return to work programme where this is supported by medical advice, for example, from the Occupational Health and Attendance Advisor or a Medical Specialist/Consultant.

What are the timescales involved in a phased return to work programme?

Any agreed phased return to work programme will be time-limited and will normally be between 2-4 weeks not exceeding 4 weeks. In exceptional circumstances, this timeframe may be extended, for example, where medical advice suggests this is appropriate to support whilst undergoing invasive medical treatment.

How will the particular arrangements of each phased return to work programme be agreed?

To ensure a successful outcome, all elements of an agreed phased return to work programme require prior assessment and appropriate planning. This includes timescales, attendance patterns and duties. Management and the employee will work together to establish a plan which supports a full recovery and return to normal duties and hours on a sustainable basis. The following process will normally apply:

a) Medical Advice

Long-term absence will be managed in accordance with Attendance at Work Procedure. Prior to an employees anticipated return to work, a report from the Occupational Health Adviser should be requested following a management referral to Occupational Health. The report will outline recommendations as to potential measures Denbighshire County Council could adopt to support a rehabilitation into the workplace. This might include, for example, temporary reallocation of duties within the service area, adjustments to the working environment and/or a phased return of hours. Specific advice will be provided as to the most effective application of such support measures in relation to individual employee circumstances.

b) Meeting

Line management and if appropriate Human Resources will arrange to meet with the employee to discuss the OH report and agree arrangements for a return. The return to work programme will be planned with reference to this procedure and the specific advice or recommendations from the Occupational Health Advisor.

c) Return to Work Plan

The agreed arrangements for a phased return to work programme will be detailed in a Return to Work Plan. This will include:

- The start and end date of the phased return to work programme;
- The attendance pattern (hours of work should increase incrementally over the period of the phased return to work programme).
- It is advisable for the manager to undertake a short risk assessment with the individual upon their return in order to identify any concerns the individual may have. This discussion should also look at the tasks that the individual has to undertake during their working week taking into account what the tasks involve, the environment and the load whilst bearing in mind the individual's medical condition
- It may also be advisable to complete a workstation assessment form if the individual is a Display Screen Equipment user (as

roughly defined by the regulations as someone who works most their working day with visual display screens) in order to identify any potential problem areas within the workstation. There is a good things to consider section which will help the individual/manager to rectify some identified concerns.

- The duties expected to be undertaken during the return to work programme;
- Any additional support which Denbighshire County Council can provide to assist with a rehabilitation, for example, the allocation of a short term 'buddy' within the workplace to help the employee re-familiarise themselves within the working environment and practices, the date for a formal review of the employees return to work arrangements and contact details for reporting any concerns raised during phased return programme.

Medical Certification

General Practitioners may issue a Fit Note which indicates that an individual “may be fit for work”, subject to his or her recommendations. Consideration will be given to the suitability of implementing any such recommendations which, for example, may relate to temporary adjustments to working conditions. Where appropriate, the Return to Work Plan will be adjusted to reflect any recommendations which are accepted.

Further medical certificates will not be required relative to the phased return to work programme as an individual will no longer be classified as being on sick leave and sick pay will not apply.

Return to Work Discussion

Line management will have a Return to Work discussion on the first day of a return. This is an opportunity for line management to understand the employee's state of wellbeing, bring the employee up-to-date with developments within the service area and determine if there is any training or other support that might be appropriate as a result of any changes that may have been implemented during the employee's absence. At this meeting, line management will also confirm the details of the employees Return to Work Plan. Employees may seek support and guidance at any stage through, the Confidential Counselling Service, the Occupational Health Service, the Human Resources Department or a trade union representative.

What impact will a phased return to work have on my pay?

Employees will be paid at the rate of their normal contractual salary with an agreed phased return to work programme based on the recommendation of the Occupational Health Adviser.

How will non-attendance associated with a phased return to work programme be recorded?

Days of non-attendance for which employees are eligible to receive full contractual salary in relation to their phased return to work will be recorded as a correction in Vision Time with reason posted in comments box.

If absent due to illness during a phased return to work, this will be classified as sick leave.

What happens if an employee is experiencing difficulties following a Phased Return to Work Plan?

During the period of a phased return to work, line management will regularly discuss the employee's progress on an informal basis to ensure wellbeing and to identify any possible problems. If employees are experiencing any difficulty in undertaking the phased return to work, this should be brought to the attention of their line management at the earliest opportunity in order that adjustments to the programme can be agreed. In circumstances where major adjustments are being considered, line manager will consult with Human Resources which may seek further advice from the Occupational Health Service.

Line management will hold a formal review meeting at the mid-point of the agreed period of rehabilitation and a note of this meeting will be taken and shared with Human Resources. If at this stage an employee is experiencing difficulties relating to their recovery which impacts on the Return to Work plan, further advice from the Occupational Health Advisor will be sought. This may result in a further time-limited extension of the phased return. If it is unlikely that an employee will be able to return to full normal working hours and duties at the end of the agreed return to work programme, consideration will be given to a temporary contractual reduction in working hours.

What happens if an employee is not fit to return to full working hours and/or duties after the agreed period of the phased return to work programme?

In these circumstances, Management in conjunction with Human Resources will seek further advice from the Occupational Health Adviser. A meeting will be arranged with the employee and a representative from Human Resources to discuss potential options. Employees may be accompanied by their Trade Union representative if they wish. Options to be considered may include a further time-limited extension of the phased return programme based on medical advice or a temporary contractual reduction in working hours.

Ultimately, if an employee's health difficulties mean that they are unable to resume their normal working hours and duties within a reasonable timescale despite the support measures put in place, the council will need to consider options which may include a permanent variation to contractual hours or redeployment. Where none of these measures are appropriate due to the severity of the employee's illness, consideration may have to be given to an application for early retirement on the grounds of ill-health provided this is supported by the Occupational Health Adviser.

What if the employee does not want to reduce their contractual working hours?

If the employee is not fit to return to their full working hours and duties despite measures to support their rehabilitation and they do not wish to reduce their contractual working hours, they will be considered unfit for work and sick leave will resume. Their absence will be managed in accordance with the Attendance Management Procedure and poor attendance procedures will be invoked should the levels of absence reach the relevant triggers.

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Phased Return to Work Procedure 16th June 2016

Equality Impact Assessment

Phased Return to Work Procedure

Contact: Alana Nicandros, Occupational Health

Updated: 16.06.2016

1. What type of proposal / decision is being assessed?

A new procedure

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

Denbighshire County Council is committed to providing a safe and healthy working environment for its staff. It recognises that staff who have experienced a prolonged period of absence from work due to illness or injury may require particular support in returning to their normal hours and duties of work. It aims to assist staff in such circumstances to return to work in an effective and productive way which does not compromise their recovery or long-term health by facilitating appropriate measures to support rehabilitation. This may involve a phased return to work programme. Denbighshire County Council recognises that the circumstances of each case of long-term absence will differ and will deal with rehabilitation arrangements in a sensitive and flexible manner. This procedure sets out the broad parameters in which a phased return to work programme will be supported and managed.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

An assessment of protected characteristics and the effects of this policy on those protected characteristics has been undertaken.

Consultation has taken place with the usual CJM and recognised trade unions.

- 5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**
(Please refer to section 1 in the toolkit for a description of the protected characteristics)

This policy has a neutral effect on all of the protected characteristics and a positive effect on the disabled employees.

Part of the process would be looking at individual needs and assessing them at the time.

In accordance with the Equality Framework, Denbighshire County Council will not discriminate in the application of these procedures in respect of age, disability, gender, race, nationality, ethnic or national origin, religion or belief, sexual orientation, trade union membership or lack thereof. Reasonable adjustments will be put in place, as appropriate, to support disabled employees.

- 6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

This policy has a neutral effect on all of the protected characteristics.

- 7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

No	
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- 8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

No	
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Action(s)	Owner	By when?

9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	16.06.2017
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Name of Lead Officer for Equality Impact Assessment	Date
Alana Nicandros	16.06.2016



TRAVEL & SUBSISTENCE POLICY

This document is subject to the policy statement included in the Employee Handbook

This document is subject to the standard policy statements

To provide feedback on this document please click [here](#)

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Date agreed & Implemented:	
Agreed by:	
Review date:	
Frequency:	

<i>Version</i>	<i>Status</i>	<i>Date</i>	<i>Reason for Change</i>	<i>Authorised</i>
1.0	Draft	29.06.2015	Revised policy	

Contents Page

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Protocol for the use of Vehicle Tracking

TIMESCALES

Employees to submit completed claim forms to managers for authorisation on a monthly basis but no more than 3 months backdated.	End of month/early following month.
Managers to authorise claims as correct and pass to payroll for payment.	As per payroll deadlines.
Requests to Fleet for rail tickets.	As soon as need for journey identified.
Request to Fleet to see if there is an available; fleet, pool or hire vehicle depending upon assessment of journey	As soon as need for journey identified.

ROLES AND RESPONSIBILITIES

COUNCIL

- Reduce the risk of potential harm to employees and other road users.

DIRECTORS / HEADS OF SERVICE

- Responsible for and promoting the most efficient use of resources and cost effective method of travel.
- Committed to reducing the financial and environmental impact from its business travel, by selecting the most efficient and cost effective means of transport.

HEAD OF HR

- Responsible for monitoring, use, application and reviewing the policy.

MANAGERS

- In consultation with staff undertake the necessity of travel assessment.
- Identify the most efficient, economical and safe means of travel with support from Fleet.
- Ensure policy and procedure is followed and implemented.
- Approve all travel and authorise all claims to ensure they are accurate and correct.
- Forward all claims to creditors for timely payment.

EMPLOYEES

- Provide copy of driving licence to line manager annually.
- Must complete a DVLA796 Driving Entitlement Consent Form if using council owned vehicle or their own vehicle for any type of travel/journey.
- Ensure own vehicle complies with the law, is safe, roadworthy and fit for purpose.
- Drive within the requirements of the law and adheres to speed limits.
- Car insurance meets the requirements of the council, covers business use and the carrying of business passengers
- Advise manager of any overpayments.

FLEET

- Arrange car hire.
- Arrange train journeys.
- Provide managers and employees with advice on efficient and safe travel.

HR DIRECT

- Provide managers and employees with advice on efficient, economical and safe travel.

PAYROLL

- Ensure all travel claims are accurately paid in accordance with pay deadlines.

1. Introduction

The council is responsible for meeting the cost of any additional travel incurred by its employees and elected members on official business. Official travelling means necessary travel for the purpose of official business, including:

- attendance at meetings in pursuit of official council business
- attendance at training courses
- attendance at site meetings

In order for the council to ensure the most efficient use of its resources it requires that any spending on travel has to be pre-authorised. This means reviewing the cost of travel and promoting the most cost effective method of transport to employees and Members prior to undertaking the journey.

The council is committed to reducing the impact on the environment from its business travel. The target set by Government in the Climate Change Act 2007 is to reduce the Carbon footprint of the council by 33% by 2020. In order to achieve this target and continue to make reductions in the council's impact on the environment there is a need to reduce miles travelled and also identifying methods of transport with lower carbon emissions per mile.

As part of our overall health and safety policy, the council is also committed to ensuring that employees and elected members are safe in the workplace which extends to the vehicles being used for council business. Managing the risks that our employees face and create when driving or riding for work is essential.

Any vehicles which are used for travelling on council business which are not owned by the council are described as the Grey Fleet. The councils responsibilities extend to the Grey Fleet which may be hired, owned or leased by employees and Members and any travelling financially compensated.

Necessity of travel

Employees will only be reimbursed for expenses, which they actually and necessarily incur in the course of official travel.

Before contemplating any journey, the following assessments need to be undertaken regarding the necessity of the journey:

- can the business need be undertaken equally as well using video or telephone conferencing facilities, telephone, e-mail, or through correspondence?
- can the meeting or need for the journey be postponed until a later date, or brought forward and then be combined with an additional requirement to travel, to reduce overall travel costs?
- is a colleague already travelling to the same meeting or location by car, with spare capacity?
- if the journey is necessary, has it been approved by your line manager after all of the above considerations have been taken into account?

A travel decision process can be found [Travel Decision Process](#), which outlines the process to follow before undertaking a business journey.

2. Means of Travel

It is the responsibility of line managers to ensure that their employees use the most efficient and economical means of travel, taking into account the cost of travel, the cost of subsistence and savings in official time. More expensive means of travel may only be authorised when justified by a management benefit, or to meet the needs of employees with disabilities.

At all times the following order of priority should be adhered to when travelling on official business:

- public transport/**walking/cycling**: wherever possible public transport should be used in order to reduce congestion and pollution on the roads and the appropriate rates will be reimbursed.
- **fleet vehicle (including pool car)**: effective use of pool vehicles will reduce cost, environmental impact, and health and safety implications.

- hire car: it is particularly required for car journeys in excess of 100 miles return that a hire car is used. The normal expectation would be that the hire car would be in Group A or B category. Please refer to the council's hire car policy for further information.
- car sharing with another employee going to the same location.
- own vehicle: in certain circumstances, an employee may be authorised to use their own vehicle for journeys more than 100 miles return.

There is a requirement that, where a car is the right travel option and there is no pool vehicle available, then for all return journeys expected to exceed 100 miles, employees should hire a car through our corporate contract where it is economically beneficial to do so.

In exceptional cases (e.g. where there is a medical condition or disability) a journey in an employee-owned vehicle may exceed 100 miles. In these cases, specific authorisation will be required in advance of the journey from the line manager. This approval should be attached to the travelling form when making a claim.

Travelling Expenses – when travelling is essential for the job

If it is an integral part of the job description to be able to travel in order to undertake and fulfil the requirements of the post then the council will reimburse employees for business miles travelled in their own vehicles. It is expected that employees use their own private vehicle to carry out official duties, however, the council commits to working with any employee who wishes to explore alternative travel arrangements and to agreeing suitable alternative arrangements with them, including access to pool vehicles.

If it is a condition of employment that employees are able to drive and if, for any reason they become unable to drive, then their employment will be reviewed taking into account all relevant circumstances - but the council would not be able to guarantee their position with regard to continued employment should this situation arise. The council however, will take all reasonable steps to seek suitable alternative employment consistent with employment legislation requirements, should this need arise.

Employees are required to complete a DVLA796 Driving Entitlement Consent Form and provide the original copies of their driving licence in order that a copy can be taken for retention on personnel files and recorded on iTrent. Employees will be required to provide this information to their Line Manager on an annual basis. See the Drivers Licencing Guidance available on the Health and Safety pages of the intranet.

When public transport is used in the exercise of duties the appropriate rates will be reimbursed.

3. Using a Private Vehicle

Payments may be made to allow employees to use their own vehicles for journeys less than 100 miles, provided there is a benefit to the council and the mileage rate represents the most cost effective means of transport for the journey.

Employees driving for work in their own vehicle must ensure that it always complies with the law, is in safe and roadworthy condition and is suitable for its purpose.

When claiming motor mileage in a private vehicle, the employee will be required to sign the declaration on the Travel and Subsistence claim form to recognise their obligations as follows:

- to ensure that the vehicle meets the minimum safety features; seatbelts and head restraints fitted to all seats
- to ensure the vehicle is taxed and, where appropriate, has a valid MOT certificate
- to ensure their motor insurance policy includes business use cover for the amount and type of mileage they undertake, and covers 'business' passengers.
- to ensure they possess a valid licence to drive the vehicle being used
- to ensure the driver is medically fit to drive and is not suffering from driver fatigue
- to ensure the vehicle is serviced according to the manufacturer's specifications
- to ensure the vehicle is not used inappropriately, (e.g. unsecured load carrying, or hazardous off-road access).

Employees will also be required to complete a [DVLA 796 Driving Entitlement Consent Form](#).

Whilst driving on council business it is the individual's responsibility to drive within the requirements of the law including adhering to the speed limits.

Insurance of private vehicles

Motor Mileage Allowance will only be paid where the employee holds an insurance policy that covers bodily injury to, or death of, third parties, bodily injury to, or death of, any passenger; and damage to the property of third parties, and permits the use of the car in connection with the mileage allowance claimants' business.

When first using their car on official business, employees must declare in writing that they know and understand the ownership and insurance requirements of the council and whether they meet those requirements. An on-going declaration will be confirmed by the employee on submission of expense claims.

It is the employee's responsibility to ensure they are covered for business use and carrying of business passengers, if in doubt the insurer should be contacted for clarification. Any material changes to the employee's insurance provision shall be notified to the line manager.

4. Claiming business mileage

Mileage will be payable for all authorised journeys over 1 mile, undertaken for official business.

Mileage claims for return journeys over 100 miles in private vehicles shall be paid only where the employee has received prior authorisation for that journey from the line manager. This approval should be attached to the travelling form when making a claim.

Please refer to [Claiming Business Mileage Guidance Notes](#) to calculate business mileage for the following:

- Permanent workplace to temporary workplace
- Start or end a business journey at home address
- Designated fixed home worker
- If you have a lease car

All mileage claims should be submitted using the Travel Expense Claim form available on intranet.

Mileage and subsistence rates are detailed on the **Intranet under Pay and Rewards / Pay / Additional payments and Travel.**

Please refer to the [Matrix of Standard Mileage to Key Locations](#).

Disturbance mileage

Where it is necessary for the council to move an employee from their contractual place of work on a permanent basis any additional mileage incurred will be reimbursed at the car user allowance for mileage over 8500 miles for any additional mileage.

This will be paid for a 4 year period on a reducing scale of:

- Year 1 = 100% of mileage incurred paid
- Year 2 = 75% of mileage incurred paid
- Year 3 = 50% of mileage incurred paid
- Year 4 = 25% of mileage incurred paid

This allowance is calculated as the distance of return travel from an employee's home to their new place of work less the distance of return travel from home to their former place of work.

If during the payment period the employee moves house to a location closer to their new base, the mileage incurred will be reduced accordingly. If during the payment period the employee moves house to a location further from their new base, the expenses will not be increased to reflect the extra distance.

If during the payment period there is a further change of base, the 'additional mileage', will be recalculated. Recompense will reduce or increase as appropriate. The duration of payment will not be extended. If during the payment period, the employee successfully applies for a new position within the authority (regardless of whether it is on a different grade or at a different location), the entitlement to disturbance mileage will cease from the effective date of the new appointment.

In the event of an employee facing redundancy being redeployed into another post, then they will also be afforded this allowance.

Subsistence

Reasonable subsistence is only paid when travelling outside of Denbighshire.

Where expenditure is incurred outside the Denbighshire County Council area, the amount payable will be the cost over spent on a meal, up to the maximum level which is detailed on the Intranet under **Pay and Rewards / Pay / Additional payments and Travel**.

These rates will be reviewed on annual basis.

Overpayments

If an employee is overpaid for mileage and subsistence, they must inform their line manager immediately so that this can be rectified. In accordance with Part II of the Employment Rights Act (1996) any salary/wage or monies paid in error will normally be recoverable by the council.

Any overpayment will be recovered following consultation with the employee, taking all relevant circumstances into account.

Hire vehicles and train journeys

The council has a vehicles hire desk providing access to a range of vehicles at very competitive prices. The cost of vehicle hire plus fuel can prove better value for money for many journeys than officers travelling in their own cars.

Further information relating to this service can be obtained by contacting Fleet Hire Desk on 01745839243 or 01745839230, email catrin.w.jones@denbighshire.gov.uk or chris.brown@denbighshire.gov.uk

All train journeys should be booked via Fleet Service Centre using the [Rail Travel Booking Form](#).

or

With written approval of line manager you can purchase train tickets on-line and pay using the Services credit card.

Driving council owned vehicles

Employees required to drive council owned vehicle will be expected to undertake a formal driving awareness and sign a [Driver's Declaration form](#).

Employees will also be required to complete a [DVLA 796 Driving Entitlement Consent Form](#).

All council vehicles will be fitted with a tracking system. The system will improve management information, driver safety and protect the council's assets and improve driver behaviour. It will also have a positive environment impact by reducing travel, fuel usage and exhaust emissions.

Please refer to the [A Protocol for the use of Vehicle Tracking](#) for further information.

Managing occupational road risk

When opting to drive on council business it is important to remember and apply the following health and safety best practice:

- you should ensure that you familiarise yourself with the controls of any hire or pool car before setting off
- you must **never** use a mobile telephone whilst driving, and should instead switch it off to avoid the possibility of distraction
- at all times you must obey speed limits, and never drive faster than road or driving conditions safely allow. Avoid incentives to speed and allow time at the start of any journey for delays en-route: congestion, hold-ups and bad weather
- make sure that you are fit to drive: do not undertake a long journey (longer than an hour) if you feel tired
- plan your journey to take sufficient break: a minimum break of at least 15 minutes after every two hours of driving is recommended
- you must be able to read a new style number plate from a distance of 20 metres (66 feet). If you need to wear glasses, or contact lenses you must wear them at all times whilst driving.

Please refer to the HSE Guidance Driving at Work – Managing work related road safety for further information. This document can be found on the Intranet site under Health and Safety/Driving/Guidance.

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Travel Policy
16th June 2016

Equality Impact Assessment

Travel Policy

Contact: Andrea Malam, Lead Business Partner - OD

Updated: 16.06.2016

1. What type of proposal / decision is being assessed?

A revised policy

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The new Travel policy aims to rationalise the use of the “grey fleet” for business travel by DCC employees. In so doing provide cleaner and safer modes of transport for staff who need a car to carry out their work and for service users. DCC is encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. Additionally there is a need to address the health and safety risks posed by the relatively uncontrolled use of private cars on council business.

The new policy has removed the Essential Car user status.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

An assessment of protected characteristics and the effects of this policy on those protected characteristics has been undertaken.

Consultation has taken place with the usual CJM and recognised trade unions.

- 5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**
(Please refer to section 1 in the toolkit for a description of the protected characteristics)

This policy has a neutral effect on all of the protected characteristics. Employees are encouraged to use the most efficient and cost effective methods of travel which depends on how many miles are undertaken. Disabled employees can use their own vehicle for journeys and are also able to access alternative methods of transport where appropriate.

- 6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

This policy has a neutral effect on all of the protected characteristics. Employees are encouraged to use the most efficient and cost effective methods of travel which depends on how many miles are undertaken. Disabled employees can use their own vehicle for journeys and are also able to access alternative methods of transport where appropriate. Hire car companies (by law) are now required to provide vehicles that meet special requirements, for example, wheel chair accessible.

- 7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

No	The policy offers employees various methods of transport options for business travel depending on the miles to be undertaken. Disabled employees can use their own vehicles, hire vehicles and other accessible methods of transport.
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- 8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

No	
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Action(s)	Owner	By when?



9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	16.06.2017
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Name of Lead Officer for Equality Impact Assessment	Date
Andrea Malam	16.06.2016

Report To: Cabinet

Date of Meeting: 26th July 2016

Lead Member / Officer: Councillor Barbara Smith /
Gary Williams, Monitoring Officer

Report Author: Gary Williams, Monitoring Officer

Title: Strategy for the Prevention and Detection of Fraud,
Corruption and Bribery

1 What is the report about?

- 1.1 The report is about revisions to the Council's strategy for the prevention and detection of fraud, corruption and bribery.

2 What is the reason for making this report?

- 2.1 To enable Members to consider the updated strategy

3 What are the Recommendations?

- 3.1 That Members approve the draft strategy as attached as Appendix 1 to this report.

4 Report details.

- 4.1 The Council employs large numbers of staff and spends many millions of pounds per year. It commissions and provides a wide range of services to individuals and households and works with a wide range of private, public and voluntary sector organisations.
- 4.2 As with any other large organisation, the size and nature of the Council's services mean that there is an ongoing risk of loss due to fraud and corruption from both internal and external sources. There is also an ongoing risk of bribery as the Council provides and procures goods, works and services. The Council has therefore put in place proportionate systems to minimise this risk and these are kept under review.
- 4.3 The Council recognises that as well as causing financial loss, fraud and corruption is also detrimental to the provision of services and damages the reputation of the Council and public bodies in general.
- 4.4 A draft Strategy is attached as Appendix 1 to the report. The Policy used to be a single lengthy document. A policy statement is now a single page at the beginning of the strategy document containing the main principles upon which

the Council will approach fraud, bribery and corruption. In this Policy Statement and the procedures that support it, the Council gives the clear message that it will not tolerate any impropriety by employees, elected members or third party organisations.

- 4.5 It is important that any policy purporting to counter the threat of fraud and corruption is kept up to date and reviewed in light of new legislative, technological and professional developments.
- 4.6 The Council's existing Anti-Fraud and Corruption Policy was approved in 2006.
- 4.7 This revised draft strategy takes into account changes to legislation brought about by the Bribery Act 2010. The guidance also takes into account best practice guidance such as the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption.
- 4.8 Although the Council has experienced a relatively low level of detected fraudulent activity in recent years it is most important that vigilance is maintained and that all employees, elected members and partners are aware of the risk of fraud and how to report concerns or suspicions. The strategy provides clear advice as to how, and to whom, suspicions should be reported. In addition there is a clear statement of the Council's commitment to taking robust enforcement action where illegal or corrupt activity is detected.
- 4.9 The CIPFA Code recommends that an organisation should acknowledge responsibility for ensuring that the risks of fraud and corruption are managed effectively, identify specific exposure to risk, develop a counter fraud strategy, provide resources to support that strategy and put in place policies to support the strategy.
- 4.10 The Council will continue to adapt and adopt a pro active approach to countering fraudulent activities and Internal Audit will undertake an annual review of the effectiveness of these controls.

5 How does the decision contribute to the Corporate Priorities?

- 5.1 The decision does not contribute directly to the corporate priorities, however, a robust approach to the risk of fraud and corruption supports the Council in achieving its priorities by seeking to minimise the risk of the financial and reputational damage that fraud and corruption can cause.

6 What will it cost and how will it affect other services?

- 6.1 There are no direct costs associated with this report.

7 What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report

- 7.1 There is no need for an equality impact assessment.

8 What consultations have been carried out with Scrutiny and others?

8.1 Corporate Governance Committee received the draft report at its meeting on 15th June and recommended its approval by Cabinet.

9 Chief Finance Officer Statement

9.1 These Policies help enhance the Council's governance and assurance framework.

10 What risks are there and is there anything we can do to reduce them?

10.1 The risk of not updating the Policy is that the Council will not have an updated strategy to combat fraud and corruption.

11 Power to make the Decision

11.1 Sections 111 and 151 Local Government Act 1972.

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Strategy for the Prevention and Detection of Fraud, Bribery and Corruption

2016

CONTENTS

POLICY STATEMENT

- 1 This Policy is intended to cover fraud, theft, corruption and bribery.
- 2 The Council expects the highest standards of propriety and ethics in the delivery of its services and the management of its resources and assets.
- 3 The Council will carry out its business fairly, honestly and openly at all times.
- 4 The Council does not and will not tolerate any form of fraud, corruption or bribery when undertaking any of its responsibilities, including Housing / Council Tax Benefit fraud.
- 5 The Council will prevent fraud, corruption and bribery by designing and formulating proportionate policies and systems to minimise risk.
- 6 The Council will continue to promote the detection and investigation of fraud, corruption and bribery including the application of robust, effective sanctions and recovery procedures where it is identified.
- 7 The Council recognises that bribery is a criminal offence. The Council does not, and will not, pay bribes or offer improper inducements to anyone for any purpose, nor will it, accept bribes or improper inducements. To use a third party as a conduit to channel bribes to others is a criminal offence.
- 8 The Council does not, and will not, engage indirectly in or otherwise encourage bribery. The Council is committed to the prevention, deterrence and detection of bribery and adopts a position of zero tolerance towards bribery.

1. INTRODUCTION

- 1.1 Denbighshire County Council (the Council) employs around 4,500 staff and spends in excess of £300 million per year. It commissions and provides a wide range of services to individuals and households and works with a wide range of private, public and voluntary sector organisations.
- 1.2 As with any other large organisation, the size and nature of the Council's services mean that there is an ongoing risk of loss due to fraud and corruption from both internal and external sources. There is also an ongoing risk of bribery as the Council provides and procures goods, works and services. The Council has therefore put in place proportionate systems to minimise this risk and these are kept under constant review.
- 1.3 The Council recognises that as well as causing financial loss, fraud is also detrimental to the provision of services, and damaging to the reputation of, and confidence in, the Council and public bodies in general.
- 1.4 In its policies and procedures the Council gives out the clear message that it will not tolerate any impropriety by employees, elected Members or third party organisations. These are all signs of a robust framework in place to mitigate the risk of fraud, corruption or bribery.
- 1.5 The Strategy has the full support of Members and the Council's Strategic Leadership Team.
- 1.6 The Council is also aware of the high degree of external scrutiny of its affairs by a variety of bodies who rightly expect that the Council will have an effective strategy for the prevention and detection of fraud. These bodies include:
 - The Public Services Ombudsman for Wales,
 - The Wales Audit Office,
 - Statutory Inspectorates such as ESTYN and the Care and Social Services Inspectorate Wales (CSSIW),
 - Her Majesty's Revenue and Customs,
 - Auditors of organisations for whom the Council acts as agent as well as those that provide direct funding for the Council e.g. Welsh Government and European funding organisations.

2 SCOPE

- 2.1 This strategy covers all business, activities and transactions undertaken either by the Council or on its behalf. It applies to all Members and all those who work for or with the Council to include employees, agency staff, consultants, contractors, partners and volunteers.
- 2.2 The Strategy has regard to the provisions of the Fraud Act 2006, the Bribery Act 2010 and best practice such as CIPFA's "Managing the Risk of Fraud and Corruption".
- 2.3 The Strategy does not stand in isolation and is a key component of the Council's governance framework. As such it should be read in conjunction with other key documents such as:

The Code of Corporate Governance

The Code of Conduct for Elected Members

The Employees' Code of Conduct

Financial Regulations including Contract Procedure Rules

The Whistleblowing Policy

The Anti-Money Laundering Policy

- 2.4 There are many definitions of fraud, corruption and bribery. CIPFA's best practice document suggests that concise definitions are a good starting point for risk identification. With this in mind the following definitions are used to describe the activities which are within the scope of this strategy.

Fraud

An act of deception intended for personal gain or to cause a loss to another party.

Corruption

The abuse of public office for private gain.

Bribery

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

Detailed legal definitions may be found in Appendix 2

For the purposes of clarity and brevity the term "Fraud" is used in this document to describe all of the above.

3 COUNTER FRAUD APPROACH

- 3.1 The Council's policy in respect of fraud is clearly set out at the beginning of this document.
- 3.2 The Council will, in accordance with this policy, and having regard to best practice, make the following actions the basis of its approach to counter fraud.
 - (a) The Council acknowledges its responsibility for countering fraud
 - (b) The Council will identify and manage the risks of fraud
 - (c) The Council will provide proportionate resources to implement the strategy
 - (d) The Council will take robust action in response to fraud
 - (e) The Council will monitor the effectiveness of this strategy
- 3.3 This Strategy has the full support of the Council's elected members and its senior management
- 3.4 Roles and responsibilities for identifying and mitigating the risk of fraud must be clearly understood and embraced effectively. These are shown in Appendix 4
- 3.5 In particular, Heads of Service must ensure that:
 - (a) service risk registers accurately reflect the risk of fraud, including emerging risks, e.g due to changes in technology or working practices
 - (b) control procedures are effective and are properly maintained and documented
 - (c) Financial Regulations including Contract Procedure Rules are complied with
 - (d) those engaged in counter fraud activity have the appropriate skills and knowledge and are given the appropriate authority and access to enable them to do this work effectively

4 CULTURE, STANDARDS AND ETHICS

- 4.1 The Council recognises that for fraud to be countered effectively there is a need for an effective counter fraud culture
- 4.2 The Council's Code of Corporate Governance sets out its commitment to the highest ethical and moral standards and also to a culture of honesty, openness and accountability.
- 4.3 The Council has agreed a set of core values that guide its work and shape the way that it goes about achieving its vision, aims and objectives. These are:
- Unity
 - Pride
 - Respect
 - Integrity
- 4.4 All employees, partner organisations as well as organisations working on the Council's behalf, are expected to share in this commitment and to lead by example in ensuring adherence to all Council regulations, procedures, practices and codes of conduct in accordance with the Nolan Committee's "Seven Principles of Public Life" which are:
- Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
- 4.5 In addition, all elected Members and co-opted members will be expected to adhere to the "The Conduct of Members (Principles) (Wales) Order 2001". This Order adds to the seven Nolan principles set out above by including requirements in relation to Stewardship, Duty to Uphold the Law, and Equality and Respect
- 4.6 The Council's Constitution, Codes of Conduct for Employees and Members, Financial Regulations, Whistleblowing and Anti Money Laundering policies

underpin a strong commitment to an effective ethical framework that supports a preventative, anti-fraud culture.

- 4.7 The Council's elected members and employees play an important role in creating and maintaining this culture. The Council positively encourages those working for or with the Council to raise concerns regarding fraud immaterial of seniority or status in the knowledge that such concerns will, wherever possible, be treated in confidence without fear of reprisals or victimisation so that they can be investigated properly and fairly. Guidelines on how to make such reports are contained in Appendix 1.
- 4.8 Members of the public are encouraged to report any concerns which they may have. This may be direct using the contact details shown in Appendix 6 or by using the Council's customer service contacts which are available on the Council's website; www.denbighshire.gov.uk
- 4.9 The Council will ensure that any allegations received will be taken seriously, investigated in an appropriate manner, that the appropriate sanctions are imposed and recovery actions taken where fraud is found.

5. COUNTER FRAUD MEASURES

5.1 The Council's strategy for effective counter fraud activity requires measures that cover the following objectives:

Prevention

Deterrence

Detection and Investigation

Sanctions, Recovery and Redress

5.1.1 Prevention

Policies & Procedures

The Council is firmly of the belief that the best way to beat fraud is to prevent it from happening in the first instance. To achieve such an objective it is essential that the Council has in place a clear set of policies and procedures which set out the rules within which elected members, employees, consultants and contractors can work effectively. These are integral elements of the corporate internal control environment, and it is important that all members and employees are aware of their existence and at least their general content.

5.1.2 The most critical of such policy and procedural documents are as follows:-

- The Constitution, containing particularly:-
 - the Financial Regulations which include Contract Procedure Rules
 - the Code of Conduct for Members
 - the Code of Conduct for Employees
 - Schemes of Delegation
- The Code of Corporate Governance.
- Employees' Conditions of Service.

5.1.3 In addition to the above, some Departments have introduced their own measures designed to control their particular activities, for example procedure manuals.

5.1.4 It is the responsibility of Corporate Directors and Heads of Service to ensure that all employees have ready access to all of the Council's agreed

policies and procedures, and, where appropriate, they receive suitable training in their operation.

- 5.1.5 Elected members and employees have a specific responsibility to read and understand the policies and procedures that apply to them, and subsequently act in accordance with the terms and conditions therein. The Council may take formal action against anyone who fails in their duty to comply with the agreed policies and procedures.
- 5.1.6 In the case of an elected member, such an occurrence could precipitate a referral to the Standards Committee by the Ombudsman. In the case of an employee, the Council may take action under its Disciplinary Policy & Procedure.

5.2 Internal Control

- 5.2.1 Corporate Directors and Heads of Service are fully responsible for ensuring that all operational systems, particularly financial procedures, incorporate an appropriate level of internal control mechanisms. It is also essential that, where possible and practicable, a clear division of duties exists in the operation of a particular system, and that no individual is in a position whereby he or she can carry out a complete transaction without some form of check being built in to the process.
- 5.2.2 Heads of Service must ensure that their Risk Register accurately reflects the risk of fraud including any emerging risks.

5.3 Recruitment

- 5.3.1 The Council recognises that a key preventative measure in dealing with fraud is for managers to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees, whether for permanent, temporary or casual posts and agency staff. The Council's formal recruitment procedure contains appropriate safeguards in the form of written references, the verification of qualifications held and employment history. As in other public bodies Disclosure and Barring Service (DBS) checks are undertaken for employees working with, or who may have contact with, children or vulnerable adults.

5.4 Joint-Working

- 5.4.1 The Council is committed to working and co-operating with other organisations to help prevent organised fraud. As a consequence, whenever possible, the Council will be prepared to help and exchange information with other Councils and organisations to deal with fraud.
- 5.4.2 Information exchange needs to be tightly controlled, particularly in relation to data protection and human rights issues.

- 5.4.3 The Council will set up confidential facilities to enable information to be passed that may prevent fraud.
- 5.4.4 Such facilities will allow members of the public, as well as elected members and employees, to advise Internal Audit about specific instances of alleged fraud. The Council will, therefore, ensure that full details of the reporting facilities are widely publicised to all potential users, and that all information received will be thoroughly investigated and subsequently dealt with, as required.

5.5 The Role of Elected Members

- 5.5.1 As elected representatives, all elected members have a duty to the citizens and customers of the Council to protect the Council and public money from any acts of fraud. This is done through this Policy, compliance with the Members' Code of Conduct, the Council's Constitution, Financial Regulations, and relevant legislation.
- 5.5.2 Elected members sign an undertaking that they have read, understood and will abide by the Code of Conduct for Members when they take office. Conduct and ethical matters are specifically brought to the attention of elected members during induction and include the declaration and registration of interests. The Council's Monitoring Officer, advises elected members of new legislative or procedural requirements.

5.6 The Head of Paid Service, Monitoring Officer and Section 151 Officer

- 5.6.1 The Head of Paid Service, Monitoring Officer and Section 151 Officer have key roles in providing advice to all elected members and staff about vires issues, maladministration, financial impropriety, probity and policy framework and budget issues.
- 5.6.2 The Head of Paid Service is responsible for espousing and upholding high standards of conduct by officers, ensuring oversight of compliance with the member-officer protocol and with other policies adopted by the Council.
- 5.6.3 The Monitoring Officer encourages the promotion and maintenance of high standards of conduct within the Council, particularly through provision of support to the Standards Committee.
- 5.6.4 The Section 151 Officer undertakes the statutory responsibility under the Local Government Act 1972 to ensure the proper arrangements for the administration of the Council's financial affairs. This role is supported by the work undertaken by Internal Audit.

5.7 The Role of Managers

- 5.7.1 Managers at all levels are responsible for the communication and implementation of this Policy in their work area. They are also responsible for ensuring that their employees are aware of the Council's personnel policies and procedures and Financial Regulations and that the requirements of each are being met in their everyday business activities. In addition, managers must make their employees aware of the requirements of the Code of Conduct for Local Government Employees through the induction process.
- 5.7.2 Managers are expected to create an environment in which their employees feel able to approach them with any concerns they may have about suspected irregularities.

5.8 Responsibilities of Employees

- 5.8.1 Each employee is expected to abide by the Employee's Code of Conduct.
- 5.8.2 In addition, employees are responsible for ensuring that they abide by Financial Regulations and internal control procedures.
- 5.8.3 Employees are expected always to be aware of the possibility that fraud, corruption and theft may exist in the workplace and be able to share their concerns with management. If for any reason, they feel unable to speak to their manager they must refer the matter to one of those named below:
- Heads of Service, Corporate Directors, the Chief Executive or the Council's Monitoring Officer, who will report such concerns to the Head of Internal Audit.
 - Directly to the Head of Internal Audit.
 - The Council's external auditor, who, depending upon the nature of the concern, will liaise with the Head of Internal Audit.
 - Trade Union representatives, who will report such concerns to the Head of Internal Audit.

5.9 Conflicts of Interest

- 5.9.1 Both elected members and employees must ensure that they avoid situations where there is a potential for a conflict of interest. Such situations can arise with externalisation of services, internal tendering, planning and land issues etc. Effective role separation will ensure that decisions made are seen to be based upon impartial advice and avoid questions about improper disclosure of confidential information.

510 Role of Internal Audit

- 5.10.1 Denbighshire Internal Audit Services independently reviews the adequacy, efficiency and effectiveness of the internal controls within the Council's systems by undertaking a comprehensive programme of work targeted at key risk areas.
- 5.10.2 Any weaknesses in internal control are reported to management with proposed recommendations to address the issues raised. It is the responsibility of management to ensure that corrective action is taken.
- 5.10.3 The independent review of the systems and the implementation of agreed recommendations contribute to the prevention and detection of fraud.

5.11 The Role of the External Auditor

- 5.11.1 Independent external audit is an essential safeguard of the stewardship of public money. This is carried out through specific reviews that are designed to test (amongst other things) the adequacy of the Council's financial systems and arrangements for preventing and detecting fraud. It is not the external auditors' function to prevent fraud and irregularities, but the integrity of public funds is at all times a matter of general concern.

6. DETERRENCE

6.1. Disciplinary Action

- 6.1.1 Theft, fraud and bribery are serious offences against the Council, and employees will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action will be taken in addition to, or instead of, criminal proceedings depending on the circumstances of each individual case, but in a consistent manner.
- 6.1.2 Members will face appropriate action if they are found to have been involved in theft, fraud and bribery against the Council. Action will be taken in addition to, or instead of criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. If the matter is a breach of the Members' Code of Conduct it will also be referred to the Ombudsman.
- 6.1.3 Any allegation of fraud by persons external to the Council will be referred to the Police for investigation.

6.2 Publicity

- 6.2.1 The Council will optimise the publicity opportunities associated with anti-fraud activity within the Council to ensure that the results of any action taken, including prosecutions, are reported in the press.
- 6.2.2 In all cases where the Council has suffered a financial loss, the Council will seek to recover the loss and advertise this fact.

7. DETECTION & INVESTIGATION

- 7.1 This section should be read in conjunction with the Guidelines for Reporting Suspicions of Fraud & Corruption (Appendix 1) and the Fraud Response Plan (Appendix 2).
- 7.2 In line with the Council's 'Code of Conduct' for Employees and 'Financial Regulations' employees must report any suspected cases of fraud to the appropriate manager, and the Head of Internal Audit must be informed by either the employee or manager.
- 7.3 This process will apply to all the following areas:
- Fraud or corruption by elected members.
 - Internal fraud or corruption.
 - Other fraud or corruption by Council employees.
 - Fraud by contractors' employees.
 - External fraud.
- 7.4 The Council's 'Whistleblowing Policy' is intended to encourage and enable staff to raise serious concerns. Employees reporting concerns in this manner are afforded certain rights under the Public Interest Disclosure Act, 1998 as amended.
- 7.5 The Head of Internal Audit will work with the Chief Executive, Corporate Directors and Heads of Service to decide on the type and course of the investigation, which will include referrals to the Police where necessary. The Council will seek prosecution of offenders and will carry out internal disciplinary procedures where appropriate. In so doing, every effort will be made to ensure that any internal proceedings do not jeopardise or prejudice the criminal case.
- 7.6 Internal Audit plays an important role in the detection of fraud. Included in its operational plans are reviews of system controls including financial controls and specific fraud tests, spot checks and unannounced visits. Procedures for the investigation of fraud are included in the Internal Audit Manual.

8. RECOVERY AND SANCTIONS

- 8.1 Where the Council identifies fraud then it will:
- Recover wherever appropriate **and**
 - Prosecute or apply other sanctions to perpetrators.
- 8.2 Sanctions are actions taken against individuals or organisations to reduce the risk of fraud, corruption or bribery from occurring. These will be applied in a comprehensive, consistent and proportionate manner with all possible sanctions – disciplinary, civil and criminal – considered.
- 8.3 Where fraud by employees is indicated, then action will be taken in accordance with the Council's disciplinary procedures. This may be in addition to any civil recovery action or criminal sanctions.
- 8.4 The Council aims to be effective in recovering any losses incurred to fraud using, as appropriate, criminal and/or civil law.

Training

- 8.5 The continuing success of the Strategy requires all staff to be aware of fraud issues including corruption and bribery. The Council's induction process will reinforce this together with ongoing training identified through the Performance Appraisal process.
- 8.6 Staff involved in the setting up of or monitoring of internal control systems, e.g. Financial Regulations will receive specific training to ensure that their responsibilities and duties are regularly highlighted and reinforced.
- 8.7 Staff in Internal Audit will receive training in order to comply with their professional standards. This will maximise the Council's ability to prevent, detect and investigate fraud, corruption and bribery.
- 8.8 Disciplinary action will be considered against any employee who deliberately ignores such training regardless of whether it results in an actual fraud.

9. IMPLEMENTATION OF THE STRATEGY

9. IMPLEMENTATION

9.1 In order to assist the effective targeting of counter fraud measures and resources, an annual risk assessment will be made of the Council's susceptibility to fraud. This will use CIPFA's extant guidance and will

- i. identify any areas of vulnerability, the types of fraud in those areas and the amounts of potential loss;
- ii. take account of the impact of fraud on the Council's ability to meet its objectives and responsibilities;
- iii. inform the resources required to effectively counter fraud;
- iv. determine the approaches set out in future revisions to the Counter Fraud Strategy; and
- v. be included as part of the Council's risk management framework.

9.2 Internal Audit will undertake an annual assessment of the effectiveness of existing counter-fraud arrangements against:

- i. Any mitigation identified in the risk assessment outlined in 6.1;
- ii. The roles and responsibilities as set out In Appendix 4 of this Strategy;
- iii. The Council's framework of policies and procedures
- iv. Guidance provided by CIPFA, such as 'Managing the Risk of Fraud and Corruption' and other professional and regulatory guidance.

9.3 Internal Audit will report its findings to the Corporate Governance Committee and the Corporate Executive Team. The Corporate Governance Committee will also consider the effectiveness of anti-fraud risk management arrangements.

Awareness

- 9.4 The Council will maintain an up to date awareness of the types of fraud that it may be exposed to especially given the ongoing financial situation and the resourcefulness of potential fraudsters. It will review national developments and strengthen systems and procedures accordingly using key sources of information from various national bodies, publications and frameworks:

10. CONCLUSION

- 10.1. The Council has always prided itself on setting and maintaining high standards and a culture of openness, with core principles of unity, pride, respect and integrity. This strategy fully supports the Council's desire to maintain an honest organisation, free from fraud.
- 10.2. The Council has in place a network of systems and procedures to assist it in dealing with fraud when it occurs. It is determined that these arrangements will keep pace with any future developments in both preventative and detective techniques regarding fraudulent or corrupt activity that may affect its operation.
- 10.3. The Council will maintain a continuous review of all these systems and procedures through its Internal Audit service.
- 10.4. This policy statement will be reviewed on a regular basis, with a maximum of three years between each review to take into account new legislative, professional and technological developments.

APPENDIX 1

GUIDELINES ON REPORTING SUSPICIONS OF FRAUD

What Do We Want to Know About?

1. Fraudulent acts may include:-
 - **Systems Issues** - where a process/system exists which is prone to abuse by either employees or members of the public.
 - **Financial Issues** - where individuals or companies have fraudulently obtained money from the Council.
 - **Equipment Issues** - where the Council's equipment is used inappropriately for personal reasons.
 - **Resource Issues** - where there is a misuse of resources.
 - **Other Issues** - activities undertaken by officers of the Council which may be unlawful, breach the Council's Financial Regulations or policies, fall below established standards or practices, or amount to improper conduct.
- 2 This is clearly not an exhaustive list, but is merely indicative of the types of fraud that may well be encountered. If there is any doubt about the seriousness of a concern, an employee or member of the public can obtain advice and guidance from the Head of Internal Audit on 01824 708093.
- 3 Concerns or allegations which fall within the scope of other existing policies or procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.

Safeguards

- 4 **Harassment or Victimisation** - The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice. The Council will not tolerate harassment or victimisation and will take appropriate action to protect those who raise a concern in good faith.
- 5 **Confidentiality** - The Council will do its best to protect an individual's identity when he or she raises a concern and wishes to retain their anonymity. It must be appreciated, however, that the investigation process may reveal the source of the information, and a statement by the individual may be required as part of the evidence.
- 6 **Anonymous Allegations** - This Policy encourages individuals to put their names to allegations. Concerns expressed anonymously are much less powerful, but they will

be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include:-

- The seriousness of the issue raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

7 Untrue Allegations - If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the originator. If, however, an individual makes malicious or vexatious allegations, action may be considered against the individual making that allegation.

What Should Employees Do if They Suspect Fraud?

8 Employees are often the first to realise that there could be something seriously wrong within an organisation; however, they may not wish to express their concerns because they may feel that by speaking out, they would be showing a degree of disloyalty to their colleagues or even to the Council itself. They may even fear harassment or victimisation. In such circumstances, it might appear easier just to ignore the concern rather than raise an issue which may just be a suspicion of malpractice.

9 The Council's 'Whistleblowing Policy' is intended to encourage and enable staff to raise serious concerns within the Council rather than overlooking a problem or 'blowing the whistle' to the media or other external bodies. A full copy of the 'Whistleblowing Policy' is available on the Council's intranet.

10 In essence, employees should approach the relevant Corporate Director or Head of Service, who, if they find the claim to be substantiated, will inform the Head of Internal Audit. The nature of the complaint will then determine the Council's course of action.

11 Internal Audit can be contacted on 01824 708093, by e-mail (ivan.butler@denbighshire.gov.uk), or by writing to the Head of Internal Audit at Business Improvement and Modernisation, Caledfryn, Council Office, Smithfield Road, Denbigh LL16 3RJ.

12 In summary, if you become aware of a problem:

- **DO** – make an immediate note of your concerns, the details of any conversations you have heard, or documents you have seen, and note the date, time, and names of people involved.
- **DO** – pass any documents that come into your possession immediately to Internal Audit.
- **DO** – act promptly, as delays may result in further financial loss or the loss of evidence.

- **DON'T** – ignore the concerns, or be afraid of raising them. You will not suffer recrimination from your employer as a result of voicing a reasonably held suspicion.
- **DON'T** – approach individuals yourself or convey your suspicions to other staff, except those authorised to deal with the matter.
- **DON'T** – try to investigate the matter yourself.

What Should Members of the Public Do if They Suspect Fraud?

13 The Council actively encourages members of the public who suspect fraud to contact Internal Audit in the first instance.

14 Internal Audit operates independently of all other Council services, and its work includes establishing procedures with the following aims:-

- To develop an anti-fraud culture.
- To deter, prevent, detect and investigate fraud.
- To ensure that appropriate action is taken against those who commit, or seek to commit, some form of fraud.

15 The possible courses of action which could be taken by the Council are as outlined in the following Section.

How Will Allegations of Fraud be dealt with by the Council?

16 For issues raised by employees or members of the public, the action taken within the Council will depend on the nature of the concern. The matters raised may be:

- Investigated internally.
- Referred to the Police.

17 Within ten working days of a concern being reported, the complainant will be written to:

- Acknowledging that notification of the concern has been received.
- Indicating how the Council proposes to deal with the matter, subject to limitations under Data Protection and Freedom of Information legislation.
- Giving an estimate of how long the Council will take to provide a final response.

18 The Council is also committed to training and developing all employees who are, or may be, involved in investigations of alleged or actual cases of fraud. The Council

will, therefore, identify and arrange to provide appropriate training as considered necessary.

Alternative Methods for Taking a Complaint Forward

19 If either a member of the public or an employee feels it is right to take the matter outside these processes, the following are possible ways forward:-

- **The Local Councillor** - contact details are available from the Council's web-site or offices.
- **The Council's external auditor** - This is the organisation appointed to scrutinise the Council's finances and overall performance. By law, they must be completely independent of the Council.
- **A Trade Union** - Employees may invite their Trade Union to raise an issue on their behalf.
- **The Police** - Suspicions of fraud may be reported directly to the Police.
- **The Public Services Ombudsman for Wales** - The Ombudsman is an independent person, appointed by the government, to investigate and deal with complaints against local authorities.
- **Public Concern at Work** - This is a charitable organisation which provides free and strictly confidential legal help to any person with concerns about an alleged malpractice which they perceive as a threat to the public interest. The national website is at <http://www.pcaw.co.uk>. It can also be contacted on its dedicated national helpline on 020-7404-6609, or at helpline@pcaw.co.uk
- **The Wales Audit Office (WAO)** –The WAO can be contacted by writing to the PIDA **Officer**, The Auditor General for Wales, 24 Cathedral Road, Cardiff CF11 9LJ. E-mail whistleblowing@wao.gov.uk. Phone 01244 525980

APPENDIX 2

FRAUD RESPONSE PLAN

FRAUD RESPONSE PLAN

1 INTRODUCTION

- 1.1 The Council is committed to the prevention, deterrence, detection and investigation of all forms of fraud or corruption as set out in the Strategy for the Prevention and Detection of Fraud, Bribery and Corruption.
- 1.2 It shall be the duty of all employees and Members, in all aspects of their Council work, to lead by example in ensuring opposition to fraud and corruption, adhere to the Council's own rules and regulations and ensure that all procedures and practices are beyond reproach.
- 1.3 The Council requires all individuals and organisations with whom it deals in any capacity, to behave toward the Council with integrity and without intent or actions involving fraud or corruption.
- 1.4 Council employees, members of the public and outside bodies are important elements in the maintenance of standards and shall be positively encouraged to raise any concerns they may have on these issues which impact on Council activities, using the Council's Whistleblowing Policy or Complaints procedure.
- 1.5 The Council will be robust in dealing with any malpractice and will deal promptly and thoroughly with any person who defrauds or attempts to defraud the Council or who engages in corrupt practices.
- 1.6 This policy shall be read in conjunction with Council's Disciplinary Policy.

2 DEFINITIONS

- 2.1 For purposes of this policy, the definition of a dishonest act or fraudulent activity includes but is not limited to:

"A person shall be guilty of fraud if he

- 1) a) dishonestly makes a false representation, or
- b) dishonestly fails to disclose to another person information which he is under a legal duty to disclose, or
- c) occupies a position in which he is expected to safeguard or not to act against the financial interests of another person and dishonestly abuses that position

and

- 2) intends to make a gain for himself or another or to cause loss to another or expose another to a risk of loss"
- 2.2 A dishonest act or fraudulent activity may be, but is not limited to, an act or activity that is unethical, improper, or illegal such as:
- (a) Theft of an asset including but not limited to money, tangible property, intellectual property etc;
 - (b) Misappropriation, misapplication, destruction, removal, or concealment of property;
 - (c) False claims and/or misrepresentation of facts;
 - (d) Alteration or falsification of paper or electronic documents, including the inappropriate destruction of paper or electronic documents;
 - (e) Inappropriate use of computer systems including hacking and software piracy;
 - (f) Embezzlement;
 - (g) Bribery, or corruption of any kind;
 - (h) Unlawful or undeclared conflict of interest;
 - (i) Unauthorised use or misuse of Council property, equipment, materials or records;
 - (j) Offences relating to misuse of the Council's computer systems.
- 2.3 Although a dishonest or fraudulent act may have criminal and/or civil law consequences, the Council is not required to use a determination by a criminal or civil body as the basis for determining whether an act is dishonest or fraudulent, nor must the act rise to the level of a crime or violation of civil law in order to constitute a violation of the Council's Disciplinary Policy.

Bribery

- 2.4 There are four key offences under the Bribery Act 2010:
- Bribing another person - A person commits an offence by offering, promising or giving a financial or other advantage to another person, directly or through an intermediary either:
 - a) intending that advantage to induce a person to perform improperly a Function or to reward a person for so doing (whether or not it is the same person to whom the advantage is offered) or
 - b) knowing or believing that accepting the advantage would itself be improper performance of a Function.

- Being bribed - A person commits this offence by requesting, agreeing to receive or accepting a financial or other advantage, directly or through a third party, for his or her own or someone else's benefit and,
 - a) that person intends that, as a consequence, there is improper performance of a Function or
 - b) there is improper performance of a Function (whether as a reward, in anticipation of or as a consequence of the request, agreement or acceptance).

The request, agreement or acceptance itself may be the improper performance of a Function.

- Bribery of a Foreign Public Figure – This offence will be committed if a person offers or gives a financial or other advantage to a foreign public official with the intention of influencing the foreign public official and obtaining or retaining business, where the foreign public official was neither permitted nor required by written law to be so influenced.
- Failing to prevent Bribery - A company is “strictly liable” for any bribe paid by a person performing services on its behalf, unless the organisation proves that adequate anti-bribery procedures were in place.

2.5 The offences carry criminal penalties for individuals and organisations. For individuals, a maximum prison sentence of ten years and/or an unlimited fine can be imposed; for organisations, an unlimited fine can be imposed.

3 INVESTIGATING SUSPECTED DISHONEST ACTS OR FRAUDULENT ACTIVITY INCLUDING CORRUPTION OR BRIBERY

- 3.1 It is the Council's intent to fully investigate any suspected acts of fraud, misappropriation or other similar irregularity.
- 3.2 Anyone who knowingly makes false allegations will be subject to disciplinary action.
- 3.3 Persons reporting suspected dishonest or fraudulent acts should, wherever possible, refrain from confrontation with the suspect and should not discuss the matter with anyone other than their line manager or those conducting an investigation of the allegations.
- 3.4 Heads of Service are required by the Council’s Financial Regulations to report all suspected irregularities to the Head of Internal Audit. This requirement, however, does not preclude Heads of Service from taking suitable action immediately if necessary.

- 3.5 Any member of the investigation team or officers likely to deal with any decision on disciplinary action who are personally involved with the suspect(s) in any way must declare an interest and not take part in subsequent procedures.
- 3.6 All participants in the fraud investigation shall keep the details and results of the investigation confidential at all times.
- 3.7 All matters where a special investigation is considered necessary will be logged for management information and statistical purposes for reporting fraud and related matters to the Wales Audit Office.
- 3.8 Once a suspected fraud is reported, management and / or Internal Audit staff shall take immediate action to prevent the theft, alteration or destruction of relevant records including data held on computers etc. Such actions include but are not limited to, removing the records and placing them in a secure location, limiting access to the location where records are held and preventing the individual(s) suspected of committing the fraud from having access to records (including those which are electronic).
- 3.9 Those charged with the responsibility for investigating possible fraud cases, such as designated managers or Internal Audit, shall have access to all Council-owned property including computers, records, rooms and furniture.
- 3.10 Depending on the nature and anticipated extent of the allegations, Internal Audit will normally work closely with management and other agencies, such as the Police to ensure that all allegations and evidence are properly investigated and reported upon.
- 3.11 After an initial review and a determination that the suspected fraud warrants further investigation a plan of action will be devised and event log maintained of progress of the investigation.
- 3.12 Any requirement for surveillance will be subject to the Regulation of Investigatory Powers Act 2000.
- 3.13 The Council will continue to use data matching to identify fraud and will work closely with the Department of Work and Pensions and the Cabinet Office to improve the quality and breadth of matches in the National Fraud Initiative. Where investigations involve Council employees or Members priority must be given to ensuring cases are promptly and thoroughly investigated.
- 3.14 In any instances where the investigation indicates possible criminal activity, the investigation will be referred to the Head of Legal, HR and Democratic Services for an opinion on the evidence.
- 3.15 Where there are reasonable grounds for believing that a criminal offence has been committed the matter will be referred to the Police. The decision on referral to the Police will be taken by the Head of Legal, HR and Democratic Services.

- 3.16 Where investigations relate to computer based systems, including Internet / E-mail services which involve pornographic or other inappropriate material, reference must be made to the Council's guidelines on seizing and investigating computer evidence based on Police and government guidelines. This stipulates that a computer may only be examined by an expert in controlled environment. The equipment should be turned off at the power supply and access secured until it can be referred to the Police for investigation.
- 3.17 The results of investigations conducted by Internal Audit will be documented and will be communicated orally and / or in writing to the Councils' Head of Finance promptly on completion of investigations and in summary format to the Council's Corporate Governance Committee who will consider the effectiveness of anti-fraud risk management arrangements.
- 3.18 Upon completion of the investigation, including all legal and human resources related actions any records, documents and other evidence will be returned by Internal Audit to the appropriate department.

4 SANCTIONS

- 4.1 Employees found to have participated in dishonest acts or fraudulent activity in work time or their own time may be subject to disciplinary action and possible criminal prosecution or civil action. This includes employees or Members who have been subject to investigation and fraud identified following any data matching exercise. The relevant Head of Service will be informed of the offence and must take immediate action to implement disciplinary proceedings in liaison with the Head of Legal, HR and Democratic Services
- 4.2 Employees found to have knowledge of a dishonest act or fraudulent activity and who knowingly failed to report the activity will be subject to disciplinary action in accordance with the Council's Disciplinary Procedures.
- 4.3 In respect of person found to have committed benefit fraud, sanctions will be applied as set out in the Benefit Sanctions Policy (Appendix 3).
- 4.4 The Council seeks to raise awareness of this Strategy – of its purposes and contents - with all of its members and employees and all persons and bodies with whom it engages
- 4.5 The Council's Disciplinary Procedures will be used where the outcome of investigation indicates improper behaviour on the part of employees. Disciplinary proceedings are not subject to a criminal burden of proof, but a 'balance of probabilities'

5 GENERAL PROSECUTION POLICY

5.1 In all cases the following will be considered when deciding on whether or not to prosecute.

Issue	Points to consider
Quality of available evidence	Is there sufficient evidence to satisfy a court? Is all the evidence admissible? Has all the evidence been obtained appropriately? Could the Proceeds of Crime Act be used?
Degree of criminality	How was the fraud perpetrated? Was it opportunist? How much planning went into the fraud? How long did it continue?
Persistent offender	Have they previously committed fraud? Have they received a sanction previously?
Position of Trust	Is the perpetrator a council employee, representative or contractor? Are they a Member of the council?
Duration of the fraud	How long did the fraud continue?
Loss to Public Funds	It would be unlikely for a fraud with a value of less than £500 to be prosecuted but it should not be ruled out. All of the other issues in this list need to be considered as well.
Voluntary disclosure	Was the fraud admitted prior to investigation?
Widespread offence	Is the offence part of a local trend? The offence might not be particularly serious but may be particularly prevalent in a specific area.
Social/Medical factors	Are there any mitigating circumstances? Are there any mental or physical disabilities? Is the perpetrator fit to stand trial? Social/medical factors should not automatically preclude prosecution but they must be considered.
Public Interest	What gain is there for the Council and/or general public?

6. REDRESS AND RECOVERY

6.1 Redress can be defined as the recovery or attempted recovery of assets lost or defrauded. This would include any type of financial recompense for the fraud. Where loss has been suffered through fraudulent activity the Council will take all reasonable steps to effect recovery promptly.

- 6.2 Where possible, the Council would expect to follow cases through to this point. Whilst the Council aims to progress to sanctions, it must also attempt to recover any loss. The recovery process is not part of the remit of Internal Audit but instruction and guidance will be given where possible to facilitate recovery.

Examples of redress and recovery

Case Type	Method of Redress/Recovery
Housing	Instigating recovery of property Removal from Housing Register Cancellation of Temporary Accommodation Disallowed from Right to Buy (RTB) Sue for loss of rent or RTB/portable discount
Benefits	Tracing of address for recovery of overpayment from Landlord or Tenant
Asylum Seekers	Tracing of address for recovery of overpayment from Landlord or Tenant
Internal and General	Charges on property Third Party (Garnishee) Attachment of earnings Freezing Injunctions Insurance Claims (fidelity guarantee) Pursuing debts via legal proceedings Confiscation orders Compensation Restitution Orders Proceeds of Crime Act

7 CONFIDENTIALITY

- 7.1 Details of any investigation regarding employees or Members are strictly confidential and must therefore not be discussed or conveyed to anyone other than the relevant management representatives and the nominated investigating team.
- 7.2 If the media becomes aware of an audit or other management investigation and attempts to contact members of the investigating team or any other employees for that matter, they must not discuss details of the alleged fraud and investigation. All matters relating to statements to the media will be dealt with through the Council's Communications Office.

8 PUBLICITY

- 8.1 Publicity is an important tool in the prevention of fraud as it highlights the Council's Counter Fraud activities and can act as a deterrent.

8.2 Having consideration to the appropriate council policies regarding publicity the Council will seek to publicise each case successfully prosecuted.

9. COMPLIANCE

9.1 All Heads of Service will be responsible for ensuring compliance with this Policy within their Services.

APPENDIX 3

BENEFITS SANCTIONS POLICY

BENEFIT FRAUD SANCTIONS POLICY

1 PURPOSES AND OBJECTIVES

1.1 This document sets out the Council's policy for applying sanctions to persons and organisations external to the Council who commit benefit fraud against it.

1.2. It should be noted that the Council is no longer responsible for the Investigation of Benefit Fraud as this is undertaken by the Department of Work and Pensions (DWP). The Council refers potential cases for investigation along with providing evidence as required to enable investigations to proceed. In cases where sanctions are to be instigated against customers for overpaid Housing and Council Tax Benefit, this must be approved by the Council.

1.3 In recognition of the Council's strategic aims and its status as a responsible steward of public funds, and also in view of public concern at fraud, especially the national problem of benefit fraud, this Policy aims to enable fraud to be effectively countered and deterred. Its specific objectives are to:

- ensure that fraud is punished through effective sanctions,
- assist in the selection of the most appropriate sanction,

2 SCOPE AND DEFINITIONS

2.1 For the purposes of this Policy, fraud means: 'the intentional distortion of financial statements or records by any persons which is carried out to conceal assets or otherwise for gain'.

2.2 This meaning also includes making financial gain, or an attempt to make financial gain, by knowingly failing to advise of changes to information previously supplied.

2.3 This Policy covers only Housing Benefit and Council Tax Reduction fraud against the Council by external persons or organisations. This may include, amongst others:

- Benefits claimants
- Landlords
- Agents
- Partners of Claimants

2.4 This Policy sets out:

- the sanctions which are available,
- publicity and reporting,
- keeping the Policy timely and relevant.

3 SANCTIONS AVAILABLE

There are four sanctions available:

- 3.1 Prosecution:- Criminal proceedings may be brought against alleged offenders and the case heard in Court with a view to obtaining a criminal conviction and an appropriate sentence.
- 3.2 Formal Caution:- An oral warning may be given in certain circumstances to a person who has committed an offence.
- 3.3 Administrative Penalties:- In accordance with Social Security legislation, Administrative Penalties will be considered as an alternative to prosecution in Housing Benefit and Council Tax Reduction fraud cases. A financial penalty amounting to a statutorily determined percentage of the gross adjudicated overpayment can be offered to a person where there is enough evidence to prosecute.
- 3.4 Overpayment Recovery and Civil Court Action:- A strict requirement to repay monies fraudulently obtained is in itself another major deterrent to fraud, and may be additional to any other sanctions that are applied. Recovery may also include Civil Court action.

4 CRITERIA FOR DECIDING WHICH SANCTION TO APPLY:

- 4.1 The sanction selected will take account of:
 - the amount of the fraud,
 - its duration,
 - whether the offender has a history of fraud (if known),
 - the offender's personal and social circumstances,
 - the extent to which the fraud was deliberate,
 - the public interest,
 - the quality and suitability of evidence.
- 4.2 It must be understood that all frauds will be treated rigorously and prosecution will be regarded as the optimum sanction. The recommendation for the appropriate sanction would be made by DWP and it will be for the Council to decide whether it agrees with this or not for the Housing Benefit or Council Tax Reduction element.

Department for Work and Pensions: Guidance on sanctions

Value of Fraud (£)	Recommended Sanction
0 – 2,000	Formal Caution
0 – 2,000	Administrative Penalty
No specified amount, depending on the following:- 1. Refusal to accept Formal Caution/Administrative Penalty, and/or 2. Previous similar offences have been committed, and/or 3. An attempt to commit fraud where none of the other sanctions are appropriate	Prosecution

5 RESPONSIBILITY FOR DECIDING WHICH SANCTION TO APPLY

- 5.1 The DWP will recommend a particular sanction upon completion of an investigation, will satisfy themselves that the appropriate criteria has been met and will record their decision accordingly.
- 5.2 As fraud investigation cases are undertaken by the DWP, then the decision as to which sanction to apply on behalf of the Council is the responsibility of the Revenues Manager for Housing Benefit and Council Tax Reduction cases and will depend upon the policies and decision of the partner agency.
- 5.3 The responsibility for administering any Prosecutions or Administrative Penalties, which may be authorised by the Revenues Manager, are the DWP's. The Council will ensure however that these are delivered in accordance with the appropriate legislative guidelines.
- 5.4 In respect of overpayment recovery and civil court action
- 5.4.1 Recovery of fraudulently overpaid Housing Benefit and Council Tax Reduction may be made via the Debtors system or from ongoing entitlement, or by any system as approved by the Head of Finance in accordance with the Financial Regulations.
- 5.4.2 Any overpayments remaining unpaid after a predetermined period will be referred for Civil Court action as appropriate in accordance with the Council's Debtors procedures.

6 PUBLICITY AND REPORTING

- 6.1 Since a principal objective of this policy is to deter fraud, then any successful prosecutions or other sanctions should be suitably publicised where appropriate. The Council will work in conjunction with the DWP where it is deemed appropriate to publicise cases where a Housing Benefit overpayment has been taken to court.

7 KEEPING THE POLICY TIMELY AND RELEVANT

- 7.1 This policy is available to all elected members and Council employees via its inclusion on the Intranet.
- 7.2 Copies of the Policy are available for reference by staff involved in fraud prosecution, and the application of other sanctions, and reference to it is included in those employees' training plans.
- 7.3 Copies of the Policy will be given to any partner organisations involved in the combat of fraud, such as the Department for Work and Pensions and to any contractors or agents acting on the Council's behalf.

APPENDIX 4

STATEMENT OF EXPECTED RESPONSIBILITIES

Stakeholder	Expected Responsibilities
Chief Executive	Ultimately accountable as Head of Paid Service for the effectiveness of the Council's arrangements for countering fraud as well as corporate governance.
Head of Legal, HR and Democratic Services (Monitoring Officer)	<p>To advise Councillors and officers on ethical issues, standards and powers to ensure that the Council operates within the Law and statutory Codes of Practice. The operation of the Council's Whistleblowing Policy.</p> <p>To put in place a corporate safe recruitment policy and monitor compliance against it.</p>
Head of Finance (Section 151 Officer)	The Head of Finance has a statutory duty, under Section 151 of the Local Government Act 1972, Sections 114 and 116 of the Local Government Finance Act 1988 and Accounts and Audit Regulations 1995 to ensure the proper administration of the Council's financial affairs. This includes Internal Audit and benefit fraud.
Heads of Service	To ensure that fraud risks are considered as part of the Council's corporate risk management arrangements. To ensure that actions to mitigate risks in this area are effective. To notify the Internal Audit Manager of any fraud arising in a timely manner.
Corporate Executive Team(CET)	<p>Challenge new policies and strategies to ensure that fraud risks have been taken into account.</p> <p>Review the corporate framework designed to promote an over-riding counter-fraud culture on a regular basis. This will include monitoring and evaluating arrangements to ensure effectiveness and compliance with best practice.</p>
Corporate Governance	To monitor the Council's Whistleblowing policy and

Committee	consider the effectiveness of the arrangements for countering Fraud.
Standards Committee	The Committee monitors and advises upon the content and requirement of Codes, Protocols and other procedures relating to standards of conduct throughout the Council.
Elected Members	To support and promote the development of a strong counter fraud culture.
External Audit / Wales Audit Office / Other Inspectorates	Statutory duty to ensure that the Council has in place adequate arrangements for the prevention and detection of fraud and theft.
Internal Audit	Responsible investigating any issues reported under this strategy. Reporting on the effectiveness of controls to the Corporate Governance Committee. To ensure that all suspected or reported irregularities are dealt with promptly and in accordance with this Strategy and that action is identified to improve controls and reduce the risk of recurrence.
Senior Managers	To promote staff awareness and ensure that all suspected or reported irregularities are immediately referred to Internal Audit. To ensure that there are mechanisms in place within their service areas to assess the risk of fraud and theft and to reduce these risks by implementing robust internal controls.
Staff	To comply with Council policies and procedures, to be aware of the possibility of fraud, and to report any genuine concerns to the appropriate management, the Chief Executive, the Head of Finance(s151Officer), the Head of Legal, HR and Democratic Services (Monitoring Officer), or Internal Audit.
Public, Partners, Suppliers, Contractors and Consultants	To be aware of the possibility of fraud against the Council and report any genuine concerns or suspicions. To ensure that effective controls are in place to mitigate risks to the Council.

APPENDIX 5

THE 7 GUIDING PRINCIPLES ON PUBLIC LIFE

Denbighshire County Council is committed to sound corporate governance and supports the Nolan Committee's **Seven Principles of Public Life** for the conduct of Council Members and employees, namely:

- **Selflessness** – Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- **Integrity** – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- **Objectivity** – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.
- **Accountability** – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness** – Holders of public office should be as open as possible about all decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty** – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** – Holders of public office should promote and support these principles by leadership and example.

APPENDIX 6

HOW TO REPORT ANY SUSPECTED FRAUDS, OTHER IRREGULARITIES OR CONCERNS

To Contact Denbighshire Internal Audit Services

Contact: Ivan Butler

Tel – 01824 708093

Email – ivan.butler@denbighshire.gov.uk

Write to – Head of Internal Audit (Confidential)
Business Improvement and Modernisation,
Caledfryn, Council Office, Smithfield Road, Denbigh LL16 3RJ

To contact the Council's Monitoring Officer

Contact: Gary Williams – Head of Legal, HR and Democratic Services

Tel – 01824 712562

Email – gary.williams@denbighshire.gov.uk

Write to – The Monitoring Officer, (**Confidential**)
(Head of Legal, HR and Democratic Services)
County Hall, Wynnstay Road, Ruthin LL15 1YN

To Contact the Council's External Auditor

Tel – 01244 525970 or

Write to – Wales Audit Office,
Unit 4, Evolution, Lakeside Business Village
St David's Park, Ewloe, CH5 3XP

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Report To:	Cabinet
Date of Meeting:	26 July 2016
Lead Member / Officer:	Cllr Julian Thompson-Hill
Report Author:	Richard Weigh, Head of Finance
Title:	Annual Treasury Management Report 2015/16 (Appendix 1)

1 What is the report about?

- 1.1 The report is about the Council's investment and borrowing activity during 2015/16. It also provides details of the economic climate during that time and shows how the Council complied with its Prudential Indicators.

2 What is the reason for making this report?

- 2.1 The main purpose of this report is to update members on the performance of the treasury management function and to demonstrate compliance with treasury limits and Prudential Indicators during 2015/16.

3 What are the Recommendations?

- 3.1 Cabinet is asked to note the Annual Treasury Management Report for 2015/16.

4 Report details

- 4.1 The report gives details of the Council's treasury management activities and an overview of the economic background for the year. The report also reports on the risk implications of treasury decisions and transactions and confirms compliance with treasury limits and Prudential Indicators.

5 How does the decision contribute to the Corporate Priorities?

- 5.1 Good investment and borrowing decisions allow additional resources to be directed to other Council services.

6 What will it cost and how will it affect other services?

- 6.1 Not applicable.

7 What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision?

- 7.1 This is not required as a part of this report.

8 What consultations have been carried out with Scrutiny and others?

- 8.1 The Council has consulted with its treasury advisers, Arlingclose Ltd.
- 8.2 The Corporate Governance Committee has been updated on Treasury Management activities throughout the year and has reviewed this report before its submission to Cabinet.

9 Chief Finance Officer Statement

- 9.1 Treasury Management involves looking after significant sums of cash so it is a vital part of the Council's work. It requires a sound strategy and appropriate controls to safeguard the Council's money, to ensure that reasonable returns on investments are achieved and that debt is effectively and prudently managed.
- 9.2 It is a requirement of the CIPFA Code of Practice on Treasury Management for the Council to prepare an annual report on treasury activity for the previous financial year. Cabinet is required to note the performance of the Council's Treasury Management function during 2015/16 and its compliance with the Prudential Indicators as reported in the Annual TM Report 2015/16.

10 What risks are there and is there anything we can do to reduce them?

- 10.1 Treasury Management is inherently risky but the Council is monitoring and controlling these risks as outlined in the main report. However, it is impossible to eliminate these risks completely. The council's treasury management strategy and procedures are audited annually and the latest internal audit review was positive with no significant issues raised.

11 Power to make the Decision

- 11.1 The Local Authorities (Capital Finance and Accounting) (Wales) Regulations require local authorities to have regard to the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management which determines the requirement for the Cabinet to receive and annual report on treasury activities for the previous financial year.

Appendix 1

DENBIGHSHIRE COUNTY COUNCIL

ANNUAL TREASURY MANAGEMENT REPORT 2015/16

Richard Weigh
Head of Finance

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1. Background

- 1.1 The Council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management ("the Code"), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also recommends that members are informed of treasury management activities at least twice a year. Reports are made twice a year to the Corporate Governance Committee which is the committee with responsibility for the scrutiny of the Council's treasury policy, strategy and activity, as well as the annual report made to cabinet and the report to full council for approval of the annual treasury strategy.
- 1.2 Treasury management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."
- 1.3 The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. This report covers treasury activity and the associated monitoring and control of risk.

2. Economic Background

Growth, Inflation and Employment

- 2.1 The UK economy slowed in 2015 with GDP growth falling to 2.3% from 3.0% the year before. CPI inflation hovered around 0.0% through 2015 with deflationary spells in April, September and October. The prolonged spell of low inflation was attributed to the continued collapse in the price of oil from \$67 a barrel in May 2015 to just under \$28 a barrel in January 2016, the appreciation of sterling since 2013 pushing down import prices and weaker than anticipated wage growth. CPI picked up to 0.3% in February, but this was still well below the Bank of England's 2% inflation target.
- 2.2 The labour market continued to improve through 2015 and in Q1 2016, the latest figures (Jan 2016) showing the employment rate at 74.1% (the highest rate since comparable records began in 1971) and the unemployment rate at a 12 year low of 5.1%. Wage growth has however remained modest at around 2.2% excluding bonuses, but after a long period of negative real wage growth (i.e. after inflation) real earnings were positive and growing at their fastest rate in eight years, boosting consumers' spending power.

UK Monetary Policy

- 2.2 The Bank of England's MPC (Monetary Policy Committee) made no change to policy, maintaining the Bank Rate at 0.5% (in March it entered its eighth year at 0.5%) and asset purchases (Quantitative Easing) at £375bn. In its *Inflation Reports* and monthly monetary policy meeting minutes, the Bank was at pains to stress and reiterate that when interest rates do begin to rise they were expected to do so more gradually and to a lower level than in recent cycles.

3. Borrowing Activity

- 3.1 The table below shows the level of the Council's borrowing from the Public Works Loan Board (PWLB) at the start and the end of the year.

	Balance at 01/04/2015 £000	Maturing loans £000	Premature repayments £000	New Borrowing £000	Balance at 31/03/2016 £000
Fixed rate loans – Public Works Loan Board (PWLB)	144,772	3,652	0	49,045	190,165
Total borrowing	144,772	3,652	0	49,045	190,165

- 3.2 The Council's strategy in 2015/16 was to internally borrow to fund most of its borrowing requirement but the Council also borrowed at discounted rates from the PWLB to fund its 21st century schools capital programme. In total, two new loans amounting to £9m were undertaken in February and March 2016 at a rate of 1.51% over a 9 year period on an Equal Instalment of Principal (EIP) basis.
- 3.3 The reform of the HRA subsidy system in Wales was completed at the beginning of 2015/16. The Council borrowed £40m from the PWLB on 02/04/15 to buy itself out of the subsidy scheme to become self-financing.
- 3.4 The Council also terminated the PFI contract on the county offices in Ruthin on 04/09/15 and as planned, it used a significant proportion of its investment balances to achieve this by buying itself out of the PFI agreement. The Council has been accessing temporary borrowing from other local authorities at very low rates to cover short-term cash flow requirements.
- 3.5 As a result of maturities and new borrowing during the year, the average rate on the Council's debt decreased from 5.40% at 1 April 2015 to 4.95% at 31 March 2016.
- 3.6 Annex A shows how interest rates for borrowing have moved over the course of the year.

Abolition of the PWLB

- 3.7 In January 2015 the Department of Communities and Local Government (CLG) confirmed that HM Treasury (HMT) would be taking the necessary steps to abolish the PWLB. HMT confirmed however that its lending function will continue unaffected and local authorities will retain access to borrowing rates which offer good value for money. There is a consultation due but HMT hasn't released further details on this matter.

4. Investment Activity

- 4.1 The Council held cash balances of £12m at the end of 2015/16. These represent the Council's Balances and Reserves, working cash balances and also where money has been borrowed before capital expenditure is incurred.
- 4.2 The Welsh Government's Investment Guidance requires local authorities to focus on security (keeping the money safe) and liquidity (making sure the Council never runs out of cash) as the primary objectives of a prudent investment policy. The Council's aim was to achieve a return on investments in line with these principles. The return is important but is a secondary consideration and the priority is the security of the sums invested.
- 4.3 The table below shows the level of the Council's investments at the start and the end of the year.

	Balance at 01/04/2015 £000	Investments Raised £000	Investments Repaid £000	Balance at 31/03/2016 £000
Investments	28,600	341,144	357,744	12,000

- 4.4 The Council's investment income for the year was £0.108m compared to £0.230m in 2014/15 which meant that the low interest rates available in the market continued to have a significant impact on the investment return earned by the Council.
- 4.5 Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2015/16 which defined "high credit quality" organisations as those having a long-term credit rating of A- or higher if domiciled in the UK or a foreign country with a sovereign rating of AA+ or higher.

Unsecured Bank Deposits

- 4.6 Conventional bank deposits became riskier during 2015/16 because of a lower likelihood that the UK and other governments would support failing banks. As the Banking Reform Act 2014 was implemented in the UK from January 2015, banks were no longer able to rely on government bail-outs if they got into difficulty. They would be required instead to bail themselves out

by taking a proportion of investors' deposits to build up their capital. This new risk has been termed 'bail-in' risk and is potentially a greater risk to investors than the 'bail-out' risk of the past.

- 4.7 As a result of the increased risks, the Council has been placing a far greater emphasis on investing with the UK Government's Debt Management Office and other local authorities in order to minimise these risks.

Secured Investment Options

- 4.8 The Council also included secured investment options within its investment strategy such as those described below with a view to using them during 2015/16.

Reverse Repurchase Agreements (REPOs)

- 4.9 These involve the purchase of a security (usually bonds, gilts or other government securities) tied to an agreement to sell it back later at a pre-determined date and price. REPOs provide protection through the ownership of collateral in the form of securities which is significantly more secure than investing in unsecured bank deposits. These are therefore secured investments with banks which are exempt from bail-in risk so they offer a safer alternative at similar rates to unsecured bank deposits.
- 4.10 There have been delays with the implementation of REPOs for local authorities because of legal formalities but these are expected to be resolved soon so they should be available as a safer investment alternative in the near future.

Covered Bonds

- 4.11 These are also secured investments with banks which are exempt from bail-in risk and they offer a secure option for long term investments.

(The glossary in Annex C provides definitions of the various treasury terms used)

Credit Risk Management

- 4.12 Counterparty credit quality was assessed and monitored with reference to the following:
- credit ratings (minimum long-term counterparty rating of A- across rating agencies Fitch / S&P / Moody's);
 - analysis of funding structure and susceptibility to bail-in;
 - credit default swap prices;
 - financial statements;
 - information on potential government support;
 - share prices.

Liquidity Management

- 4.13 In keeping with the WG's Guidance on Investments, the Council maintained a sufficient level of liquidity through the use of overnight deposits and instant access call accounts. The Authority uses purpose-built cash flow forecasting software to determine the maximum period for which funds may prudently be committed.

Yield

- 4.14 The Council sought to achieve the best return balanced against its objectives of security and liquidity. The UK Bank Rate was maintained at 0.5% through the year. Short term money market rates also remained at very low levels which had a significant impact on investment income.
- 4.15 All investments made during the year complied with the Council's agreed Treasury Management Strategy, Prudential Indicators, Treasury Management Practices and prescribed limits. Maturing investments were repaid to the Council in full and in a timely manner.

5. Compliance with Prudential Indicators

- 5.1 The Council can confirm that it has complied with its Prudential Indicators for 2015/16, which were set in February 2014 as part of the Council's Treasury Management Strategy Statement. Details can be found in Annex B.
- 5.2 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during 2015/16. None of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

6. Money Laundering Update

- 6.1 The Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, it maintains procedures for verifying and recording the identity of counterparties and reporting suspicions, and will ensure that relevant staff are properly trained.
- 6.2 The Head of Finance has been appointed as the Money Laundering Reporting Officer. There haven't been any cases of money laundering reported since the start of Denbighshire to date and the risk to the Council is considered to be minimal.

Interest Rates 2015/16

Public Works Loan Board (PWLB) borrowing rates and UK Money Market rates during the year were:

Example PWLB Borrowing rates (The rate at which the Council could borrow money from the Government)

Start Date	Length of Loan		
	1yr %	19½-20 yrs %	49½-50 yrs %
01-Apr-15	1.33	3.24	3.31
30-Sep-15	1.44	3.42	3.39
31-Mar-16	1.33	3.21	3.12

Example Bank Rate, Money Market rates (The rate at which the Council could invest with banks)

Date	Bank Rate %	7-day Investment Rates %	1-month Investment Rates %	6-month Investment Rates %
01-Apr-15	0.50	0.46	0.43	0.76
30-Sep-15	0.50	0.41	0.43	0.74
31-Mar-16	0.50	0.44	0.52	0.71

Compliance with Prudential Indicators 2015/16

1 Estimated and Actual Capital Expenditure

- 1.1 This indicator is set to ensure that the level of proposed investment in capital assets remains within sustainable limits and, in particular, to consider the impact on the Council Tax and in the case of the HRA, housing rent levels.

Capital Expenditure	2015/16 Estimated February 2015 £000	2015/16 Revised February 2016 £000	2015/16 Outturn March 2016 £000
Non-HRA	16,254	22,458	20,278
Corporate Plan	30,882	25,198	24,276
HRA	47,059	45,322	44,007
Total	94,195	92,978	88,561

2 Estimated and Actual Ratio of Financing Costs to Net Revenue Stream

- 2.1 This is an indicator of affordability and demonstrates the revenue implications of capital investment decisions by highlighting the proportion of the revenue budget required to meet the borrowing costs associated with capital spending. The financing costs include existing and proposed capital commitments.

Ratio of Financing Costs to Net Revenue Stream	2015/16 Estimated February 2015 £000	2015/16 Revised February 2016 £000	2015/16 Outturn March 2016 £000
Financing Costs	13,268	12,945	12,945
Net Revenue Stream	184,756	180,764	180,764
Non-HRA Ratio	7.18%	7.16%	7.16%
Financing Costs	4,916	5,884	5,890
Net Revenue Stream	13,609	13,183	13,183
HRA Ratio	36.12%	44.63%	44.68%

3 Capital Financing Requirement

- 3.1 The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council ensures that net external borrowing does not, except in the short term, exceed the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years. This is demonstrated in the following table:

Capital Financing Requirement	31/03/2016 Estimated February 2015 £000	31/03/2016 Revised February 2016 £000	31/03/2016 Outturn March 2016 £000
Non-HRA	175,659	176,639	168,546
HRA	69,054	67,037	65,126
Total	244,713	243,676	233,672
Borrowing	213,194	191,165	190,165

NB The outturn figures are taken from the pre-audited Statement of Accounts 2015/16 so they may be subject to change.

Note that the projected debt level at 31/03/16 was originally estimated in February 2015 to be £22m higher than the revised estimate because the original estimate was based on the capital expenditure in the Capital Plan to be funded by borrowing for 2015/16. In practice, the Council internally borrowed during the year to fund part of its borrowing requirement and undertook new external borrowing of £9m to fund the remainder.

4 **Authorised Limit and Operational Boundary for External Debt**

Summary Table:

2015/16	March 2016 £000
External Borrowing	191,165
Internal Borrowing	42,507
Operational Boundary	245,000
Authorised Limit	250,000

- 4.1 **Operational Boundary:** This limit is set to reflect the Council's best view of the most likely prudent (i.e. not worst case) levels of borrowing activity.
- 4.2 **Authorised Limit:** This is the maximum amount of external debt that can be outstanding at one time during the financial year. The limit, which is expressed gross of investments, is consistent with the Council's existing commitments, proposals for capital expenditure and financing and with its approved treasury policy and strategy and also provides headroom over and above for unusual cash movements.
- 4.3 The levels of debt are measured on an ongoing basis during the year for compliance with the Authorised Limit and the Operational Boundary. The Council maintained its total external borrowing and other long-term liabilities within both limits; at its peak this figure was £197.2m. In addition to external borrowing, the Council uses its own reserves and balances to fund capital expenditure and this is known as internal borrowing as shown in the table above.

5 Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure

- 5.1 These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The exposures are calculated on a net basis i.e. fixed rate debt net of fixed rate investments. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on the portfolio of investments.

	2015/16 Estimated %	2015/16 Actual Peak Exposure %
Upper Limit for Fixed Rate Exposure	100	100
Upper Limit for Variable Rate Exposure	40	0

6 Maturity Structure of Fixed Rate borrowing

- 6.1 This indicator is to limit 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.
- 6.2 It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate.

Maturity structure of fixed rate borrowing	Upper limit %	Lower limit %	Actual Borrowing as at 31/03/2016 £000	Percentage of total as at 31/03/2016 %
under 12 months	30	0	5,439	2.86
12 months and within 24 months	30	0	4,533	2.38
24 months and within 5 years	30	0	12,353	6.50
5 years and within 10 years	30	0	17,486	9.20
10 years and above	100	50	150,354	79.06
Total			190,165	100.00

7 Total principal sums invested for periods longer than 364 days

- 7.1 This indicator is set in order to allow the Council to manage the risk inherent in investments longer than 364 days. For 2015/16 this limit was set at £10m. The Council did not have any investments which exceeded 364 days during 2015/16 because the policy was to limit investments to a shorter period than 1 year.

8 Adoption of the CIPFA Treasury Management Code

- 8.1 The Council confirms its adoption of the CIPFA Code of Treasury Management at its Council meeting on 26 March 2002. The Council has incorporated the changes from the revised CIPFA Code of Practice into its treasury policies, procedures and practices.

GLOSSARY - Useful guide to Treasury Management Terms and Acronyms

BANK OF ENGLAND	UK's Central Bank
BANK RATE	Bank of England Interest Rate (also known as Base Rate)
CPI	Consumer Price Index – a measure of the increase in prices
RPI	Retail Price Index – a measure of the increase in prices
DMO	Debt Management Office – issuer of gilts on behalf of HM Treasury
FSA	Financial Services Authority - the UK financial watchdog
GDP	Gross Domestic Product – a measure of financial output of the UK
LIBID	London Interbank Bid Rate - International rate that banks lend to other banks
LIBOR	London Interbank Offer Rate – International rate that banks borrow from other banks (the most widely used benchmark or reference for short term interest rates)
PWLB	Public Works Loan Board – a Government department that lends money to Public Sector Organisations
MPC	Monetary Policy Committee - the committee of the Bank of England that sets the Bank Rate
LONG TERM RATES	More than 12 months duration
SHORT TERM RATES	Less than 12 months duration
BOND (GENERAL)	An investment in which an investor loans money to a public or private company that borrows the funds for a defined period of time at a fixed interest rate
GOVERNMENT BOND	A type of bond issued by a national government generally with a promise to pay periodic interest payments and to repay the face value on the maturity date
CORPORATE BOND	A type of bond issued by a corporation to raise money in order to expand its business

COVERED BOND

A corporate bond issued by a financial institution but with an extra layer of protection for investors whereby the investor has recourse to a pool of assets that secures or “covers” the bond if the financial institution becomes insolvent

GILT

A bond that is issued by the British government which is classed as a low risk investment as the capital investment is guaranteed by the government

REPO

A repurchase agreement involving the selling of a security (usually bonds or gilts) with the agreement to buy it back at a higher price at a specific future date
For the party selling the security (and agreeing to repurchase it in the future) it is a REPO
For the party on the other end of the transaction e.g. the local authority (buying the security and agreeing to sell in the future) it is a reverse REPO

FTSE 100

Financial Times Stock Exchange 100 - An index composed of the 100 largest companies listed on the London Stock Exchange which provides a good indication of the performance of major UK companies

Report To: Cabinet

Date of Meeting: 26th July 2016

Lead Member / Officer: Councillor Julian Thompson-Hill /Richard Weigh, Head of Finance

Report Author: Steve Gadd, Chief Accountant

Title: Finance Report

1. What is the report about?

The report gives details of the council's revenue budget and savings as agreed for 2016/17. The report also provides a summary update of the Capital Plan as well as the Housing Revenue Account and Housing Capital Plan.

2. What is the reason for making this report?

The purpose of the report is to provide an update on the council's current financial position and confirm the agreed service budgets for 2016/17.

3. What are the Recommendations?

Members note the budgets set for 2016/17 and progress against the agreed budget strategy.

4. Report details

The report provides a summary of the council's revenue budget for 2016/17 detailed in **Appendix 1**. The council's net revenue budget is £185.062m (£184.756m in 15/16). The position on service and corporate budgets is a forecast overspend of £0.402m. Narrative around the current risks and assumptions underlying this assessment are outlined in Section 6.

Savings of £5.2m were agreed as part of the budget and a summary of the savings is shown as **Appendix 2** which includes an initial assessment of the progress of the 2016/17 savings. This assessment shows that at this early stage 42% of savings have already been achieved, with a further 25% of savings making good progress (making a total of 67% likely to be achieved). More detailed work is ongoing around a number of savings that are currently being reviewed, the results of which will be reported on in future monitoring reports.

5. How does the decision contribute to the Corporate Priorities?

Effective management of the council's revenue and capital budgets and delivery of the agreed budget strategy underpins activity in all areas, including corporate priorities.

6. What will it cost and how will it affect other services?

Significant service narratives are shown in the following paragraphs.

Customers, Communications and Marketing is currently projected to overspend by £138k. The pressure is due to redundancy costs, higher than anticipated relief costs and delays in the achievement of savings. The savings are currently being reviewed as part of the overall review of 16/17 savings.

Finance is projecting to underspend by £37k due to staff vacancies. The staff vacancies are currently being reviewed in order to help deliver the required savings for 2017/18, while ensuring the service can still deliver the service during this difficult economic period for the council.

Highways and Environment Services – Although a £300k overspend is being recorded for this service, this is very much an indicative figure at this stage. The reasons for including an overspend at this stage are threefold:

- School Transport - the new policy applicable from September 2015, which was intended to resolve the ongoing budget pressure in this area, has been the subject of a number of appeals around the application of the policy. The resolution of the issues will involve an increase in ongoing School Transport costs as well as one-off specific legal costs.
- Additional costs will be incurred due to the recent failure of a local bus company. Plans are in place to cover both school and public transport routes but there will be additional costs involved, although at this early stage only estimates are available.
- The service is also facing pressures around the North and Mid Wales Trunk Road Agency contract - the service has reduced costs in order to limit the impact of the reductions in fee income that are currently known, however there remains a risk of further reductions in income and levels of work.

Although no specific variances are being reported on other services at this stage it is projected that the following services will need to identify management action in order to contain the following pressures within the overall budget:

- **Community Services** – inflationary pressures such as the implementation of the statutory National Living Wage (NLW) will result in an increase in care home fees. Although it is hoped the pressure in 16/17 can be contained within existing budgets and through the use of reserves, the annual increase in NLW will cause a significant pressure in future years. Community Services utilised reserves of £0.386m in 2015/16 in response to such pressures and it is currently projected that the service will need to use approximately £1m of reserves in 2016/17. These pressures are being considered as part of the 2017/18 budget process and Medium Term Financial Plan.
- There also remains a number of demand-led and therefore volatile budgets such as **Children's placements**. Reserves have been put in

place to help manage annual variances, however they remain areas of risk in 16/17 and beyond and will be monitored closely.

However services also have a healthy level of specific reserves and have been allowed to carry forward significant service underspends which are detailed in full in the Final Outturn Report for 2015/16. Also as part of the 16/17 budget process a one-year budget delivery contingency of £486k was set aside to mitigate the risks to the delivery of the budget including any delays in achievement of efficiency savings. A full review of all in-year and future service and strategic pressures is currently taking place as part of the 2017/18 budget process. The results of this exercise will be reported to Members in the Autumn.

Corporate – The Medium Term Financial Plan (MTFP) includes a savings target of £1m for 2017/18. It is likely that some of these savings will be identified and achieved during 2016/17. Progress will be reported to Members during the coming months.

Schools – Although schools received protection of 1.85% (£1.173m) they have also had to find efficiency savings to fund inflationary pressures of approximately £2.5m. As reported last month it was likely that the reduction in School's balances seen during 2015/16 would continue in 2016/17. Initial assessments of projected balances show that at the end of June the projection for school balances is a net deficit balance of £0.687m, which is a reduction of £2.249m on the balances brought forward from 2015/16 (£1.562m). Schools are currently working closely with Education Finance colleagues on detailed financial plans for the new academic year and over the following two years to deliver long term balanced budgets. Further details on the progress of this process will be reported monthly to Cabinet through the Finance Report.

The **Housing Revenue Account (HRA)**. The latest revenue position assumes an increase in balances at year end of £257k which is in line with the budgeted increase of £257k. HRA balances are forecast to be £2.861m at the end of the year. The Capital budget of £11.8m is allocated between planned improvements to existing housings stock (£8m) and new build developments (£3.8m).

Treasury Management – At the end of May, the council's borrowing totalled £190.165m at an average rate of 4.95%. Investment balances were £5.9m at an average rate of 0.25%.

A summary of the council's **Capital Plan** is enclosed as **Appendix 3**. The approved general capital plan is £34.5m with expenditure to date of £4.4m. Also included within Appendix 3 is the proposed expenditure of £31m on the **Corporate Plan**. **Appendix 4** provides an update on the major projects included in the Capital Plan.

Corporate Plan cash reserves at the beginning of 2016/17, are £2.050m. This is after taking account committed funding already transferred to the capital plan to fund expenditure in 2016/17 of £7m. Allowing for projected funding and

additional expenditure during the year, the Corporate Plan balance at the end of the year is estimated to be £4.7m.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision?

An EqIA has been completed for all relevant proposals included in the 2016/17 Budget.

8. What consultations have been carried out with Scrutiny and others?

In addition to regular reports to the Corporate Governance Committee, the budget process has been considered by CET, SLT, Cabinet Briefing and Council Briefing meetings. Specific proposals were reviewed by scrutiny committees. There were regular budget workshops held with elected members to examine service budgets and consider the budget proposals. The council has consulted its partners through the joint Local Service. All members of staff were kept informed about the budget setting process and affected staff have been or will be fully consulted, in accordance with the council's HR policies and procedures. Trade Unions have been consulted through Local Joint Consultative Committee.

9. Chief Finance Officer Statement

It is important that services continue to manage budgets prudently and that any in-year surpluses are considered in the context of the medium-term financial position, particularly given the scale of budget reductions required over the coming two or three years.

Specific pressures are evident in social care budgets but will be contained in the current year and considered as part of the budget process for 2017/18. Forecasts indicate school balances will continue to decline and the position will be kept under close review.

10. What risks are there and is there anything we can do to reduce them?

This remains a challenging financial period and failure to deliver the agreed budget strategy will put further pressure on services in the current and future financial years. Effective budget monitoring and control will help ensure that the financial strategy is achieved.

11. Power to make the Decision

Local authorities are required under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of their financial affairs.

Appendix 1

DENBIGHSHIRE COUNTY COUNCIL REVENUE BUDGET 2016/17

May-16	Net Budget	Budget 2016/17			Projected Outturn							Variance
	2015/16 (Restated)	Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net	Net	Previous Report
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	%	£'000
Customers, Communications and Marketing	2,801	2,872	-370	2,502	3,122	-482	2,640	250	-112	138	5.52%	0
Education and Children's Service	14,302	28,067	-13,872	14,195	28,648	-14,453	14,195	581	-581	0	0.00%	0
Business Improvement and Modernisation	4,055	6,094	-1,576	4,518	5,267	-749	4,518	-827	827	0	0.00%	0
Legal, HR and Democratic Services	2,412	3,284	-909	2,375	3,303	-928	2,375	19	-19	0	0.00%	0
Facilities, Assets and Housing	8,535	18,533	-11,728	6,805	17,559	-10,754	6,805	-974	974	0	0.00%	0
Finance	2,530	4,852	-2,290	2,562	4,830	-2,305	2,525	-22	-15	-37	-1.44%	0
Highways and Environmental Services	17,458	30,995	-13,876	17,119	31,007	-13,588	17,419	12	288	300	1.75%	0
Planning and Public Protection	3,164	5,800	-2,879	2,921	6,015	-3,094	2,921	215	-215	0	0.00%	0
Community Support Services	31,755	45,682	-14,488	31,194	47,215	-16,020	31,195	1,533	-1,532	1	0.00%	0
Total Services	87,012	146,179	-61,988	84,191	146,966	-62,373	84,593	787	-385	402	0.48%	0
Corporate	16,760	48,095	-29,058	19,037	48,095	-29,058	19,037	0	0	0	0.00%	0
Precepts & Levies	4,361	4,364	0	4,364	4,364	0	4,364	0	0	0	0.00%	0
Capital Financing	12,945	13,031	0	13,031	13,031	0	13,031	0	0	0	0.00%	0
Total Corporate	34,066	65,490	-29,058	36,432	65,490	-29,058	36,432	0	0	0	0.00%	0
Council Services & Corporate Budget	121,078	211,669	-91,046	120,623	212,456	-91,431	121,025	787	-385	402	0.33%	0
Schools & Non-delegated School Budgets	63,678	71,937	-7,498	64,439	74,082	-7,394	66,688	2,145	104	2,249	3.49%	0
Total Council Budget	184,756	283,606	-98,544	185,062	286,538	-98,825	187,713	2,932	-281	2,651	1.43%	0
Housing Revenue Account	-168	14,009	-14,266	-257	13,949	-14,206	-257	-60	60	0		-9

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Appendix 2 Agreed Savings 2016/17

Agreed Savings by Service Area	F&F Phase	STATUS	2016/17 £'000
Business Improvement and Modernisation			
ICT restructure	4	In Progress	224
Corporate Improvement Team (corporate review)	1	Review	100
Deletion of vacant programme manager post	4	Achieved	61
Phased Retirement - Internal Audit	4	Achieved	14
Community Support Services			
Provider Service - Outsourcing	2	Review	700
Workforce Development	1	In Progress	75
Admin Review	4	In Progress	34
Changes to Process for Review of Care Packages	4	In Progress	27
POVA - Vacant Post	4	In Progress	10
Corporate			
Capital Financing and PFI	5 - DEC	Achieved	500
PFI Additional Savings	5 - DEC	Achieved	275
Capital Financing	1	Achieved	100
Management restructures (SLT)	5 - DEC	Achieved	80
Removal of contingency budgets	1	Achieved	75
Customers, Communication and Marketing			
Library Service - modernisation programme	4	In Progress	142
Library Service - community hub model development	4	Review	80
Channel Shift - digital choice	5 - DEC	Review	70
Library Service (Arts)	2	In Progress	30
Education and Children's Service			
Foster Home Adaptation Project	1	In Progress	100
SLT Restructure	4	Achieved	80
Legal/Professional Fees - reduced demand	5 - DEC	In Progress	70
School Library Service	2	Achieved	33
Early Intervention/Family Support - reconfiguration	5 - DEC	In Progress	23
S17 Carers' Grant - reduce to match demand (14%)	5 - DEC	In Progress	10
Facilities, Assets and Housing			
Rhyl Pavilion Operating model	2	Deferred	350
Accommodation Strategy	4	Review	258
Rhyl Pavilion - restructure and introduction of transaction fees	1	In Progress	35
Restructure of Strategic Leisure	1	In Progress	31
Alternative Funding (Town Council) - Ruthin Craft Centre	5 - DEC	In Progress	30
Review the funding of Lifeguard Cover	2	Achieved	28
Llangollen Pavilion - explore most efficient operating model	1	In Progress	25
Leisure Centres - further increase income and efficiency	1	Achieved	22
Ruthin Craft Centre - reduce subsidy	2	In Progress	20
Youth Services - changes to open access programme	1	In Progress	12
Finance			
Revenues & Benefits - Civica Project	2	Achieved	140
Finance - modernisation and efficiency	1	Achieved	60
Highways and Environmental Services			
Waste Management Efficiencies - shift patterns and working practices	4	Achieved	170
Channel Shift - digital choice	5 - DEC	Review	140
Highways general maintenance review	2	Achieved	125
Grounds maintenance	2	Achieved	94
Better take-up of Green Waste scheme	5 - DEC	In Progress	75
Legal, HR and Democratic Services			
HR Direct - facilitate more self-service for managers.	2	In Progress	35
HR Management - review school SLA, consider move to cluster model	2	In Progress	30
Occupational Health Review	4	In Progress	20
Member Support Officer	4	In Progress	20
Planning and Public Protection			
Public Protection - stop or reduce funding of CCTV Service	2	Achieved	200
EBD Restructure	4	Achieved	150
Built Service - review of conservation service	1	In Progress	50
Scientific Services - revert to statutory water testing only	1	In Progress	50
Planning Policy - prioritise activity and cease doing lowest priority work	1	In Progress	40
Building Control - revise fee structure (includes a further £35k in 17/18)	1	In Progress	35
Development Management - increase income revenue for pre application advice	1	In Progress	30
Pollution Control - review to consider minimum level of provision	1	In Progress	20
Development Management - reduce training provision to members, T&CCs, etc	1	In Progress	10
Total Agreed Savings 2016/17			5,218

Summary:	£'000	%
Savings Achieved	2,207	42
Savings In Progress	1,313	25
Savings Being Reviewed	1,348	26
Savings Not Achieved or Deferred and not planned	350	7
Total	5,218	

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General Capital Plan

Capital Expenditure

Total Estimated Payments - General
 Total Estimated Payments - Corporate Plan
 Contingency
 Total

	2016/17	2017/18	2018/19	2019/20
	£000s	£000s	£000s	£000s
	17,695	171	171	171
	16,184	5,327	250	0
	684	500	500	500
Total	34,563	5,998	921	671

Capital Financing

- 1 External Funding
- 2 Receipts and Reserves
- 3 Prudential Borrowing
- 5 Unallocated Funding

Total Capital Financing

	12,355	7,304	5,056	4,869
	9,868	977		
	12,340	2,086	234	171
	0	(4,369)	(4,369)	(4,369)
Total Capital Financing	34,563	5,998	921	671

Corporate Plan

Revised February 2016

Approved Capital Expenditure

included in above plan

Cefndy Healthcare Investment
 Extra Care
 Highways Maintenance and bridges
 Feasibility Study - New Ruthin School
 Feasibility Study - Carreg Emlyn
 Llanfair/Pentrecelyn Area School
 Rhyl High School
 Ysgol Bro Dyfrdwy - Dee Valley West Review
 Bodnant Community School
 Ysgol Glan Clwyd
 Faith Based Secondary

	£000s	£000s	£000s	£000s
	103			
	6			
	2,742			
	485			
	273			
	436			
	2,889	332		
	33			
	935	61		
	8,269	4,934	250	
	13			
Estimated Capital Expenditure	14,748	24,745	23,165	8,024
Total Estimated Payments	30,932	30,072	23,415	8,024

Estimated Capital Expenditure

Approved Capital Funding
 included in above plan

External Funding
 Receipts and Reserves
 Prudential Borrowing

	33	2,435	187	
	6,107	977		
	10,044	1,915	63	

Estimated Capital Funding

External Funding
 Receipts and Reserves
 Prudential Borrowing

	7,290	9,682	17,166	357
	1,361	2,966	600	
	6,097	12,097	5,399	7,667

Total Estimated Funding

Total Estimated Funding	30,932	30,072	23,415	8,024
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Appendix 4 - Major Capital Projects Update - June 2016

Rhyl Harbour Development	
Total Budget	£10.710m
Expenditure to date	£10.712m
Estimated remaining spend in 2016/17	£ 0.104m
Future Years estimated spend	£ 0.000m
Funding	WG £2.713m; WEFO £5.950m; Sustrans £0.700m: RWE £155k; WREN/NRW £83k and DCC £1.109m
Narrative:	
<p>The works to protect the base of the new quay wall is complete. As the project is being brought to a close, the remaining defects are being dealt with and the maintenance schedule for the bridge is being reviewed; this is to ensure that the current maintenance schedule is appropriate for the longer term.</p>	
Forecast In Year Expenditure 16/17	£0.104m

21st Century Schools Programme – Bodnant Community School Extension and Refurbishment	
Total Budget	£3.581m
Expenditure to date	£3.023m
Estimated remaining spend in 16/17	£0.497m
Future Years estimated spend	£0.061m
Funding	WG £1.687m, DCC £1.894m
Narrative:	
<p>This scheme is one of five projects within the Band A proposals for 21st Century Schools Programme. The project will build 7 classrooms, a new school hall and supporting facilities on the current Juniors site. This will allow the Infants pupils to move to the Juniors site and the school to operate on a single site. The Infants site will then become surplus to requirements.</p> <p>The project has now been handed over to the client. Minor works are programmed to take place during the summer holidays to finish the link between the new extension and existing building and transition the site to function as one school with a new staff/visitor access from Ffordd Parc Bodnant.</p> <p>From September 2016, the infants site will become surplus to the requirements of Bodnant Community School.</p>	
Forecast In Year Expenditure 16/17	£0.935m

21st Century Schools Programme - Rhyl New School	
Total Budget	£24.586m
Expenditure to date	£22.081m
Estimated remaining spend in 16/17	£ 2.171m
Future Years estimated spend	£ 0.334m
Funding	DCC £12.293m; WG £12.293m
<p>Narrative:</p> <p>The project will provide a new school building for Rhyl High School to serve up to 1,200 pupils in mainstream education whilst also housing approximately 45 pupils from Ysgol Tir Morfa, the community special school in Rhyl.</p> <p>There are still snagging works to be done to the school building and the associated hard external spaces that were handed over on 14th March 2016. Whilst some works are being undertaken now, it is intended that the majority will be completed over the summer holidays. The PE block will be handed over week commencing 11th July 2016 which will enable the PE staff to move in before the summer holidays.</p> <p>The additional steel strengthening works to the drama room have extended the programme by a further 3 weeks. This work will impact on Flying Start and Leisure Services and appropriate arrangements have been made to accommodate them whilst these works are being progressed.</p> <p>The main drive has been resurfaced and works to form the new car parking adjacent to the Leisure Centre have commenced.</p> <p>The anticipated completion date of the project is now October 2016, due to the asbestos and the additional structural works to the drama room.</p> <p>There is ongoing consultation with key stakeholders.</p>	
Forecast In Year Expenditure 16/17	£2.889m

21st Century Schools Programme – Ysgol Glan Clwyd

Total Budget	£15.951m
Expenditure to date	£ 3.842m
Estimated remaining spend in 16/17	£ 6.925m
Future Years estimated spend	£ 5.184m
Funding	DCC £8.461m; WG £7.490m
<p>Narrative:</p> <p>This scheme is one of five projects within the Band A proposals for 21st Century Schools Programme. The project will deliver an extended and refurbished Ysgol Glan Clwyd to accommodate a long term capacity of up to 1,250 pupils via a new three storey extension, partial demolition of existing buildings and refurbishment of the retained buildings.</p> <p>The project will also see extensive landscaping, with creation of new outdoor hard & soft landscaped areas including a new sports field, extended and rationalised car park and coach parking area.</p> <p>In association with Phase 1 - construction of a new three storey extension, the roof sheeting is complete as is the liner sheeting to the envelope. The window installation is nearing completion and Mechanical & Electrical and Sprinkler installation is underway.</p> <p>The public footpath that used to bisect the school site has now been permanently diverted on its new route.</p> <p>The new build three storey extension is due for completion in December 2016 with Phase 2 – the demolition and refurbishment of the retained buildings, being delivered in a number of stages from January 2017. Final completion anticipated by the end of September 2017.</p> <p>There is ongoing consultation with all key stakeholders including all users of the site. In addition, regular updates via newsletters are distributed locally.</p> <p>The project team are working with the school and wider community to engage with them to develop and deliver a number of community benefits. Most recently this includes a visit by a group of pupils to the Kingspan factory unit to see the design and fabrication process of insulation building materials to be used. In addition, the Contractor has also assisted the City Council with supply and installation of hanging baskets to St Asaph High Street.</p>	
Forecast In Year Expenditure 16/17	£8.269m

21st Century Schools Programme – Ruthin Primary Schools

Total Budget	£1.585m (Feasibility/Design)
Expenditure to date	£0.589m
Estimated remaining spend in 16/17	£0.996m
Future Years estimated spend	£0.000m (Feasibility/Design)
Funding	DCC £1.585m

Narrative:

Denbighshire received permission to extend the scope of the 21st Century Schools Programme to include the three Ruthin primary school projects in September 2015. In January 2016, the Strategic Outline Case for the three projects was approved by the Welsh Government. On-going work has enabled firm project costs, including contingency funding, to be established for the new Rhos Street / Penbarras schools and Carreg Emlyn. Subject to the necessary approvals, this will enable both schemes to proceed and to be operational from September 2017.

A review is also taking place of the new school building for the new area school for Llanfair / Pentrecelyn. When the costs associated with a preferred site are confirmed, the proposal will be reviewed by the Strategic Investment Group.

Rhos Street School and Ysgol Penbarras

This project will deliver a new shared school building site for Rhos Street School and Ysgol Penbarras at Glasdir, Ruthin. Progress is being made in relation to the detailed design.

The planning application for the development can be viewed on the Council website. It is anticipated that the application will be heard at the September 2016 planning committee.

Ysgol Carreg Emlyn

This project will deliver a new school building comprising 4 classrooms, a new school hall and supporting facilities. This will allow pupils to move from the two existing sites onto a single site. Both existing sites will then become surplus to requirements.

Planning approval remains outstanding. Currently a drainage solution is being developed as part of the response to objections and concerns raised during the consultation period.

The target completion date for the new building is September 2017.

Llanfair and Pentrecelyn

A first and final offer has now been made to the land agent in regard to our preferred site. The Council is awaiting a response. Further meetings have taken place with both schools to discuss the revised internal layout of the new school.

Forecast In Year Expenditure 16/17	£1.195m
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West Rhyl Coastal Development Phase 3	
Total Budget	£5.722m
Expenditure to date	£5.529m
Estimated remaining spend in 16/17	£0.193m
Future Years estimated spend	£0.000m
Funding	DCC £0.624m;WG/WEFO £4.648m; WG £0.198m; Town Plans/Town Council £0.217m; Other £0.035
Narrative:	
<p>This coastal defence scheme is the final phase of works designed to protect 2,700 properties from coastal flooding.</p> <p>The coastal defence works are now operationally complete and the final account has been agreed with the main contractor.</p> <p>Anti-skid surfacing is 95% complete and snagging is currently taking place.</p> <p>Seeding/landscaping snagging works are on-going.</p> <p>Installation of benches along the upper promenade is complete.</p> <p>3 coastal protection shelters are currently being produced and lighting design finalised. The shelters will be installed within the scheme on the upper promenade with a revised date of September to minimise disruption during the school holiday period.</p> <p>The Seaquarium soakaway works within the 'extraction area' at East Rhyl are now complete with an inspection carried out by Natural Resources Wales to confirm the works are to an acceptable standard and have resolved this issue.</p> <p>The project has been shortlisted for a British Construction Industry Award in the Civil Engineering Project of the Year (Up to £10m) category with Judges attending site on 11th July and the winners announced in October.</p>	
Forecast In Year Expenditure 16/17	£0.201m

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Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
27 Sept	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Faith Based Secondary Position	To seek approval to commence the formal stage of public consultation on proposals to close Blessed Edward Jones Catholic High School and to open a new Faith school	Yes	Councillor Eryl Williams / Karen Evans
	3	Rhyl Waterfront Development: Hospitality Phase Agreement	Approval of the first Phase Agreement (Hospitality zone) in relation to the Rhyl Waterfront Development project	Tbc	Councillor Hugh Evans / Rebecca Maxwell
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
25 Oct	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Corporate Plan Performance	To consider progress against	Tbc	Cllr Julian Thompson-

Cabinet Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
		Report 2016/17 Q1	the Corporate Plan		Hill / Alan Smith
	3	Update on options appraisals for In-house Care Services	To consider and, if appropriate, make a decision on the potential options for future provision of the services identified in the report	Tbc	Cllr Bobby Feeley / Phil Gilroy
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
15 Nov	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Update on options appraisals for In-house Care Services	To consider and, if appropriate, make a decision on the potential options for future provision of the services identified in the report	Tbc	Cllr Bobby Feeley / Phil Gilroy
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
13 Dec	1	Finance Report	To update Cabinet on the	Tbc	Councillor Julian

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			current financial position of the Council		Thompson-Hill / Richard Weigh
	2	Corporate Plan Performance Report 2016/17 Q2	To consider progress against the Corporate Plan	Tbc	Cllr Julian Thompson-Hill / Alan Smith
	3	Update on options appraisals for In-house Care Services	To consider and, if appropriate, make a decision on the potential options for future provision of the services identified in the report	Tbc	Cllr Bobby Feeley / Phil Gilroy
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator

Note for officers – Cabinet Report Deadlines

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
<i>September</i>	13 September	<i>October</i>	11 October	<i>November</i>	1 November

Updated 11/07/16 - KEJ

Cabinet Forward Work Programme.doc

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