

Public Document Pack



COTSWOLD
DISTRICT COUNCIL

Tuesday, 12 March 2024

Tel: 01285 623181/623208

e-mail: democratic@cotswold.gov.uk

COUNCIL

A meeting of the Council will be held in the Council Chamber - Council Offices, Trinity Road, Cirencester, GL7 1PX on **Wednesday, 20 March 2024 at 6.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Council

(Councillors Gina Blomefield, Claire Bloomer, Ray Brassington, Patrick Coleman, Daryl Corps, David Cunningham, Tony Dale, Mike Evemy, David Fowles, Joe Harris, Mark Harris, Paul Hodgkinson, Roly Hughes, Nikki Ind, Angus Jenkinson, Julia Judd, Juliet Layton, Andrew Maclean, Helene Mansilla, Mike McKeown, Dilys Neill, Nigel Robbins, Gary Selwyn, Tony Slater, Lisa Spivey, Tom Stowe, Jeremy Theyer, Clare Turner, Chris Twells, Michael Vann, Jon Wareing, Ian Watson, Tristan Wilkinson and Len Wilkins)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

Cotswold District Council, Trinity Road, Cirencester, Gloucestershire, GL7 1PX
Tel: 01285 623000 www.cotswold.gov.uk

AGENDA

1. **Apologies**
To receive any apologies for absence.

The quorum for Council is 9 members.
2. **Declarations of Interest**
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
3. **Minutes (Pages 9 - 24)**
To confirm the minutes of the meeting of Council held on 21 February 2024.
4. **Announcements from the Chair, Leader or Chief Executive**
To receive any announcements from the Chair of Council, Leader of the Council and/or the Chief Executive.
- 4.1 **Presentation of Awards for Cotswold Photo Competition**
For the Chair and Leader to announce the winners of the Cotswold photo competition awards.
5. **Public Questions**
To deal with questions from the public within the open forum question and answer session of fifteen minutes in total. Questions from each member of the public should be no longer than one minute each and relate to issues under the Council's remit. At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

The Chair will ask whether any members of the public present at the meeting wish to ask a question and will decide on the order of questioners.

The response may take the form of:
 - a) a direct oral answer;
 - b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.
6. **Member Questions**
A Member of the Council may ask the Chair, the Leader, a Cabinet Member or the Chair of any Committee a question on any matter in relation to which the Council has powers or duties or which affects the Cotswold District. A maximum period of fifteen minutes shall be allowed at any such meeting for Member questions.

A Member may only ask a question if:
 - a) the question has been delivered in writing or by electronic mail to the Chief Executive no later than 5.00 p.m. on the working day before the day of the meeting; or

- b) the question relates to an urgent matter, they have the consent of the Chair to whom the question is to be put and the content of the question is given to the Chief Executive by 9.30 a.m. on the day of the meeting.

An answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

The following questions were submitted in advance of the agenda publication:

Question 1 from Councillor Nikki Ind to Councillor Tony Dale, Cabinet Member for Economy and Council Transformation

Following the recent Local Government Association survey, which found that most councils are aware of the agreement between mobile operators and the Government to switch off 2G and 3G mobile networks by 2033, can you please confirm to what extent is Cotswold District Council reliant on these networks, as opposed to the faster 4G and 5G technologies, and if we are currently reliant, what is the plan for upgrading systems to avoid loss of service? Clearly, any upgrades will have a financial impact on our already stretched budget, and I would like to be assured that provision has been made for this work.

I am thinking primarily about parking meters, public toilets and alarm systems, but also waste in-cab technologies and telecare devices which may be being used by our residents.

Question 2 from Councillor Chris Twells to Councillor Mike Evemy, Deputy Leader of the Council and Cabinet Member for Finance:

The Leader appointed seven Cabinet Members following last year's local elections. Will the Deputy Leader tell us on how many days each Cabinet Member spent time on site here at Trinity Road since their appointment? I understand this data will be stored by the council via our security passes.

Question 3 from Councillor Chris Twells to Councillor Joe Harris Leader of the Council:

Many residents have contacted me to express their concern at the lack of progress with the Dolphins Hall project in Tetbury, which lies in my ward. The project was supposed to have been funded mainly via Section 106 contributions. There has been little obvious progress on site and the latest reports from Tetbury Town Council suggests that the project now requires at least another £50,000. In addition, the Town Council has admitted that a number of title deeds and other legal documents relating to the project have gone missing. Many residents share my frustration that TTC has failed to manage this expenditure or provide updates to residents.

Given that it was this authority that originally provided the S106 monies to TTC, will either the Leader or the relevant Cabinet Member chair a meeting with Town Councillors to discuss a way forward? It may be that we will have to commission an investigation by an external body.

Question 4 from Councillor Len Wilkins to Councillor Juliet Layton:

Under the revised local plan CDC is working closely with several partners, including the National Trust, to increase access to the countryside. A new policy EN18 is to be provided for the Sherborne Park Estate near Northleach. The policy enables the production of a masterplan for the estate, which encourages more people to experience and enjoy Sherborne. 10.20.4 of the plan states that this will offer a sustainable tourism offer close to Bourton-on-the-Water which could help mitigate its 'honey pot' status.

This particular honey pot has a large number of business owners who are worried about the effect of this new policy. Having just recovered from the effects of the Covid pandemic they are now suffering from the loss of the villages coach parking facilities and face have coaches banned from the village all together. What support, if any, can these business hope to receive from CDC as the local planning authority to ensure a level playing field and to ensure that any future development at Sherborne Park is supplementary to, rather than detrimental to, the vitally important businesses in Bourton?

Question 5 from Councillor Tom Stowe to Councillor Mike McKeown

Please can you confirm the number of households who have signed up to a contract for solar panel installation via "Cotswold Home Solar", the partnership between "Makemyhousegreen.com" and CDC?

Question 6 from Councillor Len Wilkins to Councillor Juliet Layton

At the Council's meeting on 24th January, changes were agreed to the planning scheme of delegation following recommendations by the Planning Advisory Service. These changes involve introducing a 28-day call in limit and will come into force on 1st April. These changes will involve significant changes to the way members work with, and engage with, Officers and Parish and Town Councils. Please can you confirm that an all member briefing by Senior Officers on the new process will be scheduled and confirm what engagement with Town and Parish Councils is planned?

Question 7 from Councillor David Fowles to Councillor Mike Evemy

At the recent budget meeting, the Council approved capital expenditure in excess of £150,000 to make urgent repairs to the Council owned Old Station building which is in a very poor condition and will continue to deteriorate and cost a lot more money if nothing is done to secure its future. Over the years various approaches about the future of this important asset have been made to the Council by local organisations including the now defunct approach from New Brewery Arts. What plans does this administration have to secure the future of this building?

Question 8 from Councillor Daryl Corps to Councillor Juliet Layton

Regarding the Local Plan update and the recent area 'open sessions' for members of the

Public. Firstly, I want to thank James Brain and Mathew Britton, two fantastic officers. From 10am until 8am they stood valiantly answering hundreds and hundreds of questions from very concerned Residents of Moreton in Marsh and the surrounding Villages in the Redesdale Hall on Wednesday 6th March.

The feedback I have been receiving from Residents is twofold.

One, they really want a clear and structured presentation of the proposed changes to the Local Plan, a properly structured meeting, chaired and minuted. They worry that the questions and concerns raised at the open day session were not properly documented. They worry this is not a genuine consultancy with Residents. They also saw the detailed, illustrated, clear and concise Masterplan for Cirencester and asked the question, why are we not getting one for Moreton? All they had were vague 'possible' proposals. For many residents the local plan document is confusing, its huge, it's not clear and concise, for many this can create suspicion over what's being hidden from them. A presentation in many resident's minds would at least go some way to giving the clarity that they want. The drop-in session was arranged with the best intentions, but is not enough for Residents, they deserve a proper presentation. Secondly, they are also asking why so many houses without a mention of any infrastructure? No environmental study or assessment on the potential impact on our services - our Doctors Surgery, Hospital, sewage treatment and the effect on our already heavily polluted Evenlode River? Cllr Layton, can the District Council reassure the people of Moreton:-

- a) This is not a done deal?
- b) They can have what they deserve, a properly chaired local plan update presentation?
- c) There will be a concise Town "Masterplan" including all the relevant public Health assessments for Air quality and water?
- d) this really the only option in CDC's mind for Moreton as the scale is just staggering. Residents have been very clear with me that this is not NIMBYism, it's the eye watering scale and numbers of the housing being proposed and without a single mention of INFRASTRUCTURE or a proper presentation to them?

7. Publica Review- Local Partnerships Transition Plan (Pages 25 - 60)

Purpose

To consider the Local Partnerships report and to approve the recommendations therein.

Recommendations

That Full Council Resolves to:

1. Approve the recommendations set out in the Local Partnerships report
2. Instruct the Interim Programme Director to prepare a detailed transition plan, building on the recommendations set out in the Local Partnerships report, for subsequent agreement by Cabinet and Council.

8. Amendments to the Constitution - Report of the Constitution Working Group (Pages 61 - 84)

Summary/Purpose

To consider proposals from the Constitution Working Group for amendments to the Constitution to update Part E2, the Employee Code of Conduct.

Recommendation(s)

That Full Council resolves to:

- I. Authorise the Director of Governance & Development (Monitoring Officer) to update Part E2, the Employee Code of Conduct in the Constitution.

9. **Report on Urgent Decision (Pages 85 - 90)**

Purpose

To report to Cabinet and Council on a decision taken by the Chief Executive Officer under urgency powers.

Recommendation

That Full Council resolves to:

- I. Note the decision taken as set out in Annex A.

10. **Council Tax Second Home Premiums (Pages 91 - 102)**

Purpose

To consider the proposals to introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year.

Recommendations

That Full Council resolves to:

1. Agree from 01 April 2024, to levy the maximum level of premium for Empty Homes as set out in the Levelling Up and Regeneration Act 2023.
 - a) Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 year up to 5 years of becoming empty;
 - b) Premium of 200% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) between 5 years and 10 years;
 - c) Premium of 300% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) for 10 years or more.
2. Agree in principle from 01 April 2025 to the implementation of a premium (Second Homes Premium) of 100% for dwellings that are no one's sole or main residence and which are substantially furnished as set out in paragraph 4.7 of the report.
3. Agree to issue the mandatory notice of 12 months to all owners of second homes that a premium will commence from 1 April 2025; and,
4. Note that where premiums are to be applied, the Council is mindful of the current consultation by government which recommends exceptions in certain circumstances outlined within this report. Subject to the outcome of that consultation, a further report may be presented to Cabinet and Council prior to the implementation of the Council's policy on premiums taking into account statute, the Council's requirements and any guidance given by the Secretary of State.

11. **Council Tax Reduction for Care Leavers (Pages 103 - 108)**

Purpose

To consider proposals to extend the age that Care Leavers can receive a reduction in Council Tax from 21 years to 25 years

Recommendations

That Full Council resolves to;

- I. Approve to extend the age that a care leaver can receive a reduction in their

- council tax from 21 years to 25 years;
- 2. Approve to include those care leavers from outside of Gloucestershire County within the offer;
- 3. Approve the amended Eligibility Criteria as set out in Annex A

12. **Pay Policy Statement 2024/25 (Pages 109 - 122)**

Purpose

To consider the Council's Pay Policy Statement for 2024/25.

Recommendation

That Full Council resolves to:

- 1. Approve the Pay Policy Statement for 2024/25.
- 2. Agree that the Pay Policy Statement 2024/25 will be updated and republished to reflect any changes to the senior management structure at that point.

13. **Notice of Motions**

In accordance with Council Procedure Rule 12, the following Motions have been received:-

Motion A: The Unsung Heroes Award

Proposer: Councillor Lisa Spivey

Seconder: Councillor Nikki Ind

Recognising the invaluable contributions of unsung heroes within our communities, Council is inspired by the ethos of community service set by King Charles at the beginning of his reign.

Council should seek to encourage others to engage in volunteer work and acknowledge the essential role volunteers play in sustaining vital community services.

As more pressures are placed on our communities, it is so important to recognise those unsung heroes. Volunteering allows community members to be actively engaged and help address needs and issues they care about. This builds stronger bonds within a community.

Volunteering provides opportunities for people to gain work experience, build skills, and make professional connections. This can benefit volunteers individually as well as strengthen the overall workforce.

Volunteering often connects people from different backgrounds and builds understanding between diverse groups within a community.

Volunteering is associated with benefits like better health, lower stress, and a longer lifespan for those who volunteer. When people volunteer it not only helps the community but can also enhance the lives of the volunteers.

Acknowledging the cost-effective nature of this approach in the current economic climate and the rising cost of living, underscores the critical reliance on volunteers for community well-being.

Recognising the pivotal role volunteers play in sustaining essential services such as Citizens Advice, Cotswold Friends, food banks, Churn Project and many others, this

Council resolves:

1. To implement a process enabling members of the public to contact their respective ward councillors, with nominations of 'unsung hero' volunteers. At each Full Council, up to four unsung heroes will be announced by the chair/leader. These unsung heroes will be chosen following a review of all nominations at a meeting of the Chair, Vice Chair and portfolio holder for Cost of Living. The chosen nominees would then be invited to attend the council meeting. If they are able to attend, they would then be presented with a letter of thanks, signed by the leader and chair of the council and the Ward Member, alongside this, they would be also presented with an unsung hero pin badge.
2. To resource and host a biannual coffee morning to promote volunteering opportunities and express gratitude to those who selflessly serve. This would be open to all volunteers, regardless of winning.
3. To note that the programme shall stand as a testament to our deep appreciation for the hard work and dedication of the public in supporting and enriching our community.

14. **Next meeting**

The next meeting will be the Annual Council meeting on Wednesday 15 May 2024 at 6pm.

(END)

Council
21/February2024



COTSWOLD
DISTRICT COUNCIL

Minutes of a meeting of Council held on Wednesday, 21 February 2024

Councillors present:

Nikki Ind - Chair	Mark Harris – Vice Chair	
Claire Bloomer	Roly Hughes	Lisa Spivey
Ray Brassington	Angus Jenkinson	Tom Stowe
Patrick Coleman	Julia Judd	Jeremy Theyer
Daryl Corps	Juliet Layton	Clare Turner
David Cunningham	Andrew Maclean	Chris Twells
Tony Dale	Helene Mansilla	Michael Vann
Mike Evemy	Mike McKeown	Ian Watson
David Fowles	Dilys Neill	Tristan Wilkinson
Joe Harris	Nigel Robbins	Len Wilkins
Paul Hodgkinson	Gary Selwyn	

Officers present:

Andrew Brown, Democratic Services Business Manager	Ana Prelici, Democratic Services Officer
Angela Claridge, Director of Governance and Development (Monitoring Officer)	David Stanley, Deputy Chief Executive and Chief Finance Officer
Caleb Harris, Senior Democratic Services Officer	Robert Weaver, Chief Executive
Claire Locke, Assistant Director for Property and Regeneration	

14 Apologies

Apologies were received from Councillors Gina Blomefield and Jon Wareing.

15 Declarations of Interest

There were none from Members or Officers present.

16 Minutes

The minutes from the Council meeting on 24 January 2024 were considered as part of the document pack.

Councillor Twells noted that a response had not been provided to the supplementary question presented to Councillor Evemy. In response, Councillor Evemy apologised for the delay and confirmed a response would be provided within 24 hours. This response was

Council

21/February2024

subsequently given to Councillor Twells and a copy provided within the Member Questions Annex.

There were no further changes presented.

RESOLVED: That subject to the changes being made, the minutes of the Full Council meeting on 24 January 2024 be approved as an accurate record.

Voting Record

26 For, 0 Against, 5 Abstain, 3 Absent/Did not vote

For	Against	Abstention	Absent/Did not vote
Andrew Maclean		David Cunningham	Gina Blomefield
Angus Jenkinson		David Fowles	Jon Wareing
Chris Twells		Dilys Neill	Tony Slater
Claire Bloomer		Gary Selwyn	
Clare Turner		Jeremy Theyer	
Daryl Corps		Ray Brassington	
Helene Mansilla			
Ian Watson			
Joe Harris			
Julia Judd			
Juliet Layton			
Len Wilkins			
Lisa Spivey			
Mark Harris			
Michael Vann			
Mike Evely			
Mike McKeown			
Nigel Robbins			
Nikki Ind			
Patrick Coleman			
Paul Hodgkinson			
Roly Hughes			
Tom Stowe			
Tony Dale			
Tristan Wilkinson			

17 Announcements from the Chair, Leader of Chief Executive (if any)

The Chair began announcements by welcoming Members to the Budget meeting and noted that there was likely to be robust debate around the future direction of the Council. However, the Chair reminded Members that the Budget was for the benefit of all residents in the District.

Council
21/February2024

The Chair also apologised to Members for the issues identified with the hardcopy of the papers. It was explained that this was a problem with the external printers used and that printing for Members would soon be brought back in-house.

It was highlighted that the Local Plan Update consultation events were taking place in-person and through the survey online. It was also noted that the Car Parking Survey was still live for the public to engage with.

The Chair also reminded members of the Cirencester Pantry's first anniversary and encouraged Members to attend.

The Chair then explained that the next meeting start time was currently set at 2pm which had been raised as a concern by Members who were also Gloucestershire County Councillors because the County Council's Full Council meeting had been scheduled to start at 10pm on the same day.

The Chair, following consultation with Officers, proposed that the Full Council meeting start time be moved to 6pm. The Vice-Chair then seconded this proposal and was moved to a vote.

RESOLVED: That the start time for the Full Council meeting on 20 March 2024 be moved to 6pm.

Voting Record

20 For, 9 Against, 2 Abstention, 3 Absent/Did not vote

For	Against	Abstention	Absent/Did not vote
Andrew Maclean	Chris Twells	Angus Jenkinson	Gina Blomefield
Claire Bloomer	Daryl Corps	Gary Selwyn	Jon Wareing
Clare Turner	David Cunningham		Tony Slater
Dilys Neill	David Fowles		
Helene Mansilla	Jeremy Theyer		
Ian Watson	Julia Judd		
Joe Harris	Len Wilkins		
Juliet Layton	Nigel Robbins		
Lisa Spivey	Tom Stowe		
Mark Harris			
Michael Vann			
Mike Evey			
Mike McKeown			
Nikki Ind			
Patrick Coleman			
Paul Hodgkinson			
Ray Brassington			
Roly Hughes			
Tony Dale			
Tristan Wilkinson			

Council
21/February2024

The Leader's announcements began with apologies for absence for the previous meeting of full Council due to Local Government Association business.

It was also announced that the new portrait of King Charles III was hung on the wall of the Chamber and that the wishes of Council would be with the King during treatment for cancer.

The Leader also wished to invite Members to the unveiling of the mosaic at Brewery Court, Cirencester. It was noted that a lot of work had been done to renovate Brewery Court.

The Leader also wished for Members to encourage residents to participate in the Local Plan Update and Cirencester Masterplan consultations. The Leader also asked Members to encourage Town and Parish Councillors to engage with the Town and Parish Forum.

The Chief Executive then spoke and wished to thank officers for their work in compiling the Budget papers ahead of the meeting.

18 Public Questions

The first public question was from Tony Berry to the Deputy Leader and Cabinet Member for Finance. It was reminded that the Council had changed its decision regarding the Kemble Community Gardens from housing to a green space on the basis of the financial implications presented. It was noted that the land value was £0.3 million, and that it was estimated there would be a capital write down of around £1 million. The Deputy Leader was asked if this was included in the budget and if not, why not?

Councillor Every noted that this land would part of the Asset Management Strategy which was being compiled. It was noted that the value of the land was dependent on development. The Deputy Chief Executive added that the value had been updated for the 2022/23 accounts following the report presented to Cabinet which agreed the change of purpose. It was noted that the ultimate value would be determined at the point of transaction and this would be clear as part of statement of accounts but would have no direct impact on the Council's revenue budget.

Chris Snowden then asked a question regarding the measurement of climate change actions by local authorities by Climate Change UK and how many had been completed. It was noted that the Council's completed climate change actions were below the average, particularly in areas such as biodiversity. It was asked what steps the Council was taking to improve its performance against these targets. Councillor McKeown answered on behalf of the Cabinet and noted the launch of the internal Climate Board to coordinate specific actions, Cotswold Home Solar initiatives, Electric Vehicle Charging point installation and the Trinity Road Solar PV panels which would help the Council meet its commitment to tackle the climate emergency. However, it was noted that there was more to do to improve the Council's position within the funding constraints.

19 Member Questions

There were no Member Questions.

20 Future of the Old Station and Memorial Cottages, Cirencester

The purpose of the report was to seek agreement and allocation of funding to carry out structural works to rebuild an unstable wall at the Old Station, Cirencester.

The Deputy Leader and Cabinet Member for Finance proposed the recommendations and outlined the following points:

- Full Council was taking this decision as the amount was above £150,000 and not included within the capital budget.
- The historic building became part of Council's assets following the cuts to the railways in the 1960s.
- The condition of the wall required remedial works to make it safe, and following the withdrawal of New Brewery Arts from any further project, it falls to the Council to make the wall safe.

There were questions about in interest in the building other than from New Brewery Arts. The Deputy Leader noted that following the decision, expressions of interest would be sought.

There were assurances given that the work being undertaken was being done in line with the planning permission given and that conservation officers would ensure the work was suitable.

Councillor Joe Harris seconded the recommendations and made the following points:

- Many ideas had come forward for the Old Station but a significant private capital investment was needed to renovate the building which the Council could not provide.
- Finding a future use for the building was key as an empty building remained a financial liability for the Council.

RESOLVED: That Council:

1. APPROVED to carry out the works to rebuild the unstable wall at The Old Station, utilising £158,000 of capital budget from the Asset Management Strategy capital scheme.

Voting Record

31 For, 0 Against, 0 Abstention, 3 Absent/Did not vote

For	Against	Abstention	Absent/Did not vote
Andrew Maclean			Gina Blomefield
Angus Jenkinson			Jon Wareing
Chris Twells			Tony Slater
Claire Bloomer			
Clare Turner			
Daryl Corps			
David Cunningham			
David Fowles			
Dilys Neill			
Gary Selwyn			

Helene Mansilla			
Ian Watson			
Jeremy Theyer			
Joe Harris			
Julia Judd			
Juliet Layton			
Len Wilkins			
Lisa Spivey			
Mark Harris			
Michael Vann			
Mike Evey			
Mike McKeown			
Nigel Robbins			
Nikki Ind			
Patrick Coleman			
Paul Hodgkinson			
Ray Brassington			
Roly Hughes			
Tom Stowe			
Tony Dale			
Tristan Wilkinson			

21 2024/25 Revenue Budget, Capital Programme And Medium-Term Financial Strategy

The purpose of the report was to present the budget for 2024/25

The Chair introduced this item by reminding Members and the public watching that the Budget Council Protocol was attached to the document pack and would be followed in setting the Council's budget.

The Deputy Leader and Cabinet Member for Finance, Councillor Evey, was then invited to propose the administration's budget. In doing so, he outlined the following points:

- In this first budget of the second term of the Liberal Democrat administration, the Council would seek to build upon the previous work of investing in the District and rebuilding the Council's finances.
- A number of councils across the country of all political colours such as Birmingham City and Thurrock, had had to declare S.114 notices due to the financial pressures faced. Whilst it was affirmed that Cotswold District Council was not close to a S.114 notice declaration, there was a budget gap over the medium term that needed to be closed.
- In 2026/27 changes to central government funding would add to the pressures faced by the Council and action needed to be taken now.
- Council officers, Publica and Ubico had worked with the administration to reduce the deficit faced and in doing so had had to make difficult choices.
- There would be £1.25 million in savings made to reduce the pressure on reserves, which included £500,000 a year in waste collection changes, and £125,000 through the changes to contact centre opening hours. There would also be £2 million of revenue increases from fees and charges.
- The Council was projecting surpluses in the coming 2 years of £516,000 and £324,000 to replenish the Council's reserves. Furthermore, it was noted at paragraph 6.25 that

allocations from the final local government settlement of £118,000 be allocated to a Workforce Planning Reserve to support the Council's priorities.

- Reserves originating from the sale of housing stock to Fosseyway Housing Association in 1997 had been depleted over time and could no longer be relied upon to sustain the Council's finances.
- The Council had removed the need for external borrowing to fund capital programme through the use of the Community Municipal Investment providing capital for the installation of electric vehicle charging points and Solar PV panels for the Council Offices.
- The approach of the Council in the face of financial pressures centred around efficient service delivery, increasing income to compensate for lost funding, utilising external funding and protecting the most poor and vulnerable members in the District.
- The focus on rebuilding the finances was supplemented with the work through council officers such as Crowdfund Cotswolds and the Green Economic Growth strategy which support communities and the local economy.
- The Budget Consultation recorded 542 responses allowed residents to provide their views on the proposals including changes to parking fees which included Sunday charging. It was recognised that whilst the changes to parking may not have been popular, they were necessary as part of the overall budget to sustainably fund services within the District.
- Cabinet had agreed the principle that discretionary services such as garden waste collection needed to be charged on a cost-recovery basis and the increase to £64 per annum for garden waste would achieve this.
- Decisions such as the rise in Council Tax of £5 for a Band D property were made within a challenging environment for residents' finances. It was highlighted therefore that the Council had taken steps to improve the Local Council Tax Support Scheme and Members were encouraged to engage with residents on this.
- Provision of £500,000 had been made for service transitions from Publica to the Council or another shared service model but this would not change service budgets at the time.

The Deputy Leader concluded by thanking officers for their work on the Budget and commended it to Members.

The Chair then invited the seconder of the budget Councillor Spivey to speak. Councillor Spivey made the following points:

- The Council's work for core and discretionary services within the District against the backdrop of uncertainty around central government funding and economic volatility.
- The Council's ambition was to deliver more than the core statutory services.

Councillor Stowe then reserved his right to speak until later in the debate.

Councillor Maclean was then invited to respond to the Budget on behalf of the Green Group. Councillor Maclean started by thanking the Deputy Chief Executive and officers who had worked hard on the Budget and made the following points:

- The Green Group would have liked to have seen more resources for Council priorities particularly the climate change crisis.
- Central government reductions to Council grants and the lack of reform for Council Tax had left local government in a difficult financial situation.

Council
21/February2024

- The more affluent residents should carry more of the burden of increase but the rise in Council Tax proposed was the best that could be done within the remit of the District Council.
- The Green Group would support the Budget.

The Chair then invited Councillor Stowe as Leader of the Conservative Group to propose their amendment which was then circulated in the room.

Once it had been circulated, Councillor Stowe then spoke to the amendment which read as follows:

The proposed introduction of charging for parking on Sundays from April 1st, 2024 is cancelled.

The £105,000 projected income currently budgeted is covered by assuming a 12 month freeze in members allowances (subject to consultation with the Council's Independent Remuneration Panel) saving £33,236 and £71,764 allocated from the additional unexpected "windfall" £118,000 from increased central government funding.

The following points were made by Councillor Stowe:

- The Deputy Chief Executive had confirmed the amendment was viable.
- Market town centres across the district relied upon car parking and increases would affect them disproportionately without other means of transport.
- The proposed increases in parking charges would lead to potential reductions in tourism which would be damaging for businesses in the District.
- The amendment would seek to reduce the impact on towns by cancelling Sunday charging proposes and supporting businesses in the Cotswold.
- The proposed rise in Member Allowances was not appropriate given the state of the Council's financial position.

David Fowles as Deputy Leader of the Conservative Group then seconded the amendment and made the following points:

- Market towns should be supported.
- The rise in parking charges would cause disruption as residents park elsewhere to avoid the higher charges.
- The amendment, whilst a small adjustment, would provide a benefit to residents and businesses within the District.

The Chair then invited Members to ask any questions of clarification.

It was stated by the administration that the amendment proposed was similar to previous criticisms made by the opposition on parking and the actions from the Conservative-controlled County Council.

It was noted that the money given to Members were allowances for their work and not a salary.

Council

21/February2024

There were various comments around how the financial challenges had presented difficult choices for the Council and higher parking charges would only be paid by those who could afford to have a car which was seen as being equitable.

It was stated that there were mixed views about the rises and that there would be some residents who would find the increases difficult.

The Chair then handed over to the Chief Executive to present the views of the Council's Deputy Chief Executive and S.151 Officer.

It was confirmed by the Chief Executive that the S.151 Officer was content with the amendment and satisfied that it was arithmetically correct and received in line with the Budget Council Protocol provisions. It was also stated that the amendment would not alter the revenue budget for 2024/25 other than set out in the proposal.

The Chair initially moved to the adjournment to discuss proposals, but following interventions from Group Leaders, it was felt that the adjournment was not necessary. The Chair therefore decided to continue with the session.

The Chair then asked Deputy Leader as the proposer of the Budget if the administration had accepted the amendment and it was confirmed that it had not been accepted.

The Chair then moved to the debate on the amendment.

It was stated that a number of towns had a low vacancy rate which was felt to be something not affected by the increase in car parking charges.

It was noted that some residents assume that the charges would apply on Sunday.

Councillor Stowe in summing up the debate on the amendment made the following points:

- The use of the word salary was because Councillors receive taxpayers money into their accounts and are taxed upon it.
- Some residents were not affluent despite owning a car and higher parking charges would affect them.

The Deputy Leader then responded to the amendment and made the following points:

- The introduction of Sunday charging for all car parks would standardise charging across car parks.
- Sunday trading in 2024 was as normal as other day but the parking provision for worshippers was recognised.
- In the current financial position, the charges could not easily be avoided.

The Chair then moved to the vote on the amendment, proposed by Councillor Stowe and seconded by Councillor Fowles.

Voting Record

8 For, 23 Against, 0 Abstentions, 3 Absent/Did not vote

For	Against	Abstention	Absent/Did not vote
Chris Twells	Andrew Maclean		Gina Blomefield
Daryl Corps	Angus Jenkinson		Jon Wareing
David Cunningham	Claire Bloomer		Tony Slater
David Fowles	Clare Turner		
Jeremy Theyer	Dilys Neill		
Julia Judd	Gary Selwyn		
Len Wilkins	Helene Mansilla		
Tom Stowe	Ian Watson		
	Joe Harris		
	Juliet Layton		
	Lisa Spivey		
	Mark Harris		
	Michael Vann		
	Mike Evemy		
	Mike McKeown		
	Nigel Robbins		
	Nikki Ind		
	Patrick Coleman		
	Paul Hodgkinson		
	Ray Brassington		
	Roly Hughes		
	Tony Dale		
	Tristan Wilkinson		

The amendment was lost.

The Chair then returned Council to the substantive budget and sought questions of clarification.

There was a question regarding paragraph 3.3 of page 134 regarding value for money around performance measurement techniques regarding investments. The Deputy Chief Executive confirmed that Arlingclose Treasury Management provided quarterly benchmarking data against other Arlingclose clients and that Audit and Governance Committee received regular updates on this performance.

There was a question about the performance criteria for treasury investments listed on page 136 of the pack. The Deputy Chief Executive explained that Arlingclose benchmarking showed groups of investments but may not show individual investment performance. It was confirmed that further information could be made available as part of the Audit and Governance Committee Treasury Management reports and/or the Cabinet Financial Performance reports.

There were no further questions on the substantive budget, and the Chair invited Councillor Stowe to speak as the Conservative Group Leader who had reserved his right to respond to the budget. Councillor Stowe thanked officers for producing the budget and made the following points:

- The Council was facing a serious financial situation and the proposals were seen as an 'emergency budget' which would affect residents of the district.

Council
21/February2024

- The previous spending conducted by the administration had meant that the Council needed to make difficult decisions.
- Table I – Core Spending Power on page 58 of the pack showed that the core spending power of the Council had increased by £639,000 leaving aside the geopolitical and other macro-economic headwinds facing the Council, residents and businesses.
- The decision to withdraw council services from the Publica partnership remained a material and significant risk to the Council finances in light of the indicative costs rising to £500,000 from the original figure of £200,000 within the Publica Review report presented to Full Council in November 2023. There were also concerns around the final costs given the costs for HR and legal consultants needed and the pension cost settlement for Council staff.
- There was concern that the Budget had not set out savings from the transition of services back to the Council.
- The Council Priorities Reserve and the use of these funds would need to be carefully managed against any new programmes.
- The planned capital programme borrowing required by 2026/27 of over £4 million would need to be scrutinised and opened to challenge by Members.
- Member Allowances would rise and there would be a backdated uplift following the freeze that had taken place for 2023/24 financial year.
- The residents and businesses of the District would now need to pick up the burden given the position of the Council's finances.

Council noted the increase in demands from local authorities across the UK and the pressure this had put on Council finances.

It was stated that longer-term local government settlements were required for all councils and that short-term settlements from central government did not allow for sufficient financial planning.

It was noted that there was some capital spending available to improve discretionary services such as leisure centres.

It was welcomed at 1.13 of Annex A that a purchasing consortium for energy with other local councils had been achieved to reduce energy costs.

The Deputy Leader as proposer of the Budget then summed up the budget and thanked Members for the debate and discussion on the budget:

- There was agreement with the comments around Council Tax reform which was seen as long overdue from central government.
- Comments around financial management were not recognised, and all spending decisions were open and done properly.
- Comments around the spend on consultants did not recognise the expertise needed to support officers on work like the Local Plan Update.
- On the Publica transition, it was recognised that the reserves were based on indicative costs but that these would become clearer to Council.

The Chair then moved to the vote on the substantial budget proposed by Councillor Evemy and seconded by Councillor Spivey.

RESOLVED:

That Council APPROVED:

1. the Medium-Term Financial Strategy set out in Annex B
2. the Savings and Transformation items for inclusion in the budget, set out in Annex C
3. the Council Tax Requirement of £6,596,721 for this Council
4. the Council Tax level for Cotswold District Council purposes of £153.93 for a Band D property in 2024/25 (an increase of £5)
5. the Capital Programme, set out in Annex D
6. the Annual Capital Strategy 2024/25, as set out in Annex E
7. the Annual Treasury Management Strategy and Non-Treasury Management Investment Strategy 2024/25, as set out in Annex F
8. the Strategy for the Flexible use of Capital Receipts, as set out in Annex H
9. the balances and reserves forecast for 2024/25 to 2027/28 as set out in Section 6 of the report.
10. the Council Tax Support scheme recommended by Cabinet summarised in paragraphs 7.29 and 7.30 of this report

Voting Record

23 For, 8 Against, 0 Abstentions, 3 Absent/Did not vote

For	Against	Abstention	Absent/Did not vote
Andrew Maclean	Chris Twells		Gina Blomefield
Angus Jenkinson	Daryl Corps		Jon Wareing
Claire Bloomer	David Cunningham		Tony Slater
Clare Turner	David Fowles		
Dilys Neill	Jeremy Theyer		
Gary Selwyn	Julia Judd		
Helene Mansilla	Len Wilkins		
Ian Watson	Tom Stowe		
Joe Harris			
Juliet Layton			
Lisa Spivey			
Mark Harris			
Michael Vann			
Mike Evely			
Mike McKeown			
Nigel Robbins			
Nikki Ind			
Patrick Coleman			
Paul Hodgkinson			
Ray Brassington			
Roly Hughes			
Tony Dale			
Tristan Wilkinson			

22 Council Tax 2024/25

The purpose of the report was to set the Council Tax for 2024/25

The Deputy Leader and Cabinet Member for Finance introduced the report and made the following points:

- This report following the previous vote was to set the whole of the Council Tax alongside the other precepting authorities including Gloucestershire County Council and the Town and Parish Councils.
- Page 191 of the pack showed the Council Tax setting for Town and Parish Councils.

Councillor Wilkinson seconded the report and made the following points:

- Councils in financial difficulty such as Birmingham City Council were required under the S.114 notice to substantially increase Council Tax and cut jobs.
- Whilst Council Tax rises were difficult to implement, it would help to provide the local services needed and avoid more difficult measures in the future.

It was noted by Council that this report was in many respects a formality to agree the overall Council Tax levels.

The Chair then moved to the vote on the report recommendations proposed by Councillor Evemy and seconded by Councillor Wilkinson.

RESOLVED: That Council AGREED

1) for the purposes of the Local Government Finance Act 1992 Section 35(2), there are no special expenses for the District Council in 2024/25;

2) it be noted that, using their delegated authority, the Deputy Chief Executive calculated the Council Tax Base for 2024/25:

(a) for the whole Council area as 42,855.33 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and

(b) for dwellings in those parts of its area to which a Parish Precept relates as in the attached Schedule I.

3) the Council Tax requirement for the Council's own purposes for 2024/25 (excluding Parish Precepts) is £153.93.

4) the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 36 of the Act:

(a) £47,469,352 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.

(b) £36,246,995 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

(c) £11,222,349 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).

(d) £261.87 being the amount at 4(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);

(e) £4,625,628 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.

(f) £153.93 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by Item T(2(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;

(g) the amounts shown in Schedule 2 being the amounts given by adding to the amount at 4(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area shown in Schedule 2 divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;

(h) the amounts shown in Schedule 3 being the amounts given by multiplying the amounts at 4(f) and 4(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

5) it be noted that for the year 2024/25 the Gloucestershire County Council and the Police & Crime Commissioner for Gloucestershire have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below:

<i>Valuation Band</i>	<i>Gloucestershire County Council</i>	<i>Police and Crime Commissioner</i>
	<i>£</i>	<i>£</i>
<i>A</i>	<i>1,066.55</i>	<i>205.39</i>
<i>B</i>	<i>1,244.30</i>	<i>239.62</i>
<i>C</i>	<i>1,422.06</i>	<i>273.85</i>
<i>D</i>	<i>1,599.82</i>	<i>308.08</i>
<i>E</i>	<i>1,955.34</i>	<i>376.54</i>
<i>F</i>	<i>2,310.85</i>	<i>445.00</i>
<i>G</i>	<i>2,666.37</i>	<i>513.47</i>
<i>H</i>	<i>3,199.64</i>	<i>616.16</i>

6) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule 4 as the amounts of Council Tax for the year 2024/25 for each part of its area and for each of the categories of dwellings.

7) the Council's basic amount of Council Tax for 2024/25 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

8) the following Council/Public Officers: Deputy Chief Executive, Group Manager – Resident Services, Director of Governance and Development, Legal Executive, Business Manager – Operational Services, Revenues Manager, Revenues Lead and Court Officer be authorised to:

(a) collect and recover any National Non-Domestic Rates and Council Tax; and

(b) prosecute or defend on the Council's behalf or to appear on its behalf in proceedings before a magistrate's court in respect of unpaid National Non-Domestic Rates and Council Tax.

Voting Record

24 For, 7 Against, 0 Abstentions, 3 Absent/Did not vote

For	Against	Abstention	Absent/Did not vote
Andrew Maclean	Chris Twells		Gina Blomefield
Angus Jenkinson	Daryl Corps		Jon Wareing
Claire Bloomer	David Fowles		Tony Slater
Clare Turner	Jeremy Theyer		

David Cunningham	Julia Judd		
Dilys Neill	Len Wilkins		
Gary Selwyn	Tom Stowe		
Helene Mansilla			
Ian Watson			
Joe Harris			
Juliet Layton			
Lisa Spivey			
Mark Harris			
Michael Vann			
Mike Every			
Mike McKeown			
Nigel Robbins			
Nikki Ind			
Patrick Coleman			
Paul Hodgkinson			
Ray Brassington			
Roly Hughes			
Tony Dale			
Tristan Wilkinson			

23 Notice of Motions

No motions had been received for this session of Full Council.

24 Matters exempt from publication

Council did not enter private session.

25 Exempt Annex for Agenda Item 9

Council did not enter private session to consider the annex within the meeting.

26 Next meeting

The next meeting was confirmed to be on 20 March at the amended time of 6pm.

The Meeting commenced at 6.00 pm and closed at 8.06 pm

Chair

(END)

Agenda Item 7



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL – 20 MARCH 2023
Subject	PUBLICA REVIEW- LOCAL PARTNERSHIPS TRANSITION PLAN
Wards affected	All
Accountable member	Councillor Joe Harris, Leader of the Council Email: joe.harris@cotswold.gov.uk
Accountable officer	Robert Weaver, Chief Executive Email: robert.weaver@cotswold.gov.uk
Report author	Robert Weaver, Chief Executive Email: robert.weaver@cotswold.gov.uk
Summary/Purpose	To consider the Local Partnerships report and to approve the recommendations therein.
Annexes	Annex A – Local Partnerships Report
Recommendation(s)	That Full Council resolves to: <ol style="list-style-type: none"> 1. Approve the recommendations set out in the Local Partnerships report 2. Instruct the Interim Programme Director to prepare a detailed transition plan, building on the recommendations set out in the Local Partnerships report, for subsequent agreement by Cabinet and Council.
Corporate priorities	Ensure that all services delivered by the Council are delivered to the highest standard.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Chief Executive, Deputy Chief Executive & Section 151 Officer, Director of Governance and Development (Monitoring Officer) CDC Leader, Deputy Leader, Portfolio Holder for economic Development and Cabinet



COTSWOLD
DISTRICT COUNCIL

	<p>Transformation, CDC Cabinet Members, Publica Review Programme Director, Publica Interim MD, Publica Assistant Director Organisational Development and Transformation.</p>
--	--



- 1.1 A Local Government Association Peer Review in 2022 highlighted the need to ensure the council was best placed to maximise opportunities associated with an ambitious Administration and Corporate Plan. It recommended that an options appraisal be undertaken, considering the appropriateness of some services remaining within Publica.
- 1.2 An options appraisal review was undertaken by a company called Human Engine in 2023. The final report recommended that a significant number of services should move from Publica and return to being under greater control of the councils. This would leave Publica delivering a range of support and customer services for the Councils.
- 1.3 The Human Engine report and its recommendations were approved by Full Council in November 2023 and work then started to recruit a programme director who would support the Chief Executives and elected members in implementing the transition.
- 1.4 A programme director has now been appointed, following a two-stage interview process involving both officers and Leaders and is working on behalf of the 3 Councils, under the leadership of the Chief Executives, to develop and implement the transition.
- 1.5 It was clear that following approval of the Human Engine report, and whilst the recruitment of a programme director was taking place, it was important to maintain momentum. Local Partnerships was therefore asked to support the councils, as part of its South West transformation grant funding programme, in the development of a 'bridging report' that built on the work undertaken by Human Engine and to inform the preparation and implementation of detailed transition plan that will be presented by the Programme Director and Chief Executive later in the year.
- 1.6 The Local Government Association runs a Transformation Fund programme through its partner organisation Local Partnerships. Local Partnerships LLP is a consultancy firm jointly owned by the LGA, Treasury and Welsh Government, delivering value for the public purse. Local Partnerships come with a wealth of experience and are well placed to be able to refer to the wider public sector's experience of insourcing to provide illustrations of governance, organisational design and service transformation, having been involved in undertaking service reviews for a number of Councils in the past. This knowledge and approach facilitates bringing services back in-house following best practice, rather than simply 'lift and shift'.



- 1.7** The brief agreed with Local Partnerships was for the provision of a high-level set of recommendations, following those set out in the Human Engine report, to enable the councils to take the project forward. The Councils were granted the equivalent of 20 consultancy days to provide high-level advice based on their experience of supporting councils with transition plans and from evidence gathered from other insourcing projects across the sector. Therefore timescales set out are indicative but realistic based on previous experience. Furthermore the Local Partnerships report did not intend to seek to identify all service areas to be transferred, but to give a high level overview of and suggest key phases of services as part of the transition. It will be for the Interim Programme Director to develop this further with more specific detail in due course. It is envisaged that the detailed transition plan will be completed by the end of April, with subsequent reporting back through the Council's scrutiny and decision-making meetings.
- 1.8** The Local Partnerships commission was undertaken in a similar way to a Peer Review. The Local Partnerships team carried out interviews with the four CEOs, Interim MD of Publica and the Programme Director to understand the current position from their perspective and their views and ambitions for the insourcing project.
- 1.9** In addition a half-day workshop took place with key staff from both the councils and Publica, to understand more about the views of the wider stakeholder group regarding the transition. This information was then used to develop an outline framework for the transition of services to enable the programme team to take this forward. Their report covers key governance, risk and structural principles to support the transition from Publica back to the councils.
- 1.10 NEXT STEPS**
- 1.11 Governance**
- 1.12** It is important that there are arrangements in place to ensure Councillors are provided with regular updates and the opportunity to be part of the review process. In addition to input and oversight from the Overview & Scrutiny Committee, and of course the key decision making meetings, following the Full Council meeting in November, it was agreed that a small cross party member working group be created. This group would receive updates on the Publica Review work. The Chief Executive will draft a terms of reference and liaise with Group Leaders regarding membership.



1.13 In addition, it is proposed that a facilitated session, open to all members takes place to provide an opportunity to brief all members on the review progress, and to gain member's views on what 'success' will look and feel like (from their perspective) as services are returned to the councils. It is likely that this session would be facilitated by colleagues from the Local Government Association, supported by the Programme Director and Chief Executive.

2. FINANCIAL IMPLICATIONS

2.1 There are no financial implications associated with this report. The Local Partnerships work was grant funded by the Local Government Association at no cost to the Councils. The As set out in earlier reports, the financial impact of the proposals will be developed as part of the due diligence process over the coming weeks and included in the detailed Transition Plan.

2.2 Although there will be further reports to Cabinet and Council throughout the transition period, it is recommended that the quarterly financial performance reports to Cabinet include timely and relevant financial updates.

3. LEGAL IMPLICATIONS

3.1 There are no legal implications associated with this report. As per financial implications, the legal implications associated with the Publica Review have been previously reported and will remain a key part of the due diligence process.

4. RISK ASSESSMENT

4.1 The commissioning of Local Partnerships and their subsequent report provides additional independent advice and recommendations associated with the return of services to the Council. The recommendations are based on assessment of the original Human Engine report, conversations with key officers and their experience based on best practice elsewhere. As such their report is beneficial in terms of providing additional assurances to the Council on the key elements of the review, phasing and the direction of travel. This approach of risk management will continue as the service review develops. In addition, clarity around the transition plan will also help to minimise risks associated with staff feeling unsettled and unsure of their future, which in turn should minimise risks around day-to-day service delivery.



5. EQUALITIES IMPACT

5.1 Under equality legislation, the Council has a legal duty to pay ‘due regard’ to the need to eliminate discrimination and promote equality in relation to:

- Race
- Disability
- Gender, including gender reassignment
- Age
- Sexual Orientation
- Pregnancy and maternity
- Religion or belief

When considering this recommendation, no barriers or impact on any of the above groups has been identified.

6. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

6.1 This recommendation has no climate change implications.

7. BACKGROUND PAPERS

- Annex A Local Partnerships report and recommendations.

(END)



JOINTLY OWNED BY



Insourcing from Publica Review

Version No: Final Report

Issue Date:15 February 2024



1. Introduction	3
1.1 Background	3
1.2 Our brief	4
1.3 Our approach	4
2 Findings and Recommendations	6
2.1 Introduction	6
2.2 Overview of Transition	8
2.3 Recommendation 1: Consider adopting the proposed phasing	10
2.4 Design-led principles	11
2.5 Recommendation 2: Consider adopting the proposed design-led principles criteria	11
2.6 Transition framework	12
2.7 Recommendation 3: Consider adopting the proposed outline transition framework	12
Governance of Publica	18
3 Conclusion and Next Steps	19
3.1 Summary of recommendations	19
4 List of consultees	20
5 Other examples of insourcing	22
6 Insourcing good practice template	25



1. Introduction

1.1 Background

Supporting the insourcing of some council services from the arm's length company, Publica

Local Partnerships LLP is a consultancy firm jointly owned by the LGA, Treasury and Welsh Government, delivering value for the public purse. We help transform services across the public sector. As a key interface between local and central government, we provide expert advice and practical resources alongside project/programme delivery support, enabling public services to thrive.

Local Partnerships was asked to support the councils, as part of its South West transformation grant funding programme, in the development of a 'bridging report' that built on the work undertaken by Human Engine and that will usefully inform the preparation and implementation of detailed transition plan that will be presented to the Councils, later in the year.

Cotswold District Council, Cheltenham Borough Council, Forest of Dean and West Oxfordshire District Council are all shareholders of Publica, a Local Authority Teckal Company (LATCO) which has been delivering the majority of council services for the past six years. Since Publica was formed, the context for the shareholders has changed because of changes to political control and changes at senior management level, with all four councils having re-instated Chief Executive positions.

A recent LGA peer review recommended that the delivery options for some services should be reviewed, including whether they should be brought back in-house. It also recommended that the commissioner/provider relationship between Publica and the councils be re-considered. Following this, the councils commissioned an independent strategic review of Publica services to provide options for the future of service delivery, the outcome of which was that it was recommended that the majority of services would benefit from being brought back in-house.

The councils have approved the recommendations that the Chief Executives and their retained management teams will work with Leaders and the Publica Board and Executive to consider in detail the requirements for a smooth transition, via preparing and presenting a detailed transition plan for subsequent approval by the cabinet/executive and councils.



1.2 Our brief

The purpose of this work is to provide a high-level set of recommendations, following those set out in the Human Engine report, to enable the councils to take the project forward. It does not seek to identify all service areas to be transferred and as such does not provide a detailed transition plan. It is designed to provide high-level advice based on experience of supporting councils with transition plans and from evidence gathered from other insourcing projects across the sector. Because of the constraints of timing and number of days available, it has not been possible to provide further detail. Therefore timescales set out are indicative but realistic based on previous experience and it will be for the Interim Programme Director to develop this further with more specific detail in due course.

1.3 Our approach

Following the Human Engine report's findings which proposed the transfer of the majority of council services back in-house, we have taken the transition to the next stage.

We have carried out the following:

- Carried out interviews with the four CEOs, MD of Publica and the Interim Programme Director to understand the current position from their perspective and their views and ambitions for the insourcing project
- Co-facilitated a half-day workshop with the Interim Programme Director (see section 4 for list of consultees) to understand more about the views of the wider stakeholder group regarding the transition
- Reviewed the Human Engine report and other reports provided to us
- Used this information to develop an outline framework for the transition of services to enable the programme team to take this forward. This covers key governance, risk and structural principles to support the transition from Publica back to the councils, ensuring that the councils operate in 'lockstep' including governance boards, terms of reference and decision-making documents to mandate contributions from all
- Referred to the wider sector's experience of insourcing to provide illustrations of governance, organisational design and service transformation. This is to facilitate bringing services back in-house following best practice, rather than simply 'lift and shift', including collective criteria regarding how the services might look



- Provided recommendations on the governance of the reduced scale Publica.

This report and its recommendations will then lead into the detailed transition work being carried out by the transition team led by the Interim Programme Director.



2 Findings and Recommendations

2.1 Introduction

This report follows the work conducted by Human Engine consultants which concluded that the majority of council services should be brought back to the sovereign councils (the 'what'). This now requires further detail and an implementation plan to enable it to happen (the 'how') which will be facilitated by the Officer Transition Board, reporting to the owning councils and led by an Interim Programme Director.

The overarching vision for the new way of working has been agreed, which is to bring back control of the majority of services to the councils.

Through discussions with those interviewed (see section 4 for details), the rationale for insourcing is more than simply the overall cost of service delivery. A key consideration is the ability for the councils to set their own direction and ensure services are delivered in a sustainable way, whilst being focussed on positive results for residents and businesses of their administrative area.

Other key considerations have been identified as:

- Recruitment and retention
- Capacity
- Sustainability
- Sovereignty
- Affordability
- Resilience
- Maintaining 'business as usual'
- Risk management
- Trusted partnerships
- Pragmatism
- Control
- Duplication of managerial costs
- Simplifying operational arrangements.



We have used these as the basis for our recommendations.

There has been a general trend of insourcing across the local government sector in recent years. In addition to cost saving, reasons for this are wide-ranging and include:

- Building greater flexibility, rather than being at the behest of a third-party provider, even if it is owned by the authority as it is still arm's length from it
- Greater control of service delivery in an uncertain economic landscape
- Ensuring better service continuity
- Addressing poor performance
- Improving the quality of services
- Better opportunity for governance and alignment to political ambitions
- Increased integration of services
- Community wellbeing and satisfaction.

Typical services insourced tend to be administrative-related functions such as revenues and benefits and HR. Environmental services also are often insourced because of the inflexibility of long-term contracts. However, in the case of some arm's length wholly owned or joint venture companies, there is often a wide range of services delivered through this means.

While there are many examples of where previously outsourced services have been brought back in-house, there are no examples that are similar to the arrangement with Publica. This is due to the relatively high number of shareholders (four) and having set a company delivering most of the councils' services which are not also trading externally. It is therefore difficult to draw a true comparison. However, some learning can be drawn. The most relevant examples that have been found are included in section 5.

It is good practice to undertake regular reviews of how services are delivered and from research it seems that practicalities rather than ideology have been at the root of why decisions have been taken to revert to insourcing. Service delivery models that were appropriate at one point in time may no longer be appropriate as the landscape changes, so the review of Publica at this stage in its evolution, as with many other public organisations, is timely.

Recognising that there are demonstrable benefits to insourcing, it must be implemented carefully as it is not without its challenges and there are a range of factors that need to be considered, including the cost of the transition. There is no guarantee that costs will reduce



because of it. It is often difficult to determine whether insourcing has been successful as savings such as a reduced establishment and fewer resources needed in relation to governance are not easily quantifiable and may not be realised until sometime after the transition. Some examples of insourcing have reported cost savings, whilst others have resulted in additional costs, however, many report that the wider benefits have made it worthwhile. Others have forgone the benefits of income generation by the outsourcing company achieved through external trading, however, this is not the case for Publica which was not set up for that purpose, but rather was established purely for the purpose of providing services to the owning authorities and it is doubtful that trading to external parties could easily be established at Publica without significant investment given that it has not traded externally before. Although Publica has not generated external income, it has generated cost savings. Whilst it is recognised that some of these savings may be lost in the insourcing process, it is expected that other savings will be made possible.

2.2 Overview of Transition

Insourcing requires careful planning and management to ensure continuity of service delivery, the successful transfer of intellectual property and knowledge, and the effective integration of services including ensuring the people who deliver them to ensure they are fully engaged in the process.

Transitioning from an out-sourced delivery model to a wholly in-house service model, or hybrid arrangement involves several key stages. A good practice template of stages for transition and progress against it to date is set out in section 6. This has been used as the basis for the transition framework at section 2.4, which in turn will be further developed by the Interim Programme Director.

As noted above, the Human Engine report and its recommendation to bring the majority of services back in-house has been taken as the starting point for this phase of work.

A summary of the output from this work is shown below. This is a starting point for development rather than a definitive list and has been tested as part of this work through the interviews and workshops to determine to what extent there is agreement.



Retained in Publica	Sovereign	Opportunities to Share
<ul style="list-style-type: none"> • Customer Services • Complaints • Revenues and Benefits • Housing Services • ICT • Data Protection • Freedom of Information • Subject Access Requests • Procurement • Transactional Finance • Transactional HR including Payroll 	<ul style="list-style-type: none"> • Strategic Finance • Accountancy • Insurance • Economic Development • Tourism • Parking • Property and Estates • Communications • Community Safety and Engagement • Business Intelligence • Corporate Performance • Organisational Development • Electoral Services • Democratic Services • Members Services • Waste • Grounds Maintenance • Leisure 	<ul style="list-style-type: none"> • Strategic Housing • Development Management • Building Control • Land Charges • Risk Management • Health and Safety • Emergency Planning and BCP • Flood Risk • HR Policy and Employee Relations • Legal Services • Commercial Contract Management (could include Waste, Grounds and Leisure) • Environmental Health • Food Safety & Licensing

The detail around alternative delivery models has not been considered in this report. However, there are opportunities for sharing services and possibly looking to use Ubico for additional service provision. Initial discussions have taken place between Cotswold and West Oxfordshire councils to explore the scope to share certain services and roles, with Forest of Dean most likely looking to provide direct service delivery or consider other neighbouring authorities for potential partnering opportunities. Stakeholder interviews together with an initial workshop with officers involved in the process has been carried out as part of this review, focusing upon exploring the preferred option as set out in the Human Engine report. This has provided the opportunity to understand the thoughts and take on board the particular considerations of those involved.



In terms of the phasing to repatriate services, the workshop identified the following, based on the rationale of number of staff involved, complexity of service and need for systems/infrastructure, ease of disaggregation time/cost implications, and ability to trade in the future should services remain in Publica. This has been used as an indicative list of services to be transferred, with approximate timings, for the first two phases.

The Officer Transition Board will be responsible for confirming which services will transfer in each phase. The third phase will be decided by the parties at a later date.

The first phase should be completed as soon as possible and within no longer than six months. This progress can then be used to provide some certainty of direction of travel and generate reassurance within the teams of meaningful progress.

To achieve some early wins, those services that are relatively more straightforward to move across, such as democratic services and elections, could be in the first phase.

2.3 Recommendation 1: Consider adopting the proposed phasing

Phase 1 (6 months from April 2024)	Phase 2 (12 months from April 2024)
Development and building control	Food safety and licencing
Local plan team	Environmental health
Democratic services and elections	Performance and Business intelligence
Corporate plan and policy	Property and estates
Economic development	Project management
Communities	Communications
Climate change/environment/sustainability	
Strategic finance	



Strategic HR	
Strategic housing	
Community wellbeing	

The decision regarding which services should remain in Publica will be decided at a later date. Any future governance framework will depend on the outcome of the decision on this matter.

At the workshop officers identified that there could be further opportunity to include some services in the first phase which were allocated to future phases, as it was noted that some services would be relatively ease to 'lift and shift'. Further work to reach agreement as to which services should be allocated in which phase may need to be reviewed more corporately (e.g. sustainability could be grouped with flood risk management), thinking more innovatively in line with the new ways of working.

The Office Transition Board will take this work forward. Together with team members, it will look at and agree the most appropriate way forward for each service. This will consider all relevant factors including HR, finance and other practical considerations so that informed decisions may be made. The timescales provided are indicative and may change in due course as more detailed planning is undertaken.

2.4 Design-led principles

These principles will be fundamental to the success of the insourcing project. The re-patriation principles and criteria will need to be decided as part of the planning stage, where opportunities for changing the way in services are delivered can be considered against the needs of the individual councils and their corporate objectives. Each council will need to articulate its ambitions for success and consider if this aligns with other councils. Corporate plans will need to be assessed in terms of their alignment to one another and the shared ambition. This should assist in embedding the councils to a new organisational culture into the ways of working, rather than creating a like-for-like structure.

2.5 Recommendation 2: Consider adopting the proposed design-led principles criteria

- *Being responsive and business like* - adopting a more commercial mindset when considering engagement with businesses, residents, and key stakeholders, ensuring a cost recovery approach is implemented wherever possible to maximise service efficiencies etc.
- *Shaping delivery of services* - being more mindful of efficient working methodologies (travel routes etc.)



- *How best to repatriate staff* - where staff work across multiple councils (taking the provisions of TUPE into account), considering factors such as historic pension strain, relationship lead roles with specific councils, whether as part of a shared role, the majority of work is undertaken principally for a particular council
- *Cost* – recognising that there is a cost to bringing services back in-house and it may be difficult to quantify any short/medium-term savings such as senior management salaries and reduced costs of running a company
- *Employing people locally, being accessible and visible*, with the ambition of making services more local with greater accountability and transparency
- *Group services to accelerate efficiencies*, by identifying synergies between certain services before moving services.

These criteria will be important in ensuring clarity is provided to staff and members on how the repatriation process will be agreed and should be developed further as part of the more detailed transition plan.

2.6 Transition framework

A proposed outline framework for transition is set out below. Further information is included in the table in section 6. Because there are various uncertainties, it is not prudent to identify timescales after June 2024 when the detailed transition plan is expected to be completed. The number of tasks required to reach this point is significant and will require dedicated resource and alignment across all stakeholders. However, there are some quick wins that may be achieved early on to provide certainty regarding direction of travel. This framework is intended as a starting point for development into a detailed plan by the Interim Programme Director as lead of the Office Transition Board, working on behalf of the Councils.

2.7 Recommendation 3: Consider adopting the proposed outline transition framework

Phase	Action	Features	Points to note	Indicative timescales	Dependencies
1	Programme office set up	Membership, TOR, reporting mechanisms	Staff roles and responsibilities agreed and staff seconded into teams TOR for programme agreed PID produced Meeting schedule developed	Immediate	Reporting lines to be established e.g. to each council's cabinet Delegation of authority/decision-making agreed



			Project plans including timelines, dependencies, milestones established		
1	Creation of Programme Board to support alignment of all stakeholders	Articulation of agreed principles underpinning the project	Any red lines of each council to be noted Recorded and minutes of meeting required	Immediate	Details may take time to be agreed
1	Development of Target Operating Model	Stages of transfer, confirm which services are moving and when, what is remaining in Publica Development and agreement of design-led principles	Ethos of new organisations to be established and new organisation design developed – see below Early indication of the future look of Publica and its relationship with councils Review services coming across and in what order Defining new approach e.g. more commercial approach to service delivery Councils may not all agree on principles and phasing of transition	Immediate	Other partnerships (shared services) may be being considered in parallel but not to be a distraction Agreement may not be reached by June 2024
1	Organisational Design Model incorporating individual organisations organograms	Review current management structure to ensure adequate capacity to manage and lead future insourced functions	Review the current management structure within each council in order to identify any functional/capacity gaps e.g. Human Resources, OD/Culture and transformation requirements Primary responsibility sits with each of the councils to determine their own organograms with the assistance of Publica to share	June 2024	TOM / Design principles to be agreed to trigger what is implemented



			<p>details on current staffing arrangements/alignment etc.</p> <p>Purpose to set a clear direction of travel for the councils, to review and evaluate and update its practices, policies, procedures and ways of working, ensuring an improved customer experience post transfer of services</p>		
1	Development of Target Operating Model				
Phase 1 outcome: a settled and detailed transition plan ready for cabinet approvals					
2	Financial plans and future operating budgets developed and agreed	Detailed financial analysis of impact of transfer	Costs of transfer including programme board costs, transfer related costs, any redundancies, branding etc. Benefits may be measured against these	June 2024	Depending on decision regarding Publica's future look
2	Consultation with recognised Trade Unions	Establishing a partnership approach with Trade Unions so that their views and those of their members can be taken into consideration when developing transitional plans.	<p>Dialogue should commence in good time to allow for meaningful consultation (and where appropriate) negotiation and as a minimum in line with statutory requirements</p> <p>Consultation documents to be developed including business case for change, benefits to services to be realised, current and future establishments and any resulting impacts on staff etc</p>	July 2024	<p>TOM and Organisation Design/ organograms completed and approved.</p> <p>Financial plans and budgets developed and agreed</p>
2	Communications	Staff engagement strategy required.	Engagement and Communications strategy developed and detailed plan	July 2024	



		Regularised updates to be shared with elected members including backbenchers	produced utilising Platforms e.g. Yammer		
2	Individual Employee Consultation	Within the wider consultation process and in addition to the formal consultation process undertaken between management and Trade Union representatives.	Individual consultation with affected staff should commence once business case for change has been developed and shared with Trade Unions Employees given the opportunity to express their own preference as to where they transition to prior to any final decisions being taken by management	July 2024	Consultation document prepared and shared with Trade Unions.
2	Managing Change protocols	Single agreed set of protocols to be developed and consistently applied by all councils when filling new vacancies arising out of TOM /Organisation Design.	A single, transparent, fair and equitable approach to 'Managing Change' protocols should be developed and adopted by all parties in consultation with Trade Unions, incorporating i) appointment process ii) redeployment process iii) Pay protection and iv) Employment law	Post July 2024	
2	Organisation Development/Culture change programme	Encouraging dialogue/ identify Staff champions	Recognising that change is a difficult process consideration as to how staff will be supported through the transition should be developed Managers will have a key responsibility throughout the	Post July 2024	Link to communications and organisational design and development review.



			process and therefore, appropriate OD interventions, training and use of other support facilities should be made available		
2	Internal Governance	<p>Identification of all relevant governance boards and reporting lines to each by the Officer Transition Board</p> <p>Consideration of cross-party working group</p>	<p>Audit and Scrutiny Committee Cabinet Shareholder Forum Scrutiny Panel Formation of Member Transition Group to be considered</p> <p>All-member briefing to gather views on what 'success' looks like</p>	Post July 2024	
2	Publica governance	Implementation of new governance system for Publica following transfer	<p>Shareholder Forum revised to meet current needs</p> <p>Revised structure of Publica board</p>	Post July 2024	
2	Risk management	Development of risk register	Monitoring arrangements	Post July 2024	
2	Transfer of existing staff	Transfer of staff from Publica to sovereign councils	<p>Regulation 3 of the Transfer of Undertakings (Protection of Employment) Regulations 2006 will apply where a service provision of an organised group is transferred back into one or more of the councils</p> <p>Since TUPE transfers can be detailed, time consuming and fought with legal and contractual</p>	<p>Post September 2024</p> <p>Indicatively: Phase 1 – 6 months</p>	



			challenges, Councils are recommended to obtain specific and more detailed HR and legal advice a part of the Officer Transition Board		
2	Transfer of other assets	As above	As above	As above	
Phase 2 outcome: completion of phase 1 transfers in October 2024					
3	Development of new roles e.g. client commissioner roles, new senior team officers	Client roles to be set up to manage contracts remaining with Publica	May be drawn/appointed from Publica transferees subject to Managing Change protocols	Post July 2024	
3	Explore further opportunities for sharing	Opportunities to share between each other and/or with others	This could be carried out as a second stage	Post July 2024	
3	Benefits realisation assessment	Reviewed regularly to ensure no problems escalate	Part of Transition team's remit and circulated to stakeholders	Post July 2024	
Phase 3 outcome: Completion of identification of further operational efficiencies leading to phase 2 transfer					

The timescales set out are indicative but realistic based on previous experience and will be for the Interim Programme Director to develop this further with more specific detail.



Governance of Publica

This will depend on what services remain in Publica. As noted above, it is likely that in the short-medium term, Publica will be leaner and focussed on a smaller number of largely support/back-office services. With a phased approach to transition, Publica will remain in existence in some form for the foreseeable future. As a smaller organisation, a decision will need to be made regarding whether to retain it and potentially make it a more commercial entity e.g. through trading services externally. This will need to be balanced with the level of resource that would be required for its effective governance to determine if it is worthwhile keeping a separate company.

Factors to take into account should include the resource needed to continue to invest in Publica when there is a significant transition programme of insourcing also requiring officer time whilst still ensuring council services are not disrupted.

In the transition period however, governance may be strengthened both in terms of strategic and operational matters by the following:

- Refreshing the shareholder forum through a review of composition and terms of reference to ensure that it has sufficient oversight of Publica in its current form
- Reviewing the board of directors, ensuring that its size and nature is appropriate for the revised size of Publica, and that non-executive directors have the relevant skills to steer the company through the next phase e.g. with transition/business change skills
- An updated business plan setting out the proposed approach over the next year
- Ensuring that council-side committees such as Audit and Governance Overview & Scrutiny are regularly reviewing the performance of the company in accordance with the councils' requirements
- Ensuring that there is a strong clienting function to manage the day-to-day oversight of remaining the Publica contract. There may be challenges because of the way the contracts have been set up which do not lend themselves to KPI management, but there is still an opportunity to make changes to the way the contract is managed.

The governance of Publica is reliant on clarity from the councils regarding its role and what its objectives will be in its new form.



3 Conclusion and Next Steps

3.1 Summary of recommendations

Consider adopting the recommendations as set out above, which in summary are:

- The proposed phasing of service transfers
- The proposed design-led principles
- The proposed outline transition framework

It is envisaged that the transition of the majority of Publica services will take place in three phases over the next 18 months or longer. This is a major programme of work of great complexity and intricacy that will require significant resource and consensus for it to be successful. However, some initial progress may be made in the first phase, as soon as possible and ideally within the first six months, to demonstrate progress and reduce levels of uncertainty.

At this stage there are some unknowns and agreement will be needed in relation to the exact timescales for completion, which services will remain in Publica and whether there is any desire to trade. It is hoped that this framework will provide additional context and thought that will help to ensure the programme delivers against the key objectives summarised in section 1.

With a lack of direct comparison of service reviews of this type, (because of the unique nature of Publica i.e. four shareholders and a comprehensive range of services being in-sourced) there will be an emphasis on the Interim Programme Director, CEO's, key members and Publica management to ensure that assurance processes are put in place to enable the project to be successful in achieving its objectives. However, the other examples of insourcing provide some learning opportunities.

The development and continued implementation of the existing Officer Transition Board and recruitment of a dedicated Interim Programme Director will support this work. The team will now take forward more detailed plans in relation to the framework set out in this report as the next step in transition.



4 List of consultees

The list of those interviewed and/or attended the workshop is set out below:

Name	Role	Interviewed	Attended workshop
Rob Weaver	CEO, Cotswold DC	Yes	Yes
Giles Hughes	CEO, West Oxfordshire DC	Yes	Yes
Gareth Edmundson	CEO, Cheltenham BC	Yes	
Nigel Brinn	CEO, Forest of Dean DC	Yes	
Andrew Pollard	Interim Programme Director	Yes	Yes
Frank Wilson	Interim MD, Publica	Yes	Yes
Phil Martin	AD, Business Services		Yes
Jon Dearing	AD, Residents' Services		Yes
Bill Oddy	AD, Commercial Development		Yes
Zoe Campbell	AD, Organisational Effectiveness		Yes
Andy Barge	AD, Communities		Yes
Claire Locke	AD, Property and Regeneration		Yes
John Llewellyn	Business Manager, HR		Yes



Sian Roxborough	MO, Forest of Dean DC		Yes
David Stanley	S151, Cotswold DC		Yes
Andrew Knott	S151, Forest of Dean DC		Yes
Andrea McCaskie	MO, West Oxfordshire DC		Yes
Angela Claridge	MO, Cotswold DC		Yes



5 Other examples of insourcing

London Borough of Islington

One of the largest insourcing examples. Since 2011 has brought back in-house £380m of services for the purposes of delivering better quality and value which for the majority of service has proved to be the case. A key outcome was enabling better terms and conditions of 1,200 frontline staff and generated net savings to the Council in the region of £14m. Services brought in included cleaning, housing repairs and maintenance, waste and recycling, grounds maintenance and temporary accommodation. For the phase of insourcing in 2019, the council ran a consultation to residents. Businesses, services users and those with an economic interest in the borough.

London Borough of Barnet

The decade-long partnership with Capita, set up in 2013, was one of the country's largest local authority outsourced contracts. Its aim was to deliver significant benefits with savings of £31m and improved customer satisfaction. In the early years savings were made but as the contract continued, these failed to be sustained. As income targets amongst other issues failed to be met, the Council decided to insource services from the company (Re). Its various contracts with Capita encountered various problems including a major fraud and did not deliver against targets despite generating savings, for which it had to pay compensation. There were particular problems with IT performance.

300 staff were re-patriated from highways, planning and environmental health in a first phase, with estates, building services, facilities and print transferring in a second phase. HR and finance systems transfer after that, but IT, customer services, and revenues and benefits will remain for some time because of the complexities and would result in further costs associated with redundancies and cuts to services. All back-office services are expected to be insourced by 2026, to allow more time to make arrangement for the future of these services as swiftly as possible. The insourcing of Re is expected to save up to £204k per annum. Three years has been allowed for insourcing to allow breathing space to consider options, including sharing services with neighbouring London boroughs,

Shropshire Council

Shropshire's wholly owned company, IP&E Limited, was set up in 2012 to facilitate a strategic commissioning framework for all council services, transferring services across in phases. It was wound up in 2016 as it was loss-making and all services (comprising a large proportion of Council services) were brought back in-house. Significant overheads were unsustainable and exacerbated by a lack of external trading. High overheads arose from buildings and the appointment of senior staff which was unmatched by rise in income. Catering, cleaning, facilities



management, finance, HR, legal and print services were initially re-patriated. Then communications, public health, development management, building control, public protection and regulation of private sector housing were transferred in a second phase.

South Holland and Breckland District Councils The two councils mutually agreed to end their eleven-year partnership of a shared management and joint working arrangement in 2021, in order to pursue new local strategic partnerships at each council. They reported that, as well as producing productive joint working on strategy and policy development, helping to protect front-line services, and the recruitment and retention of skilled officers, the partnership has also saved taxpayers' money totalling around £4.4million, plus ongoing annual benefits to each council in excess of £0.5m, proving its value at a time where councils have found themselves under particular financial pressure.

However, with temporary separate management teams put in place to deal with the response to the COVID-19 pandemic, as well as ongoing national discussion around the Local Government Review process and the potential outcomes of this for each council, senior leaders at both sides have recognised the need to review their partnership and explore the case for changing the way the councils work together.

Both have decided that the best decision for the districts and its residents would be to develop a new strategic partnership within existing county boundaries, which will support them to carry on delivering great outcomes for their communities whilst also giving them the flexibility to adapt to a fast-changing and challenging local government environment.

South Holland has since entered into the South and East Lincolnshire Councils Partnership with Boston and East Lindsey district councils. The three will share a management team and workforce. The ambition is to provide the councils with the opportunity to share a stronger voice at a local, regional, and national level and will enable savings of up to £42m to be achieved over the next ten years. The shared workforce is almost 1,000 officers, the partnership will look at providing improved services to local communities with greater efficiency whilst also working to identify and secure investment for growth and regeneration in strategic infrastructure across the partnership area.

South Worcestershire Civica Partnership

The three south Worcestershire districts of Worcester City, Malvern Hills and Wychavon District Councils had been in a long-term partnership with Civica for the delivery of revenues and benefits and customer services. However, in early 2022 Civica expressed its intention to exit the partnership and therefore the three councils had to make alternative arrangements. Civica's budget had reduced because of the councils' desire to make efficiencies and it was no longer a viable model. After looking at alternative service providers, they decided to bring the services back in house, continuing to work together as a shared service. This began in January 2023 and took approximately one year to complete. The staff, comprising approximately 70 people, were transferred from Civica to Malvern Hills District Council. No money was saved because all efficiencies had already been found. Although no cost savings were achieved, the councils have reported that morale and productivity is higher



and service standards have improved. It is not clear exactly why, but it is believed that it is because the service has been brought closer into councils and this has supported a feeling of greater purpose.



6 Insourcing good practice template

Stage 1 – Pre-Transition Assessment	Activity	Progress against plan
1. Future State	<ul style="list-style-type: none"> • Be clear about what the insourced service will look like once it has been transferred from Publica (the ‘Transferor’) to the receiving organisation/s (the ‘Transferee/s’). • Identify what your BAU operating model will be since this will help inform the next steps in the transition process and the degree to which some of those steps may overlap with one another. • Failure to define the ‘future state’ or new ‘TOM’ will potentially lead to confusion; disrupt service delivery and may damage your external reputation with service end users. • By clearly defining how you intend to operate your services post-transition, you are likely to be able to return to BAU more quickly; avoid or mitigate any service delivery or reputational risks associated with the transition; reduce the impact on staff and avoid potentially costly employee relations issues. • It also becomes increasingly difficult to be able to assess the success of the project post-implementation. 	<ul style="list-style-type: none"> • Human Engine report sets out the general approach i.e. to insource the majority of services • Workshop clarified preferred phasing of services to be brought back in • Further work on TOM needed to provide extra detail including which services may be shared between the councils and/or more widely
2. Review existing Contract with Publica and negotiate exit terms	<ul style="list-style-type: none"> • It is important to fully understand and consider the contractual terms and conditions associated with terminating the current arrangements. It is important to ensure that adequate notice or any other legal requirements within the contract are adhered to, in order to avoid any potential claims 	<ul style="list-style-type: none"> • Services may be removed at any time with a notice period



	<p>of breach of contract and ensure the disaggregation process is legally compliant.</p>	
<p>3. Establish Transition Oversight Team with supporting Task and Finish Workstreams Leads</p>	<ul style="list-style-type: none"> • The Interim Programme Director responsible for leading the transition will need to establish a team of senior personnel to oversee the development and implementation of the transitional plan. The main function of the Officer Transition Board is to provide strategic direction, make key decisions including removing barriers likely to impact the successful implementation of the programme, secure any necessary resources, identify and manage any emerging risks, ensure politicians are kept informed of progress and approve communications strategies. • Some of the key roles to include on the Transitional Programme Board are Finance; HR/Workforce; Legal; Communications and Heads of Service/Function as appropriate. • Underneath the Transition Programme Board will be the various Task and Finish Groups led by the Programme Board leads who will be responsible for implementing various aspects of the transition plan e.g.: <ul style="list-style-type: none"> ○ HR/Workforce responsible for conducting consultation with recognised trade union representatives, handling staff transfers including TUPE ensuring appropriate 'due diligence assessments' are carried out as well as ensuring a continuous programme of staff engagement is implemented. They will also be responsible for ensuring effective Change Management processes are developed and implemented consistently 	<ul style="list-style-type: none"> • Oversight board created and Interim Programme Director appointed • Further work to ensure sufficient relevant resource is committed to this project will be needed, including the setting up of separate task and finish groups as required • Robust governance and reporting procedures to be established to ensure compliance with any legal obligations, ensure transparency to all key stakeholders, and to ensure any emerging risks are quickly identified and mitigating action take to eliminate or reduce the impact on service delivery.



	<p>where organisational restructures are required.</p> <ul style="list-style-type: none">○ Communications responsible for ensuring the drafting of key messages, producing newsletters and internal communiques, responding to any external data information and FOIs are responded to according to legal requirements etc.○ Legal responsible for reviewing contracts include licence renewals etc.○ IT/Systems where any changes to information and/or technical processes are required; manage the transfer of any physical assets to ensure continuity of service throughout the transition period.	
4. Develop Transition Plan	<ul style="list-style-type: none">● Develop a comprehensive transition plan that captures the various workstream actions setting out the specific steps required to exit the current outsourced arrangements so that services are transferred smoothly and effectively.● The Transition plan should include details of the phasing of each service to be transferred with appropriate timescales, key milestones, reporting periods and risks registers.● Identify any processes that need developing to facilitate the transition, such as the development of any Management of Change protocols, processes and procedures.● Identify any capacity issues detailing out any recruitment / change management processes that need to be actioned before any service	<ul style="list-style-type: none">● Outlined in this report with further detailed plans to be developed by the Interim Programme Director by May 2024



	<p>(TUPE) transfers take place aligned to the new TOM/organisation structure.</p> <ul style="list-style-type: none">• Ensure statutory consultation periods are captured and built into the plan making sure sufficient time is allocated to make for meaningful consultation with both recognised trade unions and effected staff.• Build in requirements for staff / management briefings.	
5. Develop Reporting and Performance Tracker Templates	<ul style="list-style-type: none">• Develop relevant Programme Management reporting templates to ensure progress can be tracked, risks and mitigating actions are captured and monitored effectively throughout the transition period. Communications are logged and recorded including relevant Q&As developed and published for staff.	<ul style="list-style-type: none">• To be developed by the Interim Programme Director
6. Commence Implementation of the transition plan	<ul style="list-style-type: none">• Once approval of the implementation plan is gained start initiating the transition process ensuring regular assessments are undertaken of any impact on service delivery to minimise disruption and maintain operational effectiveness,• Beginning the transition by facilitating the transfer of the most straight forward services to move across demonstrates commitment and sets the foundation for the successful implementation of future service transitions.• Ensure any training requirements are identified and address as soon as possible making sure that all the necessary skills and knowledge to effectively deliver the services are in place and	<ul style="list-style-type: none">• Subject to approval by the constituent Council Members.



	<p>any identified gaps are closed as soon as practical.</p> <ul style="list-style-type: none">• Progress any recruitment required to support the delivery of the incoming services or top fill gaps as a result of non TUPE transfers.	
7. Review and amend	<ul style="list-style-type: none">• Post transfer, actively assess the performance of the returned service/s to ensure they are delivering as expected. It may be necessary to adjust or amend allocation of resources, revisiting processes etc. in order to maintain effective standards of performance as well as look for opportunities for continuous service improvement.• Track performance by setting clear KPIs; seeking feedback from staff and service users.	<ul style="list-style-type: none">• To be implemented post-transfer



Spalding
Lincolnshire
United Kingdom
PE11 2XE

Email: info@sholland.gov.uk

Follow us:

Contact details

Vivien Holland, Director, Local Partnerships

Email: vivien.holland@localpartnerships.gov.uk

Tel: 07795 328146

Disclaimer

This report has been produced and published in good faith by Local Partnerships. [Save as to any specific contractual agreement that states otherwise.](#) Local Partnerships shall not incur any liability for any action or omission arising out of any reliance being placed on the report (including any information it contains) by any organisation or other person. Any organisation or other person in receipt of this report should take their own legal, financial and/or other relevant professional advice when considering what action (if any) to take in respect of any associated initiative, proposal or other arrangement, or before placing any reliance on the report (including any information it contains).

Copyright

© Local Partnerships LLP 2024

Agenda Item 8



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL – 20 MARCH 2024
Subject	AMENDMENTS TO THE CONSTITUTION – REPORT OF THE CONSTITUTION WORKING GROUP
Wards affected	All
Accountable member	Councillor Joe Harris, Leader of the Council Email: joe.harris@cotswold.gov.uk
Accountable officer	Angela Claridge, Director of Governance & Development Email: angela.claridge@cotswold.gov.uk
Report author	Angela Claridge, Director of Governance & Development Email: angela.claridge@cotswold.gov.uk
Summary/Purpose	To consider proposals from the Constitution Working Group for amendments to the Constitution to update Part E2, the Employee Code of Conduct.
Annexes	Annex A – draft Employee Code of Conduct.
Recommendation(s)	That Full Council resolves to: I. Authorise the Director of Governance & Development (Monitoring Officer) to update Part E2, the Employee Code of Conduct in the Constitution.
Corporate priorities	<ul style="list-style-type: none"> Delivering Good Services
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Elected Members of the Constitution Working Group. Business Manager, Business Continuity, Governance and Risk



1. EXECUTIVE SUMMARY

1.1 Following the Constitution Working Group's meeting of 5 March 2024 this report makes the following recommendation to Council:

- Update Part E2, the Employee Code of Conduct, last updated in 2007.

2. BACKGROUND

2.1 The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

2.2 The Constitution must contain:

- the Council's standing orders/procedure rules;
- the members' code of conduct;
- such information as the Secretary of State may direct;
- such other information (if any) as the authority considers appropriate

2.3 Members of the Constitution Working Group have considered a number of proposals and now recommend the following amendment to the Constitution to the Council.

3. EMPLOYEE CODE OF CONDUCT

3.1 As part of the review of the Council Constitution, the Employee Code of Conduct (approved in 2007), has been reviewed to ensure it remains relevant and up to date with current legislation, policy, and guidance.

3.2 The Employee Code of Conduct sets out principles relating to the manner, approach and behaviours that should be observed by all employees in the performance of their duties, in order to ensure conduct of the highest order and that those in receipt of the services provided by Cotswold District Council can have and maintain confidence and trust in the integrity of those working for the Authority.

3.3 Publica has recently rewritten their Business Code of Conduct, which is an equivalent Code of Conduct for their employees. Therefore, this document has been used as the basis for the revised Cotswold District Council Employee Code of Conduct, aligning with the plans to insource a number of currently Publica provided services.

3.4 The Code of Conduct has also been approved by all recognised Trade Unions.

3.5 Some employees may already have additional specific requirements relating to conduct included in their contracts or standard conditions of employment such as holding a politically restricted role. Similarly, individual professions may have their own Codes of Conduct and/or ethics. Where this is the case, they complement, rather than replace, this Code of Conduct.



3.6 Attached in Appendix A is the revised Code of Conduct. This is a complete rewrite, and as such, has not been provided as a 'track changed' document.

4. ALTERNATIVE OPTIONS

4.1 Council could determine not to adopt the revised Employee Code of Conduct.

5. FINANCIAL IMPLICATIONS

5.1 None specifically arising from this report.

6. LEGAL IMPLICATIONS

6.1 Up to date policies help the Council manage employees more effectively in setting out the behaviours expected of employees. In addition, the Employee Code of Conduct supports the maintenance of the public's confidence in local government, demonstrating the highest levels of integrity and professionalism at all times. There aren't any specific legal issues associated with this report. However, failure to comply with appropriate legislation may expose the Council to litigation.

7. RISK ASSESSMENT

7.1 Employees should endeavour to be seen as setting the highest standards of conduct in a way that does not bring any disrepute on themselves as a council employee, the service they work within, or the council in general. An updated Code of Conduct in clearly setting out standards of behaviour, mitigates the risk that these standards aren't adhered to.

8. EQUALITIES IMPACT

8.1 The Council is committed to ensuring people receive equal treatment in all aspects of its service delivery and employment activities.

8.2 In any aspect of their work, the council's representatives must ensure that they treat no individual less favourably than they treat any other. Both colleagues and employees, citizens and the public must be treated with dignity and respect.

8.3 The updated Code of Conduct reinforces that employees should ensure that their behaviour and performance meet workplace standards at any time that the Council is being represented or is likely to be identified or associated with the role as a public official.

8.4 Everyone should make reasonable efforts to develop and maintain appropriate skills in valuing diversity.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 There are no climate change or ecological implications.

10. BACKGROUND PAPERS



COTSWOLD
DISTRICT COUNCIL

10.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- Council's Constitution, available on the website.

10.2 These documents will be available for inspection online at www.cotswold.gov.uk or by contacting democratic services democratic@cotswold.gov.uk for a period of up to 4 years from the date of the meeting.

(END)

Annex A – Draft Employee Code of Conduct

Code of Conduct Policy

Revision date	Version	Description	Owner
05.01.24	Version 1.0	Initial Policy	Monitoring Officer

I. Introduction

I.1 Why you must read our Code of Conduct

Cotswold District Council expects every employee to behave in a highly professional manner. That's why you need to read and understand the Code of Conduct as it sets out the standards, we expect from you while you are at work.

I.2 What is the Code of Conduct?

The Code of Conduct is designed to provide guidance about what is expected from you in your daily work and in your dealings with elected members, colleagues, and the public.

As an employee of the Council you must be familiar with the Code of Conduct. This document forms part of your contract of employment and you are required to comply with its contents. Failure to do so may result in disciplinary action, up to and including dismissal.

For this reason, it is important that you read the whole of this document and ask your manager or Human Resources (HR) for clarification if there is anything in it that you don't understand and needs explaining.

Once you have signed and returned the acceptance section, it will be assumed that you understand its contents, agree to comply with your contract of employment, and all the rules and policies, etc that it refers to.

I.3 Who does it apply to?

The Code applies to all employees' and anyone acting as an employee of the Council (to clarify - the use of the word 'employee' within this code includes permanent and temporary employees, casual workers, and agency staff).

Inevitably, some of the issues covered will affect some employees more than others. Although the Code does not directly apply to contractors, consultants or volunteers, the Council's continued association with these individuals and/or their organisations requires them to observe and comply with the Code. However, in some instances, compliance may be a condition of the contract between a third party and the Council, in which case their compliance with the Code would be binding.

I.4 Other Policies and Procedures

The various sections of the Code of Conduct summarise key Company policies and procedures in respect of behaviour and the ways in which you are required to work. If you are in any doubt about how they apply to you, you should always refer to the full policies and procedures. These can be accessed via the Council Portal, requested from your line manager or through the Council's HR team at HR@publicagroup.uk.

Acceptance Form

Once you have read and understood this Code of Conduct, please complete the form below and return this to HR@publicagroup.uk.

Please remember it is important that you read the whole of this document and ask your manager or HR for clarification if there is anything in it that you don't understand and needs explaining. Once you have signed and returned the acceptance section, it will be assumed that you understand its contents and agree to comply with your contract of employment and all the rules and policies, etc that it refers to.

I have read and understood the Cotswold District Council Code of Conduct.

Name

.....

Signature

.....

Job Title

.....

Date

Your Manager:

.....

.....

2. Standards of Behaviour

The sections below, together with the seven principles which are set out in Section 28 of the Localism Act 2011, and which were originally set out by the Nolan Committee on Standards in Public Life contained in Annex A, set out the framework within which all employees must operate. Failure to do so may result in disciplinary action, including and up to dismissal.

2.1 Workplace behaviour and personal conduct

In summary, you are required to:

- Act with dignity and treat all others, including colleagues, elected members and members of the public with dignity and respect.
- Ensure your behaviour and performance meets workplace standards at any time that you are representing the council or are likely to be identified or associated with your role as a public official (whether or not you are 'on duty' at the time).
- Ensure you are familiar with and follow the council's rules, policies and procedures
- Be committed to delivering quality services to service users
- Work in accordance with the terms and conditions of your contract of employment and job description

2.2 Grievances

The Council encourages a culture in which you can raise any workplace problems, complaints, or concerns in a supportive framework. If you have a concern or grievance, you can use the Grievance Policy.

Most issues can be resolved informally, however, if an informal approach does not resolve matters, or is not appropriate, you may choose to raise a formal grievance.

Any employee who submits a grievance in good faith will not suffer any adverse consequences as a result of submitting the grievance. Should your allegation be found to be vexatious or a complaint which is falsely made; that is, it is not made in good faith or based on evidence, this may result in disciplinary action.

2.3 Reporting Absence

If you are unable to attend work for any reason, preferably, you should notify your manager of non-attendance by telephone before you are due to start work or as soon as reasonably practicable, providing your reason for absence to enable your manager to make alternative arrangements for your work to be covered if required.

If your manager is unavailable, you should contact the next most appropriate manager.

Notification of sickness absence should preferably be via telephone, rather than text message, email, or social media. In exceptional circumstances, where the employee is unable to telephone (for example, because of hospitalisation), another person such as a friend or relative can contact the Council on their behalf.

Please refer to the Sickness Absence Policy for more information.

2.4 Misconduct

The Code of Conduct guides and assists employees acting in good faith. If, in your decisions, actions or conduct, you wilfully fail to comply with the standards outlined in the Code of Conduct, you will be guilty of misconduct and are likely to fall subject to disciplinary action, up to and including dismissal.

2.5 Learning and Development

As part of your employment with the Council you are obliged to participate in and complete a range of mandatory learning and development courses, including, but not limited to those found on your iHasco homepage.

You may also be required to participate in learning and development to develop your skills and knowledge to perform your job and improve the service we deliver as a Council and the communities we serve.

You are required to participate in an annual appraisal and performance review and reasonably engage in any plans for improving your work performance. If you are a manager, you are required to complete an annual appraisal for your direct reports.

2.6 Alcohol and Drugs

As an employee of the Council, you must not consume alcohol, use illicit drugs/legal highs or other illegal substances while at work and must not attend work under the influence of such substances.

There are times when you may attend a work event, such as an awards night, where alcohol is available. At these times, alcohol may be consumed with permission, however, you must remember that you continue to represent the Council.

The Council reserves the right to undertake a programme of random alcohol and drug testing.

Similarly, if you are taking legally prescribed or over-the-counter drugs, you must ensure that their use does not adversely affect your work performance and the safety of yourself and others. If you are concerned about prescription medicines, please speak to your GP and to your line manager to discuss any potential side effects.

If you are a manager, you will need to consider the options available for assisting employees who are required to take legally prescribed drugs and whose level of performance has been impaired. In these circumstances, a risk assessment should be undertaken with the assistance of the Occupational Health service.

2.7 Health & Safety

All employees have a personal and legal responsibility under the Health and Safety at Work Act 1974 for themselves, colleagues and visitors to Council buildings and premises.

These responsibilities are outlined in the Health and Safety policy. In summary, your legal duties as an employee are:

- To take reasonable care for the health and safety of yourself and others who may be affected by your actions or omissions at work.

- To co-operate with employers or other persons to enable you to perform your duties or requirements under the Act.
- To work in accordance with the health and safety training that you have been provided.
- To notify the Business Partner for health and safety in the workplace of any unsafe condition, hazard, or risk that you identify.

2.8 Equal Employment Opportunity and Workplace Diversity

We believe that a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

As an employee of the Council, we expect you, and every one of our people, to take personal responsibility for observing, upholding, promoting, and applying Equality, Diversity, and Inclusion. Our culture is made in the day-to-day working interactions between us, so creating the right environment is a responsibility that we all share.

Any dealings that you have with colleagues, or third parties must be free from any form of discrimination, harassment, victimisation, or bullying.

If any of our people are found to have committed, authorised, or condoned an act of discrimination, harassment, victimisation or bullying, we will take action against them including (for those to whom it applies) under our Disciplinary Procedure.

2.9 Employee Appearance

Your dress style must reflect appropriate workplace health, safety, and security considerations applicable to your job and work environment. If you are attending a meeting with external parties or presenting a report at a Cabinet or Council meeting that is open to the public or broadcast on the internet, you should wear smart workplace clothing and avoid wearing attire that might be considered by an average member of the public to be too casual or too informal for the role you are fulfilling.

If you are required to wear Personal Protective Equipment (PPE) as part of your job role, you must ensure that this is worn and in compliance with the relevant Risk Assessment / Safe System of Work.

If you are required to wear a uniform as part of your role, you must ensure that this is worn during working hours. If you are wearing this uniform outside of the workplace, you should remember that during this time, you remain recognisable as an employee of the Council and therefore, you must ensure you comply with this Code of Conduct.

2.10 Driving on behalf of the Council

While driving Council or your own vehicle for work purposes, employees must comply with traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits.

You must hold a current driver's license for the category of the vehicle you are driving and must upload this into business world on an annual basis. You must also have business cover on your insurance.

You must notify your line manager or HR if your driving licence has been suspended or cancelled, or has limitations placed upon it, including any penalty points.

The following actions while driving on Council business will be viewed as serious breaches of conduct and may lead to disciplinary action up to and including dismissal:

- Drinking or being under the influence of drugs while driving.
- Driving while disqualified or not correctly licensed.
- Reckless or dangerous driving causing death or injury.
- Failing to stop after a collision.
- Acquiring penalty points leading to suspension of licence.
- Any actions that warrant the suspension of a licence.
- Bringing the Council into disrepute.

Please note that this is not an exhaustive list and will depend on whether you are required to drive for business purposes.

2.11 Social and Environmental Protection

The Council has declared a climate emergency and is committed to doing our bit to address and help tackle the challenge of our generation: not only around climate but also the less well publicised biodiversity crises affecting our planet.

We must consider the environmental impact of the services we deliver and consider ways in which we can minimise these impacts such as through reducing consumption, waste minimisation, energy efficiency, technology and through procurement which takes into account the environmental impact of products and services and supports the purchase of sustainable products.

3. Protecting the Council and our Employees

3.1 Conflicts of interest

A conflict of interest is any activity that is inconsistent with, or opposed to, our Council best interests or that gives the appearance of in propriety or divided loyalty. You must not place yourself in a situation within which you could derive or be perceived to derive personal benefit from actions of decisions made in your official capacity as an employee. This also applies to any perceived or actual benefit.

Some examples of conflicts (or perceived conflicts) between personal interests and our public duties as a Council are shown below.

- Employees who have access to computer databases of customers/updating their own personal records, or those of close relatives.
- Liaising with a supplier who employs one of your close relatives.
- Being contracted to provide services to the Council outside of your paid employment.
- Generating work which involves travel to provide an opportunity to visit friends.
- Involvement with an interview panel when a relationship exists with one of the applicants.
- Involvement in a procurement process where a relationship exists with one of the suppliers.
- If you or a close family member or business partner submit an application for Planning Permission, Listed Building Consent or similar.

If you are unsure about a personal conflict, talk to your manager or a member of the HR team in the first instance.

Additionally, you must not use your position to obtain favourable treatment for any individual with whom you have a significant relationship, this applies to both friends and family as well as any individual you may have a contractual relationship with – such as a landlord or employee. If any employee finds themselves in a position where they are dealing with a business matter which involves or is likely to involve a family member or other persons with this, they have a significant relationship, they must take immediate advice from HR, Procurement or their Line Manager. For the avoidance of doubt nothing in the paragraph is intended to affect the refer a friend scheme.

If you believe you have a potential conflict involving a family member, or other individual, you also have an obligation to declare it as part of the annual declaration process. Completion of the annual declaration is mandatory for all employees.

3.2 Dealing with a potential conflict of interest

Line Manager(s) together with HR are required to review any conflicts of interest that are declared and to determine whether any actions are required to mitigate the conflict. There may be occasions where the conflict is profound and acute. In such cases it may be necessary to consider a range of possible actions which may include, but not limited to:

- Deciding that no action is needed.
- Restricting the employee(s) involvement in discussions and excluding them from decision making.
- Removing the employee(s) from the whole decision-making process.
- Removing the employee(s) responsibility for an area of work.
- Removing the employee(s) from their role altogether if the conflict is so significant that they are unable to operate effectively in the role.

3.3 Confidential Information

As an employee of the Council, you may obtain, have access to or be responsible for Council information that has not been made public and is still confidential. You must never disclose information given in confidence by anyone, or information acquired which you believe is of a confidential nature, without the consent of a person authorised to give it or unless you are required to by law.

You must not prevent another person from gaining access to information to which that person is entitled by law. You must not disclose confidential information for your own personal use or for use by anyone else known to you, or to the disadvantage or the discredit of the Council or anyone else.

You must always observe the provisions of the Data Protection Act 2018, the Freedom of Information Act 2000, and the Council procedures for the release of personal information held about other employees or members of the public. Breach of confidentiality may be considered a disciplinary offence, which could result in dismissal.

When you leave your employment with the Council, you must still respect the confidentiality of official information that may have been available to you in the course of your duties and not use this information for private, commercial or political gain.

3.4 Data Protection

All employees, whether permanent or temporary, have a responsibility for the protection of data and are required to adhere to the Data Protection Policy, along with any associated procedures and to attend any associated training.

All information and data must be handled sensitively and processed in accordance with the Council Data Protection Policy. In particular, no employee shall divulge personal information regarding any employee, person or contractor, having dealings with the Council and information relating to tenders or other such issues.

All Employees must:

- Understand the main concepts within the UK GDPR requirements, these include the six principles, 'Lawful basis for processing' and 'Right of an Individual.
- Identify and report any risks to the security of personal data processed by the Council to their line manager or the Information Asset Owner.
- Assist their customers/service users to understand their rights and the Council responsibility regarding UK GDPR.
- Identify and report any subject access requests to the Data Protection Officer (DPO) so that they can be processed in accordance with the UK GDPR requirements.

Under the Data Protection Legislation, individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information. If you receive a request to see personal data, please refer to the Council Data Protection Officer for further information and contact data.protection@publicagroup.uk.

If you become aware of a data protection breach, this must be reported to the Data Protection Officer (DPO) via email at data.protection@publicagroup.uk or call 01993 861194.

This should be done at the earliest possible stage as the Council has a duty to report any personal data breaches to the Information Commissioners Office (ICO) with 72 hours of the breach.

If you are able to rectify the breach, this should be done immediately, however, the breach must still be reported.

3.5 Outside Employment and Voluntary Work

You must obtain permission from your manager before taking any other paid or unpaid employment or operate an outside business. Even with permission, you must not:

- Participate in an outside employment activity that could have an adverse effect on your ability to perform your duties at the Council or conflict with our work.
- Ensure that any additional employment does not conflict with the interests of the Council or affect your ability and credibility to do your job.
- Use any of our assets, including your ICT equipment, for your other job/business, unless that job or business is via a contract the Council.
- Use your position to solicit work for you outside employer/business or to obtain favoured treatment.
- Use our confidential information to benefit your other employer, outside business or invention.

Voluntary work must be declared and must not conflict with your role or your ability and capacity to fulfil your contractual obligations to the Council.

3.6 Declaring conflicts of Interest

To ensure that the Council is aware of any potential conflicts of interests, it conducts an annual employee declaration process, which requires employees to update their information and disclose any related party transactions. This is a mandatory requirement, and you are required to complete this form promptly when requested. You also have the ongoing duty to keep this information up to date and any changes throughout the year must be notified to the Business Manager for Governance.

3.7 Workplace Relationships and Management of Relatives

Personal and family relationships in the workplace may present an actual or perceived conflict of interest, particularly when one individual in the relationship is in a position to make or influence employment decisions regarding the other, such as a relationship between a manager and a direct line report.

If you are in a personal relationship with a Colleague, Line Manager, Councillor, Contractor, or any other person working for or with Publica, we ask that this is declared through your annual employee declaration.

If you think the personal relationship in the workplace may create a conflict of interest or be perceived to create a conflict of interest, then you should raise this with your line manager initially with the aim of mitigating any potential conflict in a sensible and proportionate way. The Line Manager should seek guidance from HR where required. If you do not feel comfortable raising this with your line manager, this can be reported directly to HR or to an alternative Manager.

Where a former relationship causes an adverse impact or a conflict occurs, this should also be considered and declared or managed in the same way. If the individuals involved in the relationship do not believe that there is any conflict of interest, then no further action is required.

If there is any doubt, then advice could be sought from a line manager / HR.

Conflicts can occur in the following cases:

- line-management activity;
- recruitment, promotion or selection processes, including tutoring, mentoring and coaching;
- decisions relating to disciplinary, Unsatisfactory Performance Procedures (UPP) or grievance procedures;
- decisions relating to pay or remuneration, including overtime;
- decisions regarding access to training or Continuing Professional Development (CPD);
- decisions (eg, deployment), that may lead to perceptions of unfairness by those involved in the relationship or by others.

If you find yourself in a situation where you may be in a position to influence an outcome relating to someone you have a personal relationship with, it is your responsibility to highlight this, failure to do so may result in disciplinary action being taken against you.

We expect you to act professionally when working with a relative or with someone with whom you are in a personal relationship with and not allow your relationship to disrupt the workplace or interfere with your work or judgement. You should seek advice from your manager or HR if there are any problems.

It is your responsibility to ensure you notify HR should your personal situation change, failure to do so may result in disciplinary action being taken against you.

3.8 Gifts Hospitality & Sponsorship

The Local Govt Act 1972 states that an employee shall not “under colour of his office or employment accept any fee or reward other than their proper remuneration (i.e. salary/ pay)”

Therefore, you must not accept any fee or reward for work done undertaken for the Council other than your pay and allowances as set out in your contract of employment without seeking prior approval.

If you have been invited by an outside organisation to attend a hospitality event, including but not limited to, breakfast, lunch, dinner, sporting event, seminar/conference, social or cultural event, and you wish to accept the offer, your acceptance must be authorised in advance by a manager.

You must not accept hospitality from any organisation that is likely to result in a conflict of interest in respect of decisions made by the Councils, and other officers. This also applies where the invitation is considered to be personal but arises from a link with an organisation/contractor as a consequence of your role within the Council.

Any employee that is authorised to accept hospitality must remember that they are representing the Council and that all terms and conditions of service still apply.

It is an offence under the Bribery Act 2010 to accept gifts loans, fees, or rewards as an inducement to act in a certain way in your official capacity.

You must not accept payment from a third party that is known to be or suspected to be, offered with the expectation that it will obtain a business advantage or where such a business advantage will be provided in return by the Council.

You must be particularly sensitive to the timings of offers of gifts or hospitality in relation to decisions that the Council may have taken, or be about to take, which affect those providing the gift or hospitality.

A one-off gift of a low nominal value (less than £25) will generally be authorised for acceptance provided it does not compromise your position, or that of the Council. With regards to high value or regular gifts/offers of hospitality, it must be demonstrated there is a genuine business reason and/or need to accept any such offer.

If an external organisation wished, or is sought to sponsor a Council activity, the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. Where the Council wishes to sponsor an event, or service, employees or members of an employee’s family must not benefit until full disclosure of interest has been made and approved in advance by the CEO / Head of Paid Services.

All sponsorship and offers of hospitality, regardless of whether it is accepted or not must be recorded using the Gifts, Hospitality and Sponsorship Approval Form. Failure to do this may lead to disciplinary action up to and including dismissal.

Please refer to the Employee Gifts, Hospitality and Sponsorship Procedure and Process.

3.9 Bribery, Corruption and Fraud

The Council will not tolerate any instances of bribery, corruption, fraud, or theft. This includes abuse of position and will result in disciplinary action and may also result in criminal proceedings against you. Employees must ensure they are familiar with the Counter Fraud and Anti-Corruption Policy.

Contract and procurement fraud, both internal and external, is not acceptable under any circumstance. You must act with integrity and honesty in all your business activities, and you must be particularly vigilant if your role involves any of the following:

- Raising requisitions for goods and services;
- Authorising the procurement of goods and services;
- Writing of specifications or reviewing tenders for the supply of goods and services;
- Contract management or monitoring or;
- Amending or creating suppliers or customers in Business World.

3.10 Working with Contractors

If you have a relationship or a business, of private nature with external contractors, or potential contractors, this must be disclosed to the appropriate manager and recorded on your annual declaration form. Refer to section 5 of this document.

Orders and contracts must be awarded on merit and by fair competition against other tenders. No special favours should be shown to business operated or controlled by, for example, friends, partners, or relatives in the tendering process. You must comply with the Contract Procedure Rules of the Council at all times.

3.11 Public Comment on Council Policy and Administration

It is important that enquiries from the news media are properly handled in order to maintain effective public relations and to protect the Council's reputation. As such, Employees must not deal directly with the press or the media unless required to do so in the course of their work or they have been expressly authorised by the Communications and Marketing Team. Approaches from all press, radio, TV stations or specialist press for information or comment on issues affecting the work of the Council must be referred to the Communications and Marketing Team, who will discuss the nature of the story and then contact the appropriate officer or member asking them to respond. Any article, publication, or interview given on aspects of Council policy or activity must be properly authorised.

Any invitations to undertake lectures or presentations at conferences or seminars in the public domain, or any literature being produced for publication concerning any Council matter must be authorised by the Communications and Marketing Team.

It is important that no financial information is released by any employee. Please refer any such requests to the S151.

Employees should not publicly express personal opinions on Council Policy, activity or administrations in a way that would bring the Council into disrepute.

3.12 Use of Social Media Accounts

You should be aware that social networking websites are public forums, and you should not assume that your entries will remain private. When communicating via social media you must not conduct yourself in a way that brings the Council or any employee or councillor into disrepute or disclose information that is confidential to the Council. If you do, even if your social media is a personal site, disciplinary action can still be taken, up to and including dismissal.

It is advised that unless required, you remove any connection to the Council from your personal social media sites and not state who you work for. It is understood that some sites, such as LinkedIn require employment details as the site is about increasing business connections, however, sites such as Facebook, Instagram and other similar sites should ideally not include references to your employment. This is both for employee protection and to potential disciplinary action.

You must not use your personal social media sites when conducting work for the Councils.

When using any social media platform, you must follow the guidelines set out in Annex B.

3.13 Personal Investments

Council employees must consider any personal investments they have which give rise to a conflict of interest if the Company in which the investment is held is transacting business with the Council. If a real or apparent conflict arises you must disclose the conflict to your manager. Your manager will help determine whether a conflict exists and, if appropriate, the best approach to eliminate conflict. Your manager may advise you to update your Employee Declaration Form.

3.14 Using the Council Money (Public Purse)

As public servants, you must ensure that public funds are spent in a responsible and lawful manner. You must strive to ensure value for money is realised and avoid legal challenge to the Council.

If you have responsibility for budgets and/or purchasing, you must ensure that you understand and comply with the relevant Standing Orders and Financial regulations.

As an employee of the Council you must adhere to the Procurement Policy, procedures and controls.

3.15 Side Deals or Side Letters

All the terms and conditions of agreements entered into by the Council, must be formally documented. Contract terms and conditions define the key attributes of the Council's rights, obligations, and liabilities and can also dictate the accounting treatment given to a transaction. Making business commitments outside the formal contracting process, through side deals, side letters, or otherwise is unacceptable. You must not make any oral or written commitments that create new agreements or modify existing agreements without obtaining approval through the formal contracting process.

3.16 Political Activities

You must ensure that your right to engage in political or professional activities does not result in an actual or perceived conflict of interest with your work and you should ensure that you are able, and

be seen to be able, to remain unbiased in the performance of those duties. You must not allow your own personal or political opinions to interfere with your work and you must not use the Council assets (including work time, premises, equipment, or funds) to personally support candidates to campaigns.

Some posts are politically restricted. If you are employed in one of these posts, you must not undertake political activities either in or outside the workplace. Politically restricted employees will automatically be disqualified from standing for, or holding, political office and these restrictions are incorporated as terms in an employee's contract of employment under the legislation.

Employees who are politically restricted are:

- Barred from standing for office as any of the following:
 - Local Councillors (including Town/Parish Councillors).
 - Members of Parliament.
 - Members of the Welsh Assembly.
 - Members of the Scottish Parliament.
- Restricted from canvassing on behalf of a political party or a person who is or seeks to be a candidate.
- Not permitted to speak to the public at large or publish any written or artistic work that could give the impression that they are advocating support for a political party.
- Particular care should be taken with social media posts.

3.17 Working with Members

You must treat all political groups and individual Councillors equally, fairly and remain politically neutral at all times. You must provide professional, impartial, and effective support, to enable Councillors to fulfil their role, in and on behalf of, the Council.

You must not seek to influence or lobby a Councillor with regard to personal issues.

It is important that there should be good working relationships between senior officers and Leaders/Members of the Cabinet and Chairs of Committees. However, such relationships must not be allowed to become so close as to cast doubt either on an officer's ability to deal impartially with other Councillors, or the Councillor's ability to deal impartially with other employees.

3.18 Trade Union Representatives

If you are a workplace representative of a trade union or a professional association, you must ensure that when you make a public comment, it is clear that any such comment is made on behalf of the union or association you represent and not the Council. Provisions relating to time to undertake official union roles are outlined in the facilities agreement.

3.19 Closed Organisation

If you are a member of any organisation that is not open to the public and in respect of which secrecy about rules or membership or conduct exists you must disclose this on the Annual Employee Declaration.

3.20 Community Activities and Public Positions

The Council complies with all relevant laws and regulations and operates in ways that benefits the communities in which it serves. We encourage you to uphold this commitment to the community and your activities. If you hold an elected or appointed public office while employed at the Council you must disclose it as part of the Employee Declaration process. It is important that you do not get involved in any decisions that might create or appear to create a conflict of interest.

3.21 Criminal Charges, Convictions and Misconduct

You must conduct yourself in a professional manner at all times at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring you, or the Council into disrepute may be the subject of disciplinary action which could lead to dismissal. The Council requires all applicants for jobs to disclose all contraventions of, or failures to comply with, any provisions of law, whether committed in the UK or elsewhere, unless the Rehabilitations of Offenders Act applies, and the rehabilitation period has expired. In some circumstances, Disclosure and Barring Service (DBS) checks are conducted on successful applicants for certain positions in the Council.

Once you are an employee, you must notify the Council in writing if you are charged with any criminal offence, or if you are convicted of any offence. If you are charged with an offence, the notice must be given immediately after you are charged (i.e. the next working day). If you are convicted of an offence, the notification must be given immediately after you are convicted (i.e. the next working day). It should be noted that the term “conviction” includes a finding of guilt regardless of whether a conviction is recorded. Failure to notify the Council in either case will constitute grounds for disciplinary action.

3.22 Respecting the Council

We expect you to spend all of your contracted hours working for the Council. Computers and software (e.g. email, internet) may only be used in line with our guidelines. The use of Council property or facilities (stationery, photocopiers, etc.) for personal reasons is not acceptable. If you want to publish any material which you have written in connection with your role you must first gain the consent of your manager. If, in the course of your work, you create copyright work (for example a procedure manual or a software programme) a patented invention, or design capable of registration, this will become the property of the Council and you may be required to cooperate in the Registration Formalities.

3.23 Security

You must visibly display your Identification Badge at all times while you are on any Council premises. All employees are required to challenge anyone in an employee and/or secure area of the Council premises without either an Employee ID or Visitor’s Badge.

You must not allow any individual not displaying an ID Badge to follow (“tailgate”) you into any secure area of the Council premises.

If you come to work without your badge, you must report to the Council reception point to collect and use a temporary replacement. If you lose your ID Badge, you must report it immediately to your manager. You will be required to pay for a replacement.

If you have a visitor coming to see you at the Council premises, you must ensure that they sign in/out at reception and are issued with a visitor badge. You must ensure that they are escorted around the building whilst onsite.

3.24 Use of Information Technology

Employees must use any ICT equipment or facilities provided by the Council for use in the course of their employment in a proper and responsible manner. The Council is entitled to expect at least the same standard of care of its property as employees give to their own property.

Employees must adhere to the Council ICT Acceptable Use Policy and associated guides at all times. This Policy outlines the obligations on the part of Council employees and other contractors regarding the acceptable use of Council owned ICT devices and the steps the Council may take to ensure security compliance.

The content of the Council IT resources and communications systems are the property of the Council. Therefore, staff should have no expectation of privacy in any message, files, data, document, telephone conversation, social media post conversation or message, or any other kind of information or communications transmitted to, received, or printed from, stored, or recorded on the Council IT and communications systems.

The Council reserves the right to monitor, intercept and review, without further notice, an employees use of the IT resources and communications systems, including but not limited to emails, social media postings and activities, to ensure that its rules are being complied with and for legitimate business purposes.

Failure to follow the ICT Acceptable Use Policy may lead to disciplinary action under the Council Disciplinary Policy.

3.25 Internal Audit, Counter Fraud and Risk and Opportunity Management

The Council is subject to internal audit services and counter fraud inspections and investigations. All employees have a responsibility to contribute to this work, and where actions have been agreed, and you are responsible for progressing that action, it is your responsibility to ensure it is addressed within the agreed timescale.

The Council has a risk and opportunity management framework. All employees have a role to play in the identification and assessment of risk and the implementation of controls, where applicable.

3.26 Reporting Breaches of the Code and Whistleblowing

If you are concerned about any practice you see in the Council which you think conflicts with the Code of Conduct, you should obtain advice from your Manager, Monitoring Officer or Trade Union representative, or any other appropriate person as identified in the Council policies referred to in the Code of Conduct.

The Public Interests Disclosure Act 1998 and Council Whistleblowing Policy can provide safeguards for employees and public officials who disclose unlawful and improper conduct including breaches of this Code.

Public Interests Disclosure / Whistleblowing concerns should be raised with a member of the HR Team, Internal Audit or the Counter Fraud and Enforcement Unit. Please refer to the Whistleblowing Policy for other ways to report concerns.

Any suspicion of money laundering must be reported in the first instance to the SI51. Please refer to the Council Proceeds of Crime and Money Laundering Policy for specific information.

3.27 The role of a Manager at the Council

As a manager, you have a responsibility to set a good example for employees through your own behaviour and attitudes, especially in relation to upholding the ethical principles, obligations, behaviours, and the standards as set in this Code of Conduct.

You should ensure that you understand your responsibilities under relevant financial, legal procurement, technological, human resources, and other relevant policies and procedures, maintaining the principles of accountability, continuous improvement, fairness, flexibility, and equity in the workplace.

You should ensure that employees understand performance standards expected from them and objectively assess their performance against these standards. This should be achieved through the Council appraisal process and regular one-to-one's. As a Manager, you must ensure that your employee received an annual appraisal, which is reviewed as part of your one-to-one meetings. If an employee is not meeting the expected performance standards, you should refer to the Performance Improvement Procedure.

You must ensure that relevant legislation, delegations, and Council policies and procedures are accessible to all employees in your business area, and that both yourself, and they understand their obligations under this Code of Conduct.

You should ensure that all employees who report to you are familiar with the requirements and objectives of their job, and have access to the information, training, supervision, feedback, and work conditions needed to achieve them.

You are required to act promptly, thoroughly, and fairly when responding to, or investigating grievances and reports of breaches of the Code of Conduct. To avoid any accusation of bias, you must not be involved in the appointment of any applicant if you are a relative or friend to them.

Similarly, you must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner or friend. If you are in any doubt, you should discuss the matter with your manager.

Nolan Principles

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Social Media Guidelines

There is often a fine line between the use of social media as a work tool and your personal use as an individual outside of your work role. Sometimes your opinions may conflict so you must take care to separate the two when that happens.

The Council recognises that many employees make use of social media in a personal capacity. While you may not be acting on our behalf, you must be aware your actions can damage the Council if you're recognised as being one of our employees.

If you use social networks or blogs for personal use and have indicated that you work at the Council, you should consider using a disclaimer that states that opinions on this site are your own. An example: 'The views expressed are my own and don't reflect the views of my employer.'

When posting on social media you should:

1. Always be mindful of the impact your contribution might make to our reputation.
2. Remember you are personally responsible for all content you publish.
3. Not upload, post or forward any content that is abusive towards your colleagues, members of the public or the Council as an organisation. It could result in disciplinary action if you do. This includes any content that is abusive, obscene, discretionary, harassing, derogatory or defamatory.
4. Never disclose commercially sensitive, anti-competitive, private, or confidential information. Also, do not breach copyright, for example by using someone else's images or written content without permission.
5. Be aware that what you publish will be around for a long time so consider the content carefully and also be sensible about disclosing sensitive details.
6. Remember that social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. You must refer these enquires to the Communications team.
7. Be conscious that our reputation is made by your behaviour. Everything you publish reflects how we are perceived. Please ensure you're aware of our values and reflect these.
8. Ensure that if you identify that inaccuracies about the Council have been published in a public forum, you may politely and sensitively point out the factual inaccuracies but should refrain from entering into a debate. You should also advise the Communications team that you have identified information that is inaccurate or could damage our reputation.
9. Ensure compliance with data protection legislation – for example moving the discussion to private message (Facebook) or direct message (Twitter) when personal details need to be discussed. Alternatively, ask them to contact us another way e.g. telephone.
10. Block, hide or ban abusive users.
11. Pay particular attention during the pre-election periods, when special care needs to be taken to ensure that any content you post, share or like is not seen as promoting any political group or individual candidate.
12. Consider the privacy settings on your social media accounts if you are in a public facing role where your name may be published as part of your job. Consider limiting access to your profiles so that people cannot look up your personal accounts and information.

You must not use your personal social media sites when conducting work for the Council. Where the internet or social media is required for enforcement purposes, please refer to the Use of the Internet and social media for Investigations and Enforcement Policy.

This page is intentionally left blank

Agenda Item 9



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL – 20 MARCH 2024
Subject	DECISION TAKEN UNDER URGENCY POWERS
Wards affected	None
Accountable member	Councillor Joe Harris, Leader of the Council Email: joe.harris@cotswold.gov.uk
Accountable officer	Robert Weaver, Chief Executive Officer Email: robert.weaver@cotswold.gov.uk
Report author	Andrew Brown, Democratic Services Business Manager Email: Democratic@Cotswold.gov.uk
Summary/Purpose	To report to Cabinet and Council on a decision taken by the Chief Executive Officer under urgency powers.
Annexes	Annex A – Urgent decision notice
Recommendation(s)	That Full Council resolves to: I. Note the decision taken as set out in Annex A.
Corporate priorities	<ul style="list-style-type: none"> • Delivering Good Services • Responding to the Climate Emergency • Delivering Housing • Supporting Communities • Supporting the Economy
Key Decision	NO
Exempt	NO
Consultees/ Consultation	The Leader of the Council and the Chair of the Overview and Scrutiny Committee were consulted and agreed to the taking of the urgent decision.



1. EXECUTIVE SUMMARY

- 1.1 This report is to formally notify Cabinet and Council of a decision taken by the Chief Executive under urgency powers. The decision taken was to recommend to Council to approve the Corporate Plan 2024-28.

2. BACKGROUND

- 2.1 The Council's Constitution at Part D8 includes the following provision for matters of urgency:

The Council's Chief Executive has delegated authority to take any action they consider necessary in the interests of the Council in cases of urgency. They must only act after consultation with the Leader of the Council, the Chair of the Council or the appropriate Committee and the relevant Ward Member(s), if any. Any action taken in this way shall be reported to the first available meeting of the Council, Cabinet or relevant Committee, as appropriate.

3. URGENT DECISION

- 3.1 The urgent decision taken by the Chief Executive, including the reasons for it and why it was treated as urgent, are set out in the decision notice attached at Annex A.

4. ALTERNATIVE OPTIONS

- 4.1 The alternative options considered are set out in the decision notice at Annex A.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications.

6. LEGAL IMPLICATIONS

- 6.1 The Chief Executive is authorised to take any action he considers necessary in the interests of the Council in cases of urgency.

- 6.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 provide that key decisions may be taken without being notification being advertised on the Council's Forward Plan in cases of special urgency if the Chair of the Overview and Scrutiny Committees agrees that the making of the decision is urgent and cannot reasonably be deferred. In this case the decision had been notified on the Forward Plan for 28 days but with Cabinet rather than the Chief Executive as the decision maker.

- 6.3 The Constitution (Part D8) provides that any decisions taken in this way will be reported to a meeting of the Cabinet, Council or committee, as appropriate. In this case the decision was an executive function that would have ordinarily be taken by Cabinet. The Constitution



also requires (at Part C1, 1.3.19) that, following the taking of an urgent decision, the Leader will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why it was treated as urgent.

7. RISK ASSESSMENT

7.1 There are no risks associated with the recommendations in this report.

8. EQUALITIES IMPACT

8.1 There are no impacts on equalities.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 There are no climate and ecological emergency implications.

10. BACKGROUND PAPERS

10.1 None.

(END)

This page is intentionally left blank

Delegated Decision Notice (DDN)

This form is used to record any delegated decision which has been taken by officers under delegated authority.

Decision title	Urgent Decision – Recommendation of Corporate Plan to Full Council for approval.
Decision date	15 January 2024
Decision maker	Chief Executive Officer
Source of delegation (resolution or Constitution – please reference)	<p>Part D8 of the Constitution authorises the Chief Executive to take any actions necessary in the interests of Council:</p> <p>The Council’s Chief Executive has delegated authority to take any action they consider necessary in the interests of the Council in cases of urgency. They must only act after consultation with the Leader of the Council, the Chair of the Council or the appropriate Committee and the relevant Ward Member(s), if any. Any action taken in this way shall be reported to the first available meeting of the Council, Cabinet or relevant Committee, as appropriate.</p>
Decision taken	To recommend to Council to approve the Corporate Plan 2024-28.
Reasons for the decision	<p>Following the withdrawal of the Corporate Plan item from the agenda of Cabinet on 11 January 2024 due to further consultation being required on the final document, the Chief Executive in consultation with the Leader and Deputy Leader approved the revised version to go to Full Council. The reason for the urgent decision was due to the Corporate Plan needing approval by Council in advance of the formulation of the Budget and Medium-Term Financial Strategy (MTFS) for 2024/25. The Corporate Plan will inform elements of the Medium-Term Financial Strategy and the budget setting process needs to be cognisant of the priorities set out in the Corporate Plan and the means of delivering them. As such delaying the Corporate Plan until the full Council in February was not deemed to be a viable option.</p>
Alternative options considered	<p>Officers did consider alternative options for approving the Corporate Plan, but none were considered possible in order for approval to be granted within the required timeframe.</p> <p>The deferral of the Corporate Plan decision to a later Council meeting was considered but not having the Corporate Plan in place before the budget Council meeting was not deemed to be a suitable option.</p>



Key or non-key?	Key (significant impact on 2+ wards)
Subject to urgency rules?	<p>Yes</p> <p>The Chair of the Overview and Scrutiny Committee agreed that the making of the decision was urgent and cannot be reasonably deferred, in accordance with Under Regulation 11 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.</p> <p>The Chair of the Overview and Scrutiny Committee further agreed that the usual call-in arrangements be disapplied, in accordance with the Council's Constitution (Part C1.3.17).</p>
Affected wards	All Wards
Details of consultation undertaken	Leader of the Council, Deputy Leader of the Council, Deputy Chief Executive, Director of Governance and Development (Monitoring Officer), Business Manager for Democratic Services, Chair of Overview and Scrutiny Committee
Lead officer	Rob Weaver, Chief Executive
List of documents considered	Corporate Plan 2024-2028 (to be published as part of the Full Council agenda on 16 January 2024)

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL – 20 MARCH 2024
Subject	COUNCIL TAX PREMIUM – SECOND HOMES AND LONG-TERM EMPTY PROPERTIES
Wards affected	All
Accountable member	Councillor Mike Every – Deputy Leader and Cabinet Member for Finance Email: mike.every@cotswold.gov.uk
Accountable officer	Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: democratic@cotswold.gov.uk
Report author	Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: democratic@cotswold.gov.uk
Summary/Purpose	To consider the proposals to introduce a Council Tax Premium on second homes and apply a premium to long term empty properties after one year.
Annexes	ANNEX A – Council Tax information letter 2/2024: proposals to exempt categories of dwellings from the council tax premiums in England
Recommendation(s)	That Full Council resolves to: <ul style="list-style-type: none"> I. Agree from 01 April 2024, to levy the maximum level of premium for Empty Homes as set out in the Levelling Up and Regeneration Act 2023. <ul style="list-style-type: none"> a) Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 year up to 5 years of becoming empty; b) Premium of 200% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) between 5 years and 10 years; c) Premium of 300% for dwellings which are unoccupied and

	<p>substantially unfurnished (Empty Homes Premium) for 10 years or more.</p> <ol style="list-style-type: none"> 2. Agree in principle from 01 April 2025 to the implementation of a premium (Second Homes Premium) of 100% for dwellings that are no one's sole or main residence and which are substantially furnished as set out in paragraph 4.7 of the report. 3. Agree to issue the mandatory notice of 12 months to all owners of second homes that a premium will commence from 1 April 2025; and, 4. Note that where premiums are to be applied, the Council is mindful of the current consultation by government which recommends exceptions in certain circumstances outlined within this report. Subject to the outcome of that consultation, a further report may be presented to Cabinet and Council prior to the implementation of the Council's policy on premiums taking into account statute, the Council's requirements and any guidance given by the Secretary of State.
Corporate priorities	<ul style="list-style-type: none"> • Delivering our services to the highest standards • Provide socially rented homes
Key Decision	YES
Exempt	NO
Consultees/ Consultation	Leader and Deputy Leader, Chief Executive and Deputy Chief Executive, Monitoring Officer, Interim Head of Legal Services, Finance Business Partner, Assistant Director Resident Services, Director of Finance (Publica)

1. EXECUTIVE SUMMARY

- 1.1** This report sets out for consideration the introduction of a 100% Council Tax premium in respect of Second Home properties commencing on 1 April 2025 as well as reducing the period a premium can be applied to a Long-Term Empty property from two years to one from 1 April 2024.

2. BACKGROUND

- 2.1** The Government encourages all billing authorities to adopt Council Tax premiums on empty properties with a view to incentivising property owners to bring those properties back into use. Premiums can currently be charged where properties are left unoccupied and unfurnished for periods exceeding 2 years.
- 2.2** In May 2022, the Government published the Levelling Up and Regeneration Bill (“the Bill”). The Bill includes proposals aimed at further addressing empty properties through the reduction in the time after which a premium on an empty property can be charged (from 2 years to 1 year) in addition to measures which seek to recognise the impact that high levels of second home ownership can have in some areas of the country.
- 2.3** The intention of the Bill is to:
- reduce the minimum period for the implementation of a Council Tax premium for empty premises from two years to one year; and
 - allow Councils to introduce a Council Tax premium of up to 100% in respect of second homes.
- 2.4** The Bill received Royal Assent on 26 October 2023.
- 2.5** The premium for second homes can only be implemented if the Council has given at least one-year's notice to council taxpayers. Therefore, the Council would need to make a decision before 01 April 2024 in order to apply this premium from 1 April 2025.
- 2.6** Several councils are planning to make use of the new powers in the Levelling Up and Regeneration Act to charge a Second Homes Premium. According to the Local Government Chronicle (22 January 2024), almost 30 Councils were listed in an article including Cornwall and North Yorkshire which have similar second homes pressures as this Council.

2.7 The Government published Council Tax Information Letter (CTIL) 2/2024 on 11 March 2024. This summarised the response to the consultation on proposals to exempt categories of dwellings from the council tax premiums in England. The CTIL provides local authorities with details of the exceptions to the empty homes premium and second homes premium. The letter is included as Annex A to this report.

3. CHANGES TO EMPTY HOMES PREMIUMS (FROM 01 APRIL 2024)

3.1 Legislation was introduced in 2013 to allow premiums to be charged on empty properties with a view to encouraging homeowners to occupy homes and not leave them vacant in the long term. Initially premiums could only be charged at 50% but current legislation has now changed to allow a progressive charge to be made as follows:

- Dwellings left unoccupied and substantially unfurnished for 2 years or more, up to 100%;
- Dwellings left unoccupied and substantially unfurnished for 5 years or more, up to 200%; and
- Dwellings left unoccupied and substantially unfurnished for 10 years or more, up to 300%.

3.2 Section 80(1)(b) of the 2023 Act will permit billing authorities in England to impose an empty homes premium after one year instead of two.

3.3 Section 80(1)(a) provides that billing authorities must have regard to any guidance issued by the Secretary of State when deciding whether to implement an empty homes premium and it is expected that the current guidance drafted by government in 2013 will be updated. This change to guidance will come into effect from the 2024/25 financial year.

3.4 Sections 81(2) and 81(4) provide that from 1 April 2024, a property can be charged an empty homes premium at 100% after one year, even if it became empty before 1 April 2024.

4. INTRODUCTION OF PREMIUM FOR SECOND HOMES (FROM 01 APRIL 2025)

4.1 For Council Tax purposes, a second home is defined as a dwelling, which is not a person's sole or main home and is substantially furnished. There are approximately 1,500 second homes in the Cotswold district. These properties are subject to the full 100% Council Tax charge.

4.2 Second home ownership within parts of the district is significant and is recognised to have a negative impact in terms of the supply of homes available to meet local housing need. The Bill

recognises the impact that high levels of second home ownership can have, and that more needs to be done to disincentivise people from simply doing nothing with their property, or not using it to its full potential.

- 4.3** Now that the Act has received Royal Assent and is now legislation, it allows councils to apply a Council Tax premium of up to 100% if the mandatory 12-month notice has been given to second homeowners.
- 4.4** With increased pressure on the Council to find houses for local people in need, the implementation of this premium will support the Council's priorities by providing additional Council Tax revenue for housing needs across the district. The intention of the premium is to return second homes to the local housing market thereby increasing the level of available stock for permanent residents.
- 4.5** There are some wider issues to consider.
- Incentivise owners of empty properties to bring these back into use.
 - Properties available to let can be treated as a business and therefore could be subject to business rates. There are certain conditions that are applied to be eligible for assessment under the business rates system. Properties should be available to let for more than 140 nights in a calendar year and were available to let for more than 140 nights in the previous year and were actually let for at least 70 nights in the last 12 months).
 - Couples who own second homes may claim that they are living separately and are single occupants of each respective property (information supplied to claim any discount can be checked and verified. Financial penalties can be imposed where false information is provided).
- 4.6** It is recognised that there are a number of second homes in the district that were built as holiday homes and are subject to certain restrictions on their occupation – largely those within the Cotswold Water Park.
- 4.7** The intention of the second homes premium, as set out in the Levelling Up and Regeneration Act, is to increase the supply of the available housing stock for permanent residents. Purpose built holiday homes located within the Cotswold Water Park or elsewhere are not suitable or available for permanent residents, so their sale would not bring accommodation onto the market. Therefore, it is proposed that subject to relevant guidance and/or legislation, the Council would not seek to charge a Second Homes Premium on these properties.
- 4.8** As outlined in paragraph 2.7 of this report, correspondence was received on 11 March 2024 providing further guidance on properties that would be subject to an exception. A further report may be brought to Cabinet and Council when the Government has legislated to bring the exceptions into effect and will provide further details around the administration and implementation of the Second Homes Premium.

5. FINANCIAL IMPLICATIONS

- 5.1 If a 100% premium on second homes was charged, the additional revenue would be approximately £3.3 million with the District Council retaining around £240,000 (prior to accounting for any reduction for second home properties that may be excluded as set out in paragraphs 4.7 and 4.8).
- 5.2 In recognising the policy objective of charging the Second Homes Premium, it is proposed that the District Council’s share of the additional revenue is set aside in the Council Priority: Housing Delivery reserve to facilitate the provision for additional affordable housing units across the district. This proposal will be subject to ongoing review by the Leader and Deputy Leader, in consultation with the Deputy Chief Executive to ensure the level of funding available to support the Council priority and the Council’s wider financial sustainability objectives are met.
- 5.3 With a significant proportion of the Second Homes Premium being collected on behalf of Gloucestershire County Council and the Police and Crime Commissioner for Gloucestershire, it is recommended that the Leader and the Chief Executive hold discussions with the major preceptors on how the additional Council Tax revenue would be utilised to the benefit of residents in the District.

Cotswold District Council	Gloucestershire County Council	Police and Crime Commissioner for Gloucestershire	Total tax base for Town and Parish Councils	Total
£246,038	£2,483,268	£478,950	£157,518	£3,365,774

(Note: Gloucestershire County Council and the Police and Crime Commissioner would receive more than 90% of the total raised).

6. LEGAL IMPLICATIONS

- 6.1 Section 79 of the levelling Up and Regeneration Act 2023 (“the Act”) amends the Local Government Finance Act 1992 (LGFA) by reducing the period a premium can be applied to a long-term empty property from two years to one.
- 6.2 Section 80 of the Act amends the LGFA by introducing the ability to levy a 100% premium on Second Home properties.
- 6.3 There will need to be a review of the legalities once the relevant legislation has been issued. A further report will be brought back to Cabinet once this has been received.

7. RISK ASSESSMENT

- 7.1 There is a risk that second homeowners may seek to migrate from Council Tax to Business Rates assessments which would reduce the level of Council Tax available to the local authority and the preceptors.

8. EQUALITIES IMPACT

- 8.1 None.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1 There are none associated with this report.

10. ALTERNATIVE OPTIONS

- 10.1 The Council could choose:

1. Not to introduce a premium on either Second Homes or Long-Term Empty Properties that have been empty for one year; or
2. Introduce a premium of Second Homes only; or
3. Introduce the premium of Long-Term Empty Properties that have been empty for one year.

11. BACKGROUND PAPERS

- 11.1 None

This page is intentionally left blank



To: Local authorities in England - For the attention of the Council Tax section

From: Local Taxation Division, Department for Levelling Up, Housing and Communities (council.tax@levellingup.gov.uk)

Date: 11 March 2024

Government's response to the consultation on proposals to exempt categories of dwellings from the council tax premiums in England

Under section 11B, 11C and 11D of the Local Government Finance Act 1992 (as amended or inserted by the Levelling Up and Regeneration Act 2023) councils can apply the long-term empty homes premium on dwellings unoccupied and substantially unfurnished for one year, rather than two. Councils will also have the power to introduce a new discretionary council tax premium of up to 100% on dwellings occupied periodically (often referred to as "second homes premium"). Councils will have the power to choose whether to apply the premiums to their local area or parts of their local area and determine the appropriate level of the premium (as long as it is below the statutory maximum threshold).

The strengthened empty homes premium will come into effect from April 2024. There is a requirement that councils must make a determination at least one year in advance of introducing a second homes premium. The earliest a council can utilise the second homes premium is therefore April 2025. The Act also contains provision to enable the Secretary of State to make regulations to exempt certain classes of property from the council tax premiums.

To ensure that the measures are effective, the government published a [consultation on 6 July 2023](#) seeking views on circumstances where it may not be appropriate for these premiums to apply. The government has published its [response to the consultation, which can be found here](#).

This letter summarises the government's response to the consultation and confirms that the government will legislate to bring the exceptions into effect before the 2025-26 financial year and issue guidance in due course.

Exceptions to both the empty and second homes council tax premiums

- **Properties undergoing probate:** The government will legislate to ensure that inherited properties will have a 12-month exception from the empty and second home premiums after probate or letters of administration have been granted. The property will be liable for the standard rate of council tax once the class F exemption has ended; but a premium cannot be levied for a 12-month period. Where there are cases that merit a longer exception period, or a higher level of discount, councils can continue to exercise their discretion.
- **Properties being actively marketed for sale or let:** The government will legislate to ensure that a 12-month exception to both the empty and second home premiums applies to properties that are actively marketed for sale or let. The exception would run from when the exception first applies until the end of the exception period or until the property is no longer actively marketed, sold, or let (whichever is sooner).

Exceptions to the empty homes premium only

- **Empty properties undergoing major repairs:** The government will legislate so that properties undergoing major repairs or structural alternations will have a 12-month exception from the empty homes premium.



Exceptions to the second homes premium only

- **Annexes forming part of, or being treated as part of, the main dwelling:** The government will legislate to introduce an exception to the second homes premium for annexes which form part of a single property which includes at least one other dwelling. The exception will not apply to annexes where they are not being used as part of the main residence.
- **Job related dwellings:** The government will legislate to introduce an exception to the second homes premium for job-related dwellings. This exception will not apply to cases where someone chooses to have an additional property to be closer to work while having a family home elsewhere or where an individual is posted to a new location but maintain their previous address.
- **Occupied caravan pitches and boat moorings:** The government will legislate so that a pitch occupied by a caravan and a mooring occupied by a boat are an exception to the second homes premium.
- **Seasonal homes where year-round or permanent occupation is prohibited or has been specified use:** Where properties have planning restrictions or other conditions on occupation or use in place which prevent year-round occupation, the government will legislate so that such properties are an exception to the second homes premium.

During the consultation exercise several councils noted that they have existing exceptions in place that may be more generous than those proposed in the consultation or that may apply to different classes of property. The government would like to assure councils that they are free to continue to exercise their powers to offer discretionary discount where circumstances merit it.

In May 2013, the government [published guidance](#) which stated that: “The government’s intention behind the decision to provide billing authorities with the power to charge a premium was not to penalise owners of property that is genuinely on the housing market for sale or rent.” The government would encourage councils to consider whether it would be appropriate to make use of their discretionary powers.

The premiums are intended to be used as a tool to help address the impacts of second and empty homes. The premiums are not intended to penalise owners of properties that may be difficult to sell (for example, retirement properties) or properties that are empty due to their particular use, for example, temporary accommodation for a specific use owned by a charity, registered provider, or local authority (such as domestic violence refuges or emergency housing). The government encourages councils to consider whether it would be appropriate to subject such properties to these premiums, depending on the circumstances.

This page is intentionally left blank

Agenda Item 11



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL – 20 MARCH 2024
Subject	COUNCIL TAX REDUCTION FOR CARE LEAVERS
Wards affected	All
Accountable member	Cllr Mike Evemy – Deputy Leader and Member for Finance Email: mike.evemy@cotswold.gov.uk
Accountable officer	Jon Dearing - Assistant Director for Resident Services Email: Democratic@Cotswold.gov.uk
Report author	Mandy Fathers – Business Manager Email: Democratic@Cotswold.gov.uk
Summary/Purpose	To consider proposals to extend the age that Care Leavers can receive a reduction in Council Tax from 21 years to 25 years
Annexes	Annex A
Recommendation(s)	That Full Council resolves to: <ol style="list-style-type: none"> 1. Approve to extend the age that a care leaver can receive a reduction in their council tax from 21 years to 25 years; 2. Approve to include those care leavers from outside of Gloucestershire County within the offer; 3. Approve the amended Eligibility Criteria as set out in Annex A
Corporate priorities	<ul style="list-style-type: none"> • Delivering Good Services • Supporting Communities
Key Decision	YES
Exempt	NO
Consultees/ Consultation	Chief Executive, Chief Finance Officer, Monitoring Officer, Interim Head of Legal Services, Finance Business Partner, Assistant Director, Director of Finance (Publica)



1. EXECUTIVE SUMMARY

- 1.1 This report sets out a proposal to extend the age that a Care Leaver can receive a reduction in their Council Tax from 21 years to 25 years. It also recommends that the Policy be expanded to include those care leavers who settle in the Cotswold District from outside the Gloucestershire County.

2. BACKGROUND

- 2.1 In the Government's care leavers' strategy, Keep on Caring, published in July 2016, councils were encouraged to consider the role of a Corporate Parent 'through the lens of what any reasonable parent does to give their child the best start in life'. In relation to this, local authorities were encouraged to consider exempting care leavers from Council Tax using powers already at their disposal.
- 2.2 In August 2016, through their report into homelessness, the then Communities and Local Government Select Committee recommended to Government that care leavers be made exempt from Council Tax up to at least the age of 21.
- 2.3 Cotswold District Council approved a policy for such an exemption on 17 January 2019 which included:
- Where a property is solely occupied by Care Leaver(s) 100% council tax discount would be awarded; and,
 - Where a Care Leaver is in occupation and jointly liable with others a 50% discount would be awarded.
- 2.4 This policy, which the 6 Gloucestershire District/Borough Councils and Gloucestershire County Council had worked together to agree a common Council Tax discount scheme came into force on 1 April 2019.

3. MAIN POINTS

- 3.1 All young people setting up a home for the first time need particular support and guidance at this period of transition. Those who leave care often have little choice over accommodation options. While being supported by the County Council's leaving care service, care leavers are faced with a new set of often overwhelming responsibilities without the wide-ranging family support that most other people rely upon. Once care leavers have a tenancy, they can find it difficult to keep their independent accommodation for a myriad of reasons, including the demands made on their often-limited income.
- 3.2 Although the council's current policy gives some support to Care Leavers it places a restriction on age, up to 21 years. Gloucestershire County Council have approached all Gloucestershire local authorities to request their policies be amended to extend the age up to 25 years; and to include not just those care leavers from within the county for whom the



County holds a corporate parental responsibility, but to those care leavers entering the county from other areas of England.

- 3.3 It is recognised that the journey from care can often be difficult for young people, and the degree of success can have an impact on outcomes well beyond early adulthood.
- 3.4 As corporate parents the County Council and its partners want to ensure young people are well equipped and understand their own level of skill and aspirations for their future. Having access to safe and appropriate accommodation is key to young people achieving positive outcomes, however this is much more than just finding them a place to stay.
- 3.5 Evidence from the Children’s Society suggests that care leavers can be vulnerable to homelessness, particularly when they struggle to maintain tenancies. By granting the exemptions as detailed within Annex A from Council Tax the council will be providing real practical help to those leaving care who are starting out in life on low incomes, whilst they are working to develop budgeting and independent living skills.
- 3.6 The proposal is to implement the scheme jointly with all Gloucestershire Councils from 1 April 2024.
- 3.7 Gloucestershire County Council, as the corporate parent, remains responsible for supporting care leavers to access Council Tax reductions that they may be eligible for.
- 3.8 Cotswold District Council and its precept partners will accept their proportions of the financial liability in the same proportions as the Council Tax Support Scheme.

4. ALTERNATIVE OPTIONS

- 4.1 There are no alternatives to consider.

5. FINANCIAL IMPLICATIONS

- 5.1 Billing Authorities are required to fund any section 13A discounts in full; however, by way of a local voluntary agreement, the major precepting authorities will fund their share of the costs for the discounts.
- 5.2 The cost of awarding care leaver discounts based on any of the above recommendations would depend both on the number of care leavers liable for Council Tax and their meeting the eligibility criteria.
- 5.3 An indicative estimate of the financial implication of this policy is shown below based on 2023/2024 council tax data:

District	No. of care leavers	Gross Council Tax	County Liability	District Liability	Police	Town/Parish
CDC	2	£1,930	£1,425	£139.36	£276	£89.55



5.4 These figures are based on the gross liability without any additional statutory discounts and/or exemptions which may also be applicable. It is also dependant on which band(s) of property potential qualifying cases will be resident in as to how much it might cost the District Council. The financial impact is however expected to be minimal.

6. LEGAL IMPLICATIONS

6.1 Billing Authorities have discretion under Section 13A(1)(c) of the Local Government Finance Act 1992 to reduce the amount of Council Tax payable for individuals, or for classes of council taxpayers. This includes the power to reduce the amount payable to nil.

7. RISK ASSESSMENT

7.1 Failure to aware the eligible discount could lead to a potential reputational risk for the local authority.

8. EQUALITIES IMPACT

8.1 To ensure compliant with the Equality Act 2010 an Equality Impact Assessment has been conducted and is attached at Annex A which concludes there is no negative impact on any of the protected characteristics.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 None

10. BACKGROUND PAPERS

10.1 None

(END)

Annex A

Eligibility Criteria

- a) For the purpose of this document a Care Leaver is defined as a young person aged 18 – 25 who was formerly a child in the care of Gloucestershire County Council, or any County Council or Unitary Council in England and then became a ‘former relevant care leaver’ as defined by the Children (Leaving Care) Act 2000. The Care Leaver must be resident and liable for council tax on a property within the Cotswold District Council area.
- b) A Care Leaver must be aged 18 – 25 years old to qualify for a reduction under the care leavers discount scheme. A Care Leaver will cease to qualify for the discount from the date of their 26th birthday.
- c) A Care Leaver must be the liable person for Council Tax, either solely or jointly and severally with other(s), at the dwelling in respect of which the application is made. The Council Tax account must be in their name.
- d) Where the Care Leaver lives in a Housing of Multiple Occupation or other property where they are not the council taxpayer, no discount will be awarded.
- e) The Care Leaver discount will apply to occupied properties only.
- f) Confirmation that a claimant is a Gloucestershire County Council ‘former relevant care leaver’ or care leaver from outside of the County must be received from Gloucestershire’s 11– 25 Permanency Service.

Care Leaver Discount

The Care Leaver Discount is effective from 1 April 2024.

Care Leavers that meet the eligibility criteria listed above will be eligible to apply for a discretionary discount as follows:

- Where a property is solely occupied by Care Leaver(s), 100% will be awarded
- Where a Care Leaver is in occupation and jointly liable with others, 50% discount will be awarded.

The Care Leaver discretionary discount will be awarded after statutory discounts, exemptions, disability discount and local council tax support.

Application Process and Administration

Gloucestershire County Councils Permanency Service will provide information to confirm the name, address and date of birth of Care Leavers living in the Cotswold District area who will qualify for the discount.

A Care Leaver discount may also be awarded where the following information is provided and the Care Leaver status has been verified with Gloucestershire County Council’s Permanency Service.

An application should provide the following information:

- Full name
- Date of birth
- Current address
- Details of any other adults in the property and relationship to them
- Details of any circumstances that would be relevant to entitlement to legislative discounts, disregards or exemptions
- Contact details
- Name of Leaving Care Worker if known

Awards will be made directly by a discount in council tax liability and notification of the discount being awarded will be by way of the council tax 'amended' bill.

The Revenues and Housing Support department will undertake periodic reviews appropriate to the individual of each case.

The Care Leaver, or his/her appointee or a recognised third party acting on his/her behalf, must advise Cotswold District Council of any changes in circumstances which may affect entitlement to the discount within 21 days of the change occurring.

Any overpaid Care Leaver discount will be reclaimed through the relevant council tax account and collected and recovered under the Council Tax (Administration and Enforcement) Regulations 1992.

Review of Decision / Backdating

Under the Local Government Finance Act 1992, there is no right of appeal against the Council's use of discretionary powers. However, the Council will accept a written request for a reconsideration of the initial decision. The request must be supported by further information or evidence and be made within one calendar month of the decision. The reconsideration will be undertaken by the Deputy Leader and Cabinet member for Finance.

The Council will accept applications backdated to the beginning of the financial year, or to the date the care leaver became responsible for council tax so long as the date is not more than 12 months prior to the date of application. The Care Leaver discount cannot be awarded prior to 1 April 2024.

Agenda Item 12



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL - 20 MARCH 2024
Subject	PAY POLICY STATEMENT
Wards affected	All
Accountable member	Cllr Joe Harris, Leader of the Council Email: joe.harris@cotswold.gov.uk
Accountable officer	Robert Weaver, Chief Executive Email: robert.weaver@cotswold.gov.uk
Report author	John Llewellyn, Business Manager for People Email: john.llewellyn@publicagroup.uk
Summary/Purpose	To consider the Council's Pay Policy Statement for 2024/25.
Annexes	Annex A – Pay Policy Statement
Recommendation(s)	That Full Council resolves to: <ol style="list-style-type: none"> 1. Approve the Pay Policy Statement for 2024/25. 2. Agree that the Pay Policy Statement 2024/25 will be updated and republished to reflect any changes to the senior management structure at that point.
Corporate priorities	<ul style="list-style-type: none"> • Deliver the highest standard of service
Key Decision	YES
Exempt	NO
Consultees/ Consultation	<p>Helen Blundell, Interim Head of Legal Services Email helen.blundell@fdean.gov.uk</p> <p>Angela Claridge, Director of Governance & Development (Monitoring Officer) Email angela.claridge@cotswold.gov.uk</p> <p>David Stanley, Deputy Chief Executive Officer CDC Email david.stanley@cotswold.gov.uk</p>



COTSWOLD
DISTRICT COUNCIL



1. EXECUTIVE SUMMARY

- 1.1 The purpose of the Pay Policy Statement is to clarify the Council's strategic stance on pay in order to provide direction for members and officers making detailed decisions on pay and to provide the residents of the Cotswold district with a clear statement of the principles underpinning decisions on the use of public funds.

2. BACKGROUND

- 2.1 Under section 112 of the Local Government Act 1972, the Council has the power to appoint officers on such reasonable terms and conditions, including remuneration, as the authority thinks fit. This Pay Policy Statement sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees.
- 2.2 Once approved by the full Council, the statement will come into immediate effect and will be published by no later than 01 April each year, subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time
- 2.3 The Council has published information on senior pay for a number of years on its website and in its Statement of Accounts. It has also responded openly and in full to Freedom of Information Act requests for such details.

3. PAY POLICY STATEMENT 2024/25

- 3.1 The Local Government Transparency Code 2015 places additional publication requirements on local authorities to publish data on their websites. This includes the requirement either to publish the data on their website or place a link on their website to such data. Additional requirements of the Code include the requirement for local authorities to publish
- A list of responsibilities of senior staff
 - Details of bonuses and "benefits-in-kind" for all employees whose salary exceeds £50,000
 - The pay multiple, defined as the ratio between the highest paid taxable earnings for the given year and the median earnings figure of the whole of the authority's workforce.
- 3.2 This information is available on the Council's website and includes reference most Cotswold District Council staff transferred to Publica who now provide services on the council's behalf. A small number of staff continue to be employed by the council
- 3.3 Over the coming 12 months, it is likely that a number of staff will transfer back from Publica to Cotswold District Council following the decision to return the majority of services from



Publica back to Councils. The direction of travel and indicative timetable for the return of services was set out in the Publica Review- Local Partnerships Transition Plan report to Cabinet in March 2024.

- 3.4 Therefore, this Pay Policy Statement should be viewed in the context of the Publica Review outcomes and indicative Transition Plan.
- 3.5 The Pay Policy Statement is set out in Annex A to this report.

4. CONCLUSIONS

4.1 Council will keep the Pay Policy Statement under review informed by the Publica Review Transition Plan. Once adopted, the Pay Policy Statement will be published on the Council's website

4.2 Please note: The Pay Policy Statement allows for transparency and sets out the following elements:

- pay for each of the in scope officers
- remuneration of lowest paid officer
- the pay relationship between the highest paid officers and other officers
- performance related pay and bonuses, termination payments, transparency
- other aspects of remuneration.

Below is a list of those officers covered by the policy statement:

- Chief Executive (Head of Paid Service)
- Deputy Chief Executive (s 151 officer)
- Director- Governance and Development (Monitoring Officer)
- Other officers of the Council.

4.3 Section 5 deals with senior pay.

4.4 The pay differential between the highest paid officer and the median officer is set out in section 10.2 The resultant Multiple is 2.91

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising directly from this report.

6. LEGAL IMPLICATIONS

6.1 There are no legal implications other than those set out elsewhere in this report.

7. BACKGROUND PAPERS

7.1 None

(END)

This page is intentionally left blank

Pay Policy Statement - Cotswold District Council 2024/25

Table of contents

1.	Background.....	2
2.	Scope of this policy statement.....	2
3.	Officers covered by the policy statement	2
4.	General Statements.....	3
5.	Policy on remuneration of senior officers	3
6.	Tax avoidance.....	4
7.	Relationship with other officers' pay	5
8.	Market forces supplement	5
9.	Retention payment scheme.....	5
10	Lowest paid employees.....	5
11	Pay protection.....	6
12	Severance payments.....	6
13	Honorarium payments	6
14	The Real Living Wage	7
15.	Other pay and conditions in operation	7
16	The Local Government Pension Scheme (LGPS)	7
17.	The Performance and Appointments Committee (PAC).....	7

1. Background

1.1. This statement is intended to meet the requirements of:

- s 38 (1) of the Localism Act 2011 which requires the Council to approve a Pay Policy Statement annually prior to the commencement of the financial year.
- the Council's obligations under the associated statutory guidance set out in the Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act (February 2012) together with the Local Government Transparency Code 2015.

2. Scope of this policy statement

2.1. To avoid confusion and provide transparency this statement will only apply to all officers that are employees of Cotswold District Council although a number of officers hold dual employment contracts with Publica (a Council owned service company).

2.2. Details of senior staff pay at Publica can be found within their statement of accounts.

2.3. The current statement sets out the following elements:

- pay for each of the in-scope officers
- remuneration of lowest paid officer
- the pay relationship between the highest paid officers and other officers
- performance related pay and bonuses, termination payments, transparency
- other aspects of remuneration.

3. Officers covered by the policy statement

3.1. Below is a list of those officers covered by the policy statement:

- Chief Executive (Head of Paid Service)
- Deputy Chief Executive (s 151 officer)
- Director- Governance and Development (Monitoring Officer)
- Other officers of the Council.

3.2. Officers not covered by this statement include officers who are wholly or primarily employed by Publica and who retain dual employment contracts to deliver statutory elements of their roles such as Parking Appeal decisions or delegated planning decisions which require an employment relationship with the Council.

4. General Statements

- 4.1. The Council has a range of Human Resources policies that apply equally to all officers across the Council from the highest paid to the lowest paid. These policies cover a wide range of Human Resources issues including annual leave arrangements and sickness arrangements.
- 4.2. As part of the formation of Publica, the Council determined that directly employed staff should in future adopt similar policies as the Publica employees in the interests of fairness and equity.
- 4.3. Subsequent to Publica merging its multiple pay and grading structures in 2020 and adopting a new comprehensive job evaluation scheme to ensure equal pay compliance, the Council has adopted a scheme built on similar principles in line with the previous Council resolutions.
- 4.4. The new Pay and Grading structure was designed in consultation with the Trade Unions and seeks to provide flexibility for the Council to adapt to changes in pay pressures and market conditions whilst retaining equal pay protection. The scheme also provides for local pay increases in addition to the national (cost of living) pay award in a similar way to incremental pay in the current scheme.
- 4.5. Following the conclusion of the staff consultation process, the new pay structure was implemented in June 2022 (pay back dated to 1st April 2021). This new pay structure does not cover statutory roles which remain subject to the previous benchmark approach as agreed by Council.

5. Policy on remuneration of senior officers

- 5.1. The policy for the year 2024/2025 in respect of statutory officers is to maintain the level of pay in the same bands as the current year subject to any cost-of-living award that may be agreed nationally in relation to year 2024/2025.

Statutory Officers – individual posts graded via benchmark exercise.

Chief Executive (Head of Paid Service) - £112,298

Deputy Chief Executive (s 151 officer) £91,287

Director – Governance and Development (Monitoring Officer) £91,287

Other Senior Pay

- 5.2. In respect of other senior pay the revised scheme was implemented in June 2022 (pay back dated to 1st April 2021). This will also be subject to the national pay award in respect of 1 April 2024.
- 5.3. The new scheme is made up of four levels based upon the nature of the role with each level sub divided into generic job groups and specific comparable pay peer groups. Senior officer pay (other than statutory officers) falls within the translate pay level.

The pay levels are: -

Core	£23,151 - £37,459
Implement	£28,444 - £51,665
Guide	£42,957 - £64,436
Translate	£54,297 - £81,445

5.4. At the time of publication of this policy statement no annual pay award has been agreed for 2024/2025. These pay levels will be automatically upgraded by the agreed pay award.

5.5. Other factors relating to pay:

- Officers are generally placed upon the bottom pay point on appointment, but this can be varied by the approval of the appropriate appointments panel.
- A local pay award can be made annually to allow progression within job groups typically to the mid-point
- Pay levels above the mid-point need to be supported by special factors such as market forces
- No performance related pay exists for any Senior Officer.
- No bonuses are available for any Senior Officer.
- Termination benefits payable will be in line with that available to all other officers as set out in the Redundancy and Retirement Policies in line with Employment Rights Act tables.
- Full Council will retain the decision to make any new appointment of an officer where the pay (incorporating all payments and benefits in kind) exceeds £100,000.
- Full Council will retain the decision to approve any severance payments where the compensation payments exceed £100,000

5.6 The details of the payments in respect of all these officers are set out in the [Transparency page](#) of the Councils website.

5.7 None of the Senior Officers are entitled to receive overtime payments for time worked beyond the contracted hours and out of ordinary working hours.

5.8 The Returning Officer for election purposes also receives a payment for the statutory duties undertaken by virtue of the specific, additional appointment to that role in addition to other responsibilities. For national elections and referenda, the amount is set and is payable by the government. For District and Town/Parish Council elections, the fees are payable by the District Council in accordance with an approved scale.

6. Tax avoidance

6.1. The Council does not and will not employ senior managers in permanent positions via service companies that could be construed as avoiding tax and national insurance contributions. From time to time the Council may employ individuals via service companies to cover interim or short-term project roles. However, the Council will

comply with its responsibilities regarding the application of HMRC regulations on payments made to personal service companies (known as IR35) by applying income tax and national insurance deductions to the payment.

7. Relationship with other officers' pay

- 7.1. Statutory Officers positions are benchmarked by the HR Business Manager using external data and are subject to an annual increase in line with the annual cost of living awards for staff covered by NJC Terms and Conditions.
- 7.2. A full list of the job groups and associated pay ranges is attached to this policy.

8. Market forces supplement

- 8.1. Evidence from our market and recruitment data shows that for some professions a higher salary may be necessary to attract and retain staff. Our most recent market data indicates that for some professions this could be as high as 15% above the mid-point and this is already built into the grading structures that have been proposed utilising the in-built flexibility above mid-point.

9. Retention payment scheme

- 9.1. A retention payment scheme is available to all areas of the Council, and might be used in the following cases:
 - Difficulty in recruiting the most suitable candidate for a post.
 - Difficulty in retaining key people where their leaving would significantly affect internal and/or external service delivery.
- 9.2. All additional payments will be time limited and reviewed at predetermined intervals to reconsider their appropriateness against the prevailing job market.
- 9.3. The scheme may be applied flexibly and can mean:
 - Paying someone at a higher salary level
 - Making a one-off payment.
- 9.4. These can be used in combination with other benefits that the Council offers. A package to suit the particular circumstances should be used and no individual should receive benefits that equate to more than 15% above the maximum of their substantive grade.

10. Lowest paid employees

- 10.1. Lowest paid employees of the Council are defined as those employees (excluding Apprentices) who are in a full time or part time role, who are above the age of 21, and are paid within the Core category of the new Job Evaluation scheme (the lowest band). From 1st April 2023 the lowest Core Grade was £23,151. This amount is subject to a pay award pending in respect of April 2024.

10.2. The pay differential between the highest paid officer and the median officer is set out below:

Highest	£112,298
Median Employee	£38,615
Multiple	2.91

11. Pay protection

11.1. The Council seeks to ensure that all employees receive equal pay for work of equal value. To be consistent with equal pay principles the Council's protection arrangements will not create the potential for pay inequalities (e.g., open-ended protection).

11.2. There may be times when the grade for an individual's role changes for reasons unrelated to their performance e.g., restructures. In such cases the protection arrangements outlined will apply for 3 years from the date of the change.

12. Severance payments

12.1. The Council has a consistent method of calculating severance payments which it applies to all employees without differentiation. The payment is intended to recompense employees for the loss of their livelihood and provide financial support whilst they seek alternative employment.

12.2. In line with the statutory redundancy payment scheme, the Council calculates redundancy severance payments using the following calculation. The calculation is based on an employee's age and length of continuous local government service (please note that employees must have a minimum of 2 years' continuous service to qualify for a redundancy payment) the multiplier for the number of weeks is then applied to the employee's actual weekly earnings.

12.3. The amount of redundancy pay will be calculated as:

- 0.5 week's pay for each full year of service where age at time of redundancy is less than 22 years of age.
- 1 week's pay for each full year of service where age at time of redundancy is 22 years of age or above, but less than 41 years of age.
- 1.5 weeks' pay for each full year of service where age at time of redundancy is 41+ years of age.

12.4. The maximum number of service years taken into account is 20. The maximum number of weeks' pay is 30 for anyone aged 61 years of age or older with 20 years or more service

13. Honorarium payments

13.1. Payment of honoraria is a method by which the Council may reward an employee who has temporarily undertaken the duties and responsibilities of a higher graded

post, or who has worked excessive hours whilst not being entitled to overtime payments.

14. The Real Living Wage

14.1. The Council and Publica are committed to paying the Real Living Wage (RLW). The RLW rate from October 2023 is:

- £12.00 per hour across UK (except London - £13.15) for workers 18 years and older.

14.2. The RLW is voluntary and is independently calculated based on what people need to get by. The Government encourages all employers that can afford to do so to ensure their employees earn a wage that meets the costs of living, not just the government minimum.

14.3. For Council employees whose substantive post is less than the RLW they will automatically receive the rate set out in 14.1 above.

15. Other pay and conditions in operation

- Stand by and call out payments
- Long service award

16. The Local Government Pension Scheme (LGPS)

16.1. The LGPS provides for the exercise of discretion that allow for retirement benefits to be enhanced. The Council will consider each case on its merits but has determined that it does not normally enhance pension benefits for any of its employees, nor does it operate any discretions under the Local Government (Discretionary Payments) (injury Allowances) Regulations 2011.

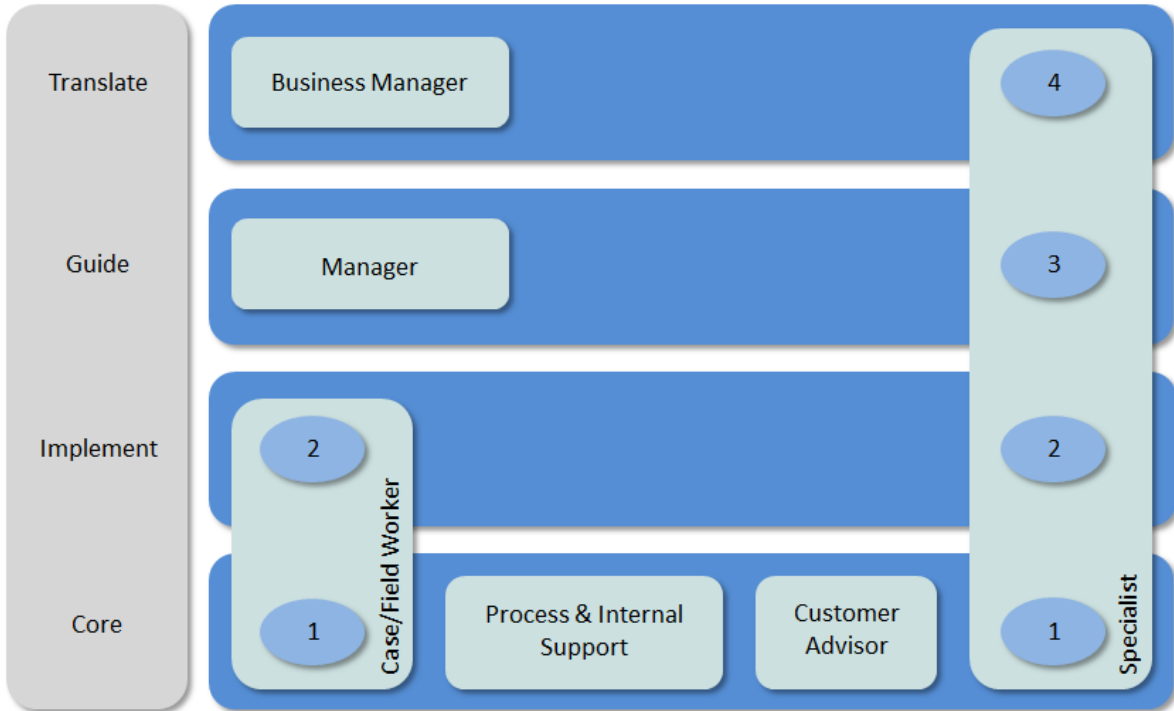
16.2. Further information regarding the [Gloucestershire County Pension Scheme pensions](#) administering body for the Council is available from the Gloucestershire County Council website.

17. The Performance and Appointments Committee (PAC)

The PAC are responsible for:

- The salaries and contractual T&Cs of the statutory officers.
- Retirement/redundancy issues relating to the CEO,
- Any grievance and/or disciplinary matters in respect of the statutory officers.

Evaluate framework Job Groups:



Job Groups	From (£) *	Mid-Point (£) *	Top (£) *
Business Manager	54297	67871	81445
Level 4 Specialist	54297	67871	81445
Level 1 Manager	42957	53697	64436
Level 3 Specialist	42957	53697	64436
Level 2 Specialist	34443	43054	51665
Level 2 Case / Field Worker	28444	35555	42666
Level 1 Specialist	24973	31216	37459
Level 1 Case / Field Worker	23151	27766	33319
Customer Advisor	23151	27298	32758
Process / Internal support	23151	27298	32758

Note: Not all job groups will be utilised