



Town Hall
Wallasey

2 October 2015

Dear Councillor

You are hereby summoned to attend a meeting of the Council to be held at **6.15 pm on Monday, 12 October 2015** in the Council Chamber, within the Town Hall, Wallasey, to take into consideration and determine upon the following subjects : -

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AGENDA

1. DECLARATIONS OF INTEREST

Members of the Council are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest, in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

2. CIVIC MAYOR'S ANNOUNCEMENTS

To receive the Mayor's announcements and any apologies for absence.

3. PETITIONS

To receive petitions submitted in accordance with Standing Order 21.

4. PUBLIC QUESTIONS

To deal with questions from members of the public, in accordance with Appendix 1 to Standing Orders.

5. MINUTES (Pages 1 - 24)

To approve the accuracy of the minutes of the meetings of the Council

held on 6 and 13 July, 2015.

6. LEADER'S, EXECUTIVE MEMBERS' AND CHAIRS REPORTS (Pages 25 - 68)

To receive the written reports of the Leader, Cabinet Members and Chairs of the Policy and Performance Committees and receive questions and answers on any of those reports in accordance with Standing Orders 10(2)(a) and 11.

7. MATTERS REQUIRING APPROVAL BY THE COUNCIL (Pages 69 - 188)

To consider any recommendations of the Leader, Cabinet, Cabinet Member and Committees which require the approval of the Council. The relevant minutes are attached; copies of the related reports can be provided for Council members on request.

A. Human Resources Policy Update (including revised Disciplinary Policy and Procedure) (Pages 69 – 92)

Minute 7 and the report to the Transformation and Resources Policy and Performance Committee (15 July, 2015) are attached and the Council is recommended to approve the revised Disciplinary Policy and Procedure.

B. Capital Monitoring 2015/16 – Quarter 1 (April – June 2015) (Pages 93 – 109)

Minute 41 and the report to Cabinet (27 July, 2015) are attached and the Council is recommended to approve the revised capital programme of £61.5 million.

C. Revenue Monitoring 2015/16 – Quarter 1 (April – June 2015) (Pages 111 – 127)

Minute 42 and the report to Cabinet (27 July, 2015) are attached and the Council is recommended to approve the amended revenue budget 2015/16.

D. Children and Young People's Department – New Capital Schemes 2015-16 to 2017-18 (Pages 129 – 140)

Minute 51 and the report to Cabinet (10 September, 2015) are attached and the Council is recommended to approve the new capital schemes' inclusion within the overall Capital Programme.

E. Attendance Management Policy (Pages 141 – 188)

Minute 15 and the report to the Transformation and Resources Policy and Performance Committee (21 September, 2015) are attached and the Council is recommended to approve the revised Attendance Management Policy and Procedure.

8. MATTERS FOR NOTING (Pages 189 - 190)

The following matter, determined by the Cabinet, is drawn to the Council's attention in accordance with the Constitution (copies of the related report can be provided for Council members on request).

Cabinet – 13 July, 2015

Minute 25 – Financial Monitoring Out-turn Reports for 2014/15

9. MEMBERS' QUESTIONS

To consider Members' general questions to the Mayor, Cabinet Member or Committee Chair in accordance with Standing Orders 10 (2)(b) and 11.

10. MATTERS REFERRED FROM POLICY AND PERFORMANCE COMMITTEES (Pages 191 - 194)

To consider and determine any references from the Policy and Performance Committees.

- A. The Council is advised that the Notice of Motion, 'Wirral's Economic Success' referred from Council at its meeting on 6 July, 2015 (minute 31 refers) was considered by the Regeneration and Environment Policy and Performance Committee on 15 September 2015 (minute 13 is attached).

In accordance with Standing Order 7 (5) the Council is asked to consider the following recommendation of the Regeneration and Environment Policy and Performance Committee:

"Resolved – That the Motion be noted."

- B. The Council is advised that the Notice of Motion, 'Mental Health Challenge' referred from Council at its meeting on 6 July, 2015 (minute 31 refers) was considered by the Families and Wellbeing Policy and Performance Committee on 8 September 2015 (minute 17 is attached).

In accordance with Standing Order 7 (5) the Council is asked to consider the following recommendation of the Families and Wellbeing Policy and Performance Committee:

"Resolved - That the Council be advised that the Families and Wellbeing Policy and Performance Committee fully supports the Notice of Motion in relation to the Mental Health Challenge."

11. NOTICES OF MOTION (Pages 195 - 200)

Notices of motion submitted in accordance with Standing Order 7(1), are attached. They are listed in the order received, and the full text of each motion is attached. The Mayor, having considered each motion,

in accordance with Standing Order 7(4) has decided that they will be dealt with as follows:

(i). Open Government?

The Civic Mayor to refer to the Transformation and Resources Policy and Performance Committee.

(ii). Better Planning to Facilitate Cycling

The Civic Mayor to refer to the Planning Committee.

(iii). Devolution

To be debated.

(iv). Flooding in Moreton

To be debated.

(v). Supporting Wirral's Part in Our Nuclear Industries

The Civic Mayor to refer to the Regeneration and Environment Policy and Performance Committee.

(vi). Wirral's Successful Businesses

To be debated.

(vii). Syrian Refugee Crisis

To be debated.

12. VACANCIES

To receive nominations, in accordance with Standing Order 25(6), in respect of any proposed changes in the membership of committees, and to approve nominations for appointments to outside organisations.

Birkenhead Sixth Form College Governing Body

Councillor Denise Roberts – to be re-appointed until 31st October 2019

13. ANY OTHER BUSINESS

To consider any other items of business that the Mayor accepts as being urgent.

A handwritten signature in black ink, appearing to be the initials 'DR' or similar, written in a cursive style.

Head of Legal and Member Services

COUNCIL

Monday, 6 July 2015

Present: The Civic Mayor (Councillor Les Rowlands) in the Chair
Deputy Civic Mayor (Councillor Pat Hackett)

Councillors	RL Abbey	JE Green	C Povall
	T Anderson	R Gregson	D Realey
	B Berry	J Hale	L Reecejones
	C Blakeley	P Hayes	L Rennie
	E Boulton	A Hodson	D Roberts
	A Brighthouse	K Hodson	J Salter
	P Brightmore	T Johnson	Tony Smith
	D Burgess-Joyce	AER Jones	C Spriggs
	C Carubia	C Jones	J Stapleton
	W Clements	B Kenny	M Sullivan
	M Daniel	AR McLachlan	A Sykes
	A Davies	M McLaughlin	J Walsh
	G Davies	C Meaden	G Watt
	P Davies	D Mitchell	S Whittingham
	WJ Davies	C Muspratt	J Williamson
	D Elderton	S Niblock	I Williams
	G Ellis	M Patrick	KJ Williams
	S Foulkes	T Pilgrim	S Williams
	P Gilchrist		

Apologies Councillors P Cleary B Mooney
J Crabtree T Norbury
P Doughty W Smith
L Fraser P Williams
A Leech

13 DECLARATIONS OF INTEREST

The Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matter to be determined at this meeting and, if so, to declare it and state the nature of such interest.

No such declarations were made.

14 **MAYOR'S ANNOUNCEMENTS**

The Mayor noted that apologies were received from Councillors Pat Cleary, Jim Crabtree, Paul Doughty, Leah Fraser, Anita Leech, Bernie Mooney, Tony Norbury, Walter Smith and Pat Williams.

The Mayor then announced that during his Mayoral year he would be abstaining on all votes throughout the year and that should be specifically noted on all future Council decisions; he would request that Members' speeches did not overrun the allocated time and that all Members acted in a respectful manner in accordance with the Members' Code of Conduct.

15 **FREEDOM OF ENTRY CONSIDERATIONS**

The Council considered a recommendation from Cabinet (minute 7 refers), at its meeting on 4 June, 2015, to confer on both HMS Astute and the Wallasey Sea Cadets Unit (TS Astute) the Freedom of Entry to the Borough of Wirral in recognition of the close links between the Borough, the submarine and the training ship.

On a motion by Councillor Phil Davies, seconded by Councillor Ann McLachlan, it was –

Resolved (56:0) (One abstention) – That Cabinet minute 7 (4/6/15) be approved and consequently, in accordance with Section 249(5) of the Local Government Act 1972:

(1) This Council, do confer upon

The Commanding Officer, Officers and men and women of Her Majesty's Ship Astute and of the Wallasey Sea Cadets Unit (TS Astute)

The Honour of Freedom of Entry to the Borough

in recognition of the outstanding achievements and distinguished services of Her Majesty's Ship Astute and the Wallasey Sea Cadets (TS Astute) and of the close bonds of friendship and mutual respect which have long existed between the Borough and the ships of the Royal Navy, and they thereby be granted the right, privilege, honour and distinction of marching through the streets of the Borough on all ceremonial occasions with swords drawn, bayonets fixed, colours flying, bands playing and drums beating.

(2) the Freedoms of Entry ceremony and parade be held on Sunday 20 September, 2015 at New Brighton followed by a Civic Reception at the Floral Pavilion.

COUNCIL

Monday, 6 July 2015

Present: The Civic Mayor (Councillor Les Rowlands) in the Chair
Deputy Civic Mayor (Councillor Pat Hackett)

Councillors	RL Abbey	P Gilchrist	C Povall
	T Anderson	JE Green	D Realey
	B Berry	R Gregson	L Reecejones
	C Blakeley	J Hale	L Rennie
	E Boulton	P Hayes	D Roberts
	A Brighthouse	A Hodson	J Salter
	P Brightmore	K Hodson	Tony Smith
	D Burgess-Joyce	T Johnson	W Smith
	C Carubia	AER Jones	C Spriggs
	P Cleary	C Jones	J Stapleton
	W Clements	B Kenny	M Sullivan
	M Daniel	AR McLachlan	A Sykes
	A Davies	M McLaughlin	J Walsh
	G Davies	C Meaden	G Watt
	P Davies	D Mitchell	S Whittingham
	WJ Davies	C Muspratt	J Williamson
	P Doughty	S Niblock	I Williams
	D Elderton	T Norbury	KJ Williams
	G Ellis	M Patrick	S Williams
	S Foulkes	T Pilgrim	

Apologies Councillors J Crabtree B Mooney
L Fraser P Williams
A Leech

16 DECLARATIONS OF INTEREST

Members of the Council were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest, in connection with any matter to be debated or determined at this meeting and, if so, to declare it and state the nature of such interest.

By virtue of their membership of the Merseyside Fire and Rescue Authority, Councillors Lesley Rennie, Steve Niblock, Denise Roberts and Jean Stapleton declared their personal and prejudicial interest in agenda item 11 – Notices of Motion (iii), 'Proposal for a Fire Station on Green Belt Land in Saughall Massie', and (v), 'Merseyside Fire and Rescue Funding' (see minute 32 post).

By virtue of their being Board Members of Magenta Living, Councillors Bill Davies, Steve Foulkes, Jeff Green and Stuart Whittingham declared their personal and prejudicial interest in agenda item 7C – ‘Matters requiring approval by the Council’ (see minute 25 post) in respect of Cabinet minute 19, ‘Approval for Council Nominated Officer to Vote at AGM on Proposal for Beechwood and Ballantyne Community Housing Association To Merge with Liverpool Housing Trust’.

By virtue of their being Board Members of Beechwood and Ballantyne Community Housing Association, Councillors Brian Kenny and Paul Doughty declared their personal and prejudicial interest in agenda item 7C – ‘Matters requiring approval by the Council’ (see minute 25 post) in respect of Cabinet minute 19, ‘Approval for Council Nominated Officer to Vote at AGM on Proposal for Beechwood and Ballantyne Community Housing Association To Merge with Liverpool Housing Trust’.

Councillor Denise Realey declared a personal interest in agenda item 7C – ‘Matters requiring approval by the Council’ (see minute 25 post) in respect of Cabinet minute 19, ‘Approval for Council Nominated Officer to Vote at AGM on Proposal for Beechwood and Ballantyne Community Housing Association To Merge with Liverpool Housing Trust’, by virtue of her former membership of the Beechwood and Ballantyne Community Housing Association Board.

Councillors Adrian Jones and Christine Spriggs declared a personal interest in agenda item 7C – ‘Matters requiring approval by the Council’ (see minute 25 post) in respect of Cabinet minute 19, ‘Approval for Council Nominated Officer to Vote at AGM on Proposal for Beechwood and Ballantyne Community Housing Association To Merge with Liverpool Housing Trust’, by virtue of their membership of the Leasowe Community Homes Management Board.

Councillors Ron Abbey and Treena Johnson declared a non-pecuniary interest in agenda item 7A – ‘Matters requiring approval by the Council’ (see minute 23 post) in respect of the Revised Local Development Scheme by virtue of their membership of ‘Unity in the Community’.

In response to a comment from the Leader of the Conservative Group, the Head of Legal and Member Services confirmed that all other Members of Housing Associations did not have to declare personal or personal and prejudicial interests.

17 **MAYOR'S ANNOUNCEMENTS**

The Mayor noted that apologies were received from Councillors Jim Crabtree, Leah Fraser, Anita Leech, Bernie Mooney and Pat Williams.

The Mayor then reiterated that during his Mayoral year he would be abstaining on all votes throughout the year and that this should be confirmed

on all future Council decisions, he would request that Members' speeches did not overrun the allocated time and that all Members acted in a respectful manner in accordance with the Members' Code of Conduct.

18 PETITIONS

A. In accordance with Standing Order 21, the Mayor received petitions submitted by –

Councillor Moira McLaughlin on behalf of:

- (i) 91 signatories requesting action on speeding, volume of traffic and neglect of the road surface, pavement and trees on Cavendish Drive, Rock Ferry.
- (ii) 138 signatories requesting that measures be taken to reduce the speed at which vehicles travel when using Highfield Road, Rock Ferry

Councillor Jean Stapleton on behalf of 21 signatories requesting a one way system on Circular Road, Birkenhead.

Councillor Mike Sullivan on behalf of 20 signatories requesting the Pensby Hotel to be saved.

Councillor Christine Spriggs on behalf of 93 signatories requesting that zig-zag lines be kept on Mount Pleasant, Wallasey.

Resolved – That the petitions be noted and referred to the appropriate Chief Officer in accordance with Standing Order 34.

B. In accordance with the Petition Scheme (when petitions with a threshold of 3000 signatures triggered a Council debate) the Council received a petition of some 3040 signatures, submitted by Mr R Oliver of the Friends of Wirral Library Forum, calling upon Leader and the Chief Executive of Wirral Metropolitan Borough Council to maintain a viable library service, staffed by suitably qualified employees for all the people of the Wirral.

The petition organiser, Mr Oliver, addressed the Council on behalf of the petitioners.

Following a debate, it was moved by Councillor Jeff Green and seconded by Councillor Phil Davies and –

Resolved – That the Leader and the Chief Executive of Wirral Metropolitan Borough Council maintain a viable library service, staffed by suitably qualified employees for all the people of the Wirral.

19 **PUBLIC QUESTIONS**

No public questions had been received.

20 **MINUTES**

The minutes of the Annual Council meeting held on 18 and 19 May, 2015 had been circulated to Members.

A Member referred to the situation of the suspension of two Labour Party Members and asked how this affected the proportionality of committee places.

In response, the Head of Legal and Member Services informed the Council that under The Local Government (Committees and Political Groups) Regulations 1990, he had received notification from the Labour Group of their 39 members of the Labour Group. The suspended members had been suspended from the Labour Party nationally but not locally. Unless the Notice was varied, political proportionality was determined having regard to the current Notices of all the political groups.

On a motion by the Mayor, seconded by Councillor Phil Davies, it was -

Resolved – That the minutes be approved and adopted as a correct record.

21 **LEADER'S, EXECUTIVE MEMBERS' AND CHAIRS REPORTS**

The Leader of the Council presented his summary report upon matters relevant to his portfolio. He responded to a question from Councillor Green and made a number of comments including –

- With regard to the suspension from the national Labour Party of two Members of his group, he had nothing to add to the comments of the Head of Legal and Member Services.
- The Labour Party on Wirral had had a resounding victory at the local elections with 79,000 votes as opposed to 40,000 votes for the Conservatives. With the largest majority on the Council for many years they now had a clear mandate to deliver their 5 year plan for Wirral. The Conservatives should reflect on what had happened in Wirral West, with the last remaining Conservative MP on Merseyside having been removed from office.

Questions were then invited for Councillor Ann McLachlan on her Governance, Commissioning and Improvement Portfolio Report and responses to a question from Councillor Rob Gregson included the following comments:

- The Council had received a number of awards recently including the Municipal Journal Trading Standards and Environmental Health Team Award and the Council's Senior Risk and Insurance Officer receiving the 'Professional of the Year' Award from the Association of Local Authority Risk Managers.
- These, the LGC 'Most Improved Council of the Year' Award and being shortlisted in a number of other award categories demonstrated that the Council was going from strength to strength and was indeed now a normal council.

Questions were then invited for Councillor George Davies on the Neighbourhoods, Housing and Engagement Portfolio Report and his responses to questions from Councillors Phil Gilchrist, Pat Cleary and Andrew Hodson included the following comments:

- The Government had recently revised the approach to internal space and accessibility standards through the Building Regulations and local planning policies, with effect from 1 October 2015. The emerging Core Strategy Local Plan for Wirral already made provision for the future flexibility and accessibility of new housing in internal and external design through various policies. From October 2015 the new housing standards for England and the policy that surrounded them would govern the design and supply of accessible and adaptable homes. Where possible however, as part of any partnership working with Registered Providers or private developers partners such as Keepmoat the Council had tried to maximise standards above mandatory requirements regarding accessibility and design quality subject to individual site appraisals regarding viability.
- He would ensure that with regard to the City Region Collective Energy Switch Scheme an ethical and green component were put into the equation.

Questions were invited for Councillor Adrian Jones on the Support Services Portfolio Report and his responses to questions from Councillors Adam Sykes, Dave Mitchell, Brian Kenny and Matthew Patrick included the following comments:

- He suggested that Councillor Sykes put his question in writing so that he could provide a detailed written response.
- In respect of the Coroner Service, lengthy consultation had taken place between the two services on Wirral and in Liverpool and he believed that the new service was not inferior but now a better service than before. Wirral residents could have an inquest in Birkenhead Town Hall if they requested and he congratulated the Legal Services sections in both Authorities for the smooth transition to a unified service.
- With regard to Members' access to IT services in isolation from their own home he explained the reason for this but informed the Council that IT services were working on the issue.

- The revised disciplinary procedures had been dealt with properly in consultation with the recognised staff organisations and were in accordance with ACAS standards. Parental leave was now, under recent legislation, possible for both parents to share.

The Leader of the Council informed the meeting that Councillor Bernie Mooney had sadly had a family bereavement and was not present. If there were any questions to be posed on her report they could be submitted in writing.

The Mayor asked that the condolences of the Council be conveyed to Councillor Mooney.

Questions were then invited for Councillor Chris Jones on the Adult Social Care and Public Health Portfolio report. No questions were posed.

Moving onto the Leisure, Sport and Culture Portfolio report, questions were then invited for Councillor Chris Meaden. Her responses to questions from Councillors Geoffrey Watt, Alan Brighouse and Paul Doughty, included the following comments:

- She would look into the situation at Landican Crematorium where there were apparently delays in the arranging of funerals and respond in writing.
- She was hopeful that by the end of July proposals for the future management of the Williamson Art Gallery would emerge.
- She congratulated the England Women's Football Team on their success in achieving third place at the World Cup in Canada and suggested that the Mayor should invite Birkenhead born Jodie Taylor to the Mayor's parlour.

Questions were then invited for Councillor Pat Hackett on his Economy Portfolio report. His responses to questions from Councillors Lesley Rennie, Dave Mitchell, Christine Spriggs and Pat Cleary included the following comments:

- He would seek to ensure that future reports were not so brief.
- As Chair of the Mersey Dee Alliance he was very keen to ensure improvements to the Wrexham – Bidston Railway line were undertaken, including more frequent and earlier services and also new stations along the line. It was hoped to elect Lord Barry Jones as President of the MDA.
- With regard to Birkenhead Town Centre Master Plan, Neptune Developments had a good track record in consulting with the public on their previous projects, including the New Brighton development and in Liverpool City Centre. Consultation would start as soon as the Plans were announced.

Questions were then invited for Councillor Stuart Whittingham on his Highways and Transport Portfolio report. His responses to questions from Councillors Jean Stapleton, Joe Walsh and Janette Williamson included the following comments:

- The contractor for the LED street lighting scheme was due on site in the next few weeks.
- BAM Nuttall had been awarded a contract extension for highway services and the Council's use of the new Highways Maintenance Efficiency Programme (HMEP) contract and procurement tools had been recognised nationally.
- He acknowledged the appreciation of residents in the vicinity of Lever Causeway who had expressed their delight at the speed of the resurfacing work undertaken by BAM Nuttall, particularly with the crew working in hot conditions last week.

Questions were then invited for Councillor Tony Smith on his Children and Family Services Portfolio report. In response to a question from Councillor Wendy Clements his comments included:

- A report on Children's Centres would be considered at a Cabinet meeting at the end of July. Some discussions had been held with the Birkenhead MP but not in great detail.

Councillor Jeff Green then proceeded to ask a question with regard to the Scrutiny Annual Report and in particular on the Local Welfare Assistance Scheme.

At this point Councillor Phil Davies declared a personal and prejudicial interest by virtue of him being a trustee of the Wirral Foodbank and left the meeting whilst this issue was discussed.

Councillor Janette Williamson responded and also informed the Council that the scrutiny review had been undertaken by a cross party panel of Members.

Resolved –

- (1) That each of the Cabinet Portfolio Summary reports be noted.**
- (2) That the Scrutiny Annual Report of the Strategic Director of Transformation and Resources be noted.**

At this point the Mayor welcomed the new Chief Executive, Eric Robinson, to his first ordinary meeting of the Council.

22 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

In accordance with Standing Order 5(2), four matters were submitted for approval by the Council (see minutes 23 to 26 post).

23 **REVISED LOCAL DEVELOPMENT SCHEME**

The first matter requiring approval was in relation to the Revised Local Development Scheme and the recommendation made by the Cabinet Member for Economy on 17 December, 2014 regarding adoption of the scheme.

On a motion by Councillor Pat Hackett, seconded by Councillor Phil Davies, it was –

Resolved (59:0) (One abstention) – That the recommendation to approve the adoption of the revised Local Development Scheme, be agreed.

24 **CONSTITUTIONAL AMENDMENTS REQUIRED UNDER THE LOCAL AUTHORITIES (STANDING ORDER) (ENGLAND) (AMENDMENT) REGULATIONS 2015**

The second matter requiring approval was in relation to the recommendations of the Standards and Constitutional Oversight Committee at its meeting on 1 July, 2015 (minute 4 refers). This recommendation related to changes to the Constitution which had to be made relating to disciplinary action / arrangements in respect of the Head of Paid Service, Monitoring Officer and Chief Finance Officer in accordance with The Local Authorities (Standing Order) (England) (Amendment) Regulations 2015.

On a motion by Councillor Bill Davies, seconded by Councillor Phil Davies, it was –

Resolved (59:0) (One abstention) – That the recommendations contained within minute 4 of the Standards and Constitutional Oversight Committee, be approved.

25 **BEECHWOOD AND BALLANTYNE COMMUNITY HOUSING ASSOCIATION TRANSFER OF ENGAGEMENTS TO LIVERPOOL HOUSING TRUST**

Councillors Bill Davies, Paul Doughty, Steve Foulkes, Jeff Green, Adrian Jones, Brian Kenny, Denise Realey, Chris Spriggs and Stuart Whittingham, having declared an interest in this matter, left the Chamber during its consideration.

The third matter requiring approval was in relation to the proposed Transfer of Engagements from Beechwood and Ballantyne Community Housing Association to the Liverpool Housing Trust and the recommendations from Cabinet at its meeting on 29 June, 2015 (minute 19 refers).

On a motion by Councillor Phil Davies, seconded by Councillor George Davies, it was –

Resolved (49:0) (Two abstentions) - That the recommendations contained within Cabinet minute 19 be approved and the Head of Legal and Member Services or his nominee be authorised to vote on the proposal (and associated matters) proposed and detailed in the report at the forthcoming Beechwood and Ballantyne Housing Association Special General Meeting.

26 **POLICY AND PERFORMANCE COMMITTEE REMITS AND STATUTORY SCRUTINY RESPONSIBILITIES**

The fourth matter requiring approval was in relation to the recommendations of the Policy and Performance Coordinating Committee at its meeting on 23 June, 2015 (minute 6 refers) in relation to statutory scrutiny responsibilities.

On a motion by Councillor Moira McLaughlin, seconded by Councillor Phil Davies, it was –

Resolved (59:0) (One abstention) - That the recommendations contained within minute 6 of the Policy and Performance Coordinating Committee, be approved.

27 **MATTERS FOR NOTING**

On a motion by Councillor Phil Davies, seconded by Councillor Ann McLachlan, it was –

Resolved – That the following matters be noted -

Minute 153 (Cabinet – 12 March 2015) – Financial Monitoring 2014/15 (Month 10).

Minute 154 (Cabinet – 12 March 2015) – Financial Monitoring 2014/15 (Month 10).

28 **MEMBERS' QUESTIONS**

Councillor Phil Gilchrist, having given the appropriate notice in accordance with Standing Order 10(2) (b), submitted a question addressed to Councillor Phil Davies (Leader of the Council), in respect of PFI contracts and school modernisation / rebuilding.

Councillor Phil Davies responded accordingly.

29 **MATTERS REFERRED FROM POLICY AND PERFORMANCE COMMITTEES**

A matter had been referred to the Council by the Standards and Constitutional Oversight Committee, in accordance with Standing Order 7(5) (see minute 30 post).

30 **CONSULTATION THAT COUNTS - COMMITTEE REFERRAL**

At the meeting of the Council held on 15 December, 2014 (minute 103 refers) the Mayor had referred a Notice of Motion 'Consultation that Counts' to the Standards and Constitutional Oversight Committee. The motion was duly considered at the meeting of the Committee on 3 March 2015 (minute 11 refers).

In accordance with Standing Order 7 (5) the Council was invited to consider the recommendation of the Standards and Constitutional Oversight Committee which had resolved (unanimously), that –

“(1) Each of the three Strategic Directors be invited to provide commentary on their practices and procedures for recording views expressed during consultations; and

(2) If any clarification is required in respect of (1) above, the Head of Legal and Member Services be authorised to obtain it following consultation with the Chair and Group Spokespersons.”

On a motion by Councillor Bill Davies, seconded by Councillor Phil Davies, it was –

Resolved (59:0) (One abstention) – That the resolution of the Standards and Constitutional Oversight Committee be agreed.

31 **NOTICES OF MOTION**

Notices of Motion submitted in accordance with Standing Order 7(1) were reported to the Council. The Mayor having considered each motion, in accordance with Standing Order 7(4) had decided that they would be dealt with as follows:

- (i). The Northern Powerhouse - To be debated.
- (ii). Wirral's Economic Success - To be referred to the Policy and Performance - Regeneration and Environment Committee.

- (iii). Proposal for a fire station on green belt land in Saughall Massie – To be referred to the Policy and Performance - Regeneration and Environment Committee.
- (iv). Mental Health Challenge - To be referred to the Policy and Performance - Families and Wellbeing Committee.
- (v). Merseyside Fire and Rescue funding - To be debated.
- (vi). Implementation of Notice of Motion 'Becoming a Dementia Friendly Council' - To be debated.

Prior to the first motion being debated, it was moved by Councillor Bill Davies and seconded by Councillor Phil Davies, that –

“Standing Order 5(4) be suspended and the motions be dealt with in the following order, the Labour motion (v) be debated first, followed by the Conservative Motions, (i) and (vi).

This motion was agreed unanimously.

32 **MOTION - MERSEYSIDE FIRE AND RESCUE FUNDING**

Councillors Steve Niblock, Lesley Rennie, Denise Roberts and Jean Stapleton, having declared a prejudicial interest in this motion, left the Chamber whilst the matter was considered.

Proposed by Councillor Phil Davies
Seconded by Councillor Matt Patrick

Council notes the Conservative Government's announcement of a Summer budget on July 8th.

Council recognises the unprecedented challenge before Merseyside Fire and Rescue Authority, who due to continued cuts to their funding are faced with the closure of West Kirby and Upton Fire Stations, both of the emergency facilities in Wirral West Constituency.

Council requests Wirral MPs, as a matter of urgency, to raise this matter with the appropriate minister with a view to revisiting the grant allocation to stop these closures.

An amendment which had been circulated in advance of the meeting was submitted in accordance with Standing Order 12(1) and (9), as follows:

Proposed by Councillor Chris Blakeley
Seconded by Councillor Bruce Berry

Leave all and add after the final paragraph:

Council notes that at its meeting on 30th June Merseyside Fire and Rescue Authority approved the merger of Upton and West Kirby fire stations at a new station on green belt land on Saughall Massie Road.

However Council also acknowledges the overwhelming public opposition to the proposal by Merseyside Fire and Rescue Authority for a fire station on green belt land in Saughall Massie, as demonstrated by:

- The 200 people who attended a public meeting arranged by Merseyside Fire and Rescue Service, and a further 270 who were unable to gain admission to the venue.
- The opposition of the Saughall Massie Village Area Conservation Society and the Wirral Society.
- The 1,030 people who have, so far, signed a petition against the proposal.

Therefore Council impresses upon Cabinet:

- (1) To maintain protection of Wirral's Green Belt, as set by agreed policies and stop inappropriate development.
- (2) To ask officers to continue to work co-operatively with Merseyside Fire and Rescue Service in identifying and facilitating a more suitable brown field site for operational purposes and to maintain the amenity of the local people.

Following a debate and Councillor Phil Davies having replied, and prior to the vote on the amendment, Councillor Jeff Green and five Conservative Members rose to request a 'card vote'.

A 'card vote' was then taken on Councillor Blakeley's amendment and the Council divided as follows:

For the amendment (21) Councillors T Anderson, B Berry, C Blakeley, E Boulton, A Brighthouse, D Burgess-Joyce, C Carubia, Mrs W Clements, D Elderton, G Ellis, P Gilchrist, J Green, J Hale, P Hayes, A Hodson, K Hodson, D Mitchell, T Pilgrim, A Sykes, G Watt and S Williams.

Against the amendment (33) Councillors R Abbey, P Brightmore, M Daniel, A Davies, G Davies, P Davies, W Davies, P Doughty, S Foulkes, R Gregson, P Hackett, T Johnson, A Jones, C Jones, B Kenny, A McLachlan, M McLaughlin, C Meaden, C Muspratt, T Norbury, M Patrick, D Realey, L Reecejones, J Salter, PA Smith, W Smith, C Spriggs, M Sullivan, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

Two abstentions – Councillors Pat Cleary and Les Rowlands.

The amendment was therefore lost (21:33) (Two abstentions).

Prior to the vote on the motion, Councillor Phil Davies and five Labour Members rose to request a 'card vote'.

A 'card vote' was then taken on Councillor Phil Davies' motion and the Council divided as follows:

For the motion (55) Councillors R Abbey, T Anderson, B Berry, C Blakeley, E Boulton, A Brighthouse, P Brightmore, D Burgess-Joyce, C Carubia, P Cleary, Mrs W Clements, M Daniel, A Davies, G Davies, P Davies, W Davies, P Doughty, D Elderton, G Ellis, S Foulkes, P Gilchrist, J Green, R Gregson, P Hackett, J Hale, P Hayes, A Hodson, K Hodson, T Johnson, A Jones, C Jones, B Kenny, A McLachlan, M McLaughlin, C Meaden, D Mitchell, C Muspratt, T Norbury, M Patrick, T Pilgrim, D Realey, L Reecejones, J Salter, PA Smith, W Smith, C Spriggs, M Sullivan, A Sykes, J Walsh, G Watt, S Whittingham, I Williams, KJ Williams, S Williams and J Williamson.

One abstention – Councillor Les Rowlands.

Resolved (55:0) (One abstention) – That

- (1) Council notes the Conservative Government's announcement of a Summer budget on July 8th.**
- (2) Council recognises the unprecedented challenge before Merseyside Fire and Rescue Authority, who due to continued cuts to their funding are faced with the closure of West Kirby and Upton Fire Stations, both of the emergency facilities in Wirral West Constituency.**
- (3) Council requests Wirral MPs, as a matter of urgency, to raise this matter with the appropriate minister with a view to revisiting the grant allocation to stop these closures.**

33 **MOTION - THE NORTHERN POWERHOUSE**

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

Council will be aware of the Cities and Devolution Bill designed to provide for the devolution of powers to cities with elected metro mayors to build a Northern Powerhouse.

Council understands that the Chancellor, the key architect of the country's economic recovery, has made it clear that he wants to harness the individual successes of the north into a combined Northern Powerhouse able to

challenge the South providing jobs and opportunities for individuals and economic security for their families.

Council recognises that this is a once in a generation opportunity for the hardworking families of Wirral; a Chancellor who represents a seat in North West England and one that is prepared to devolve significant powers and budgets to our region in order to improve the lives of hardworking families.

Council believes that the opportunity provided by the Government must not be squandered.

Council further believes that any devolution of power and budget to the City Region must be balanced by providing a direct opportunity to hold those with authority accountable.

Therefore Council recommends that the Leader of the Council advises the next meeting of the Combined Authority to engage enthusiastically in the development of the Northern Powerhouse; provide clarity to this Council about the details of any devolution of power and budget it is seeking from the Government and confirm its support for a directly elected Metro Mayor.

An amendment which had been circulated in advance of the meeting was submitted in accordance with Standing Order 12(1) and (9), as follows:

Proposed by Councillor Phil Gilchrist
Seconded by Councillor Dave Mitchell

In paragraph 2 delete:

“the key architect of the country’s economic recovery”

Replace with:

“recognising long-standing concerns about rebalancing the economy”.

In paragraph 4 delete:

“must not be squandered.”

Replace with:

“must be thoroughly explored and its opportunities quantified and tested.”

In paragraph 5 insert at end:

“In the event of a regional Mayor emerging as the chosen option, a democratically elected Assembly should be established with members drawn from each local authority, on lines similar to those operating in London.”

In paragraph 6 delete:

“confirm its support for a directly elected Metro Mayor”

Replace with:

“continue to press the Government to develop democratic arrangements that meet local concerns and aspirations”

Following a debate and Councillor Jeff Green having replied, and prior to the vote on the amendment, Councillor Jeff Green and five Conservative Members rose to request a ‘card vote’.

A ‘card vote’ was then taken on Councillor Phil Gilchrist’s amendment and the Council divided as follows:

For the amendment (5) Councillors A Brighthouse, C Carubia, P Cleary, P Gilchrist and D Mitchell.

Against the amendment (54) Councillors R Abbey, T Anderson, B Berry, C Blakeley, E Boulton, P Brightmore, D Burgess-Joyce, Mrs W Clements, M Daniel, A Davies, G Davies, P Davies, W Davies, P Doughty, D Elderton, G Ellis, S Foulkes, J Green, R Gregson, P Hackett, J Hale, P Hayes, A Hodson, K Hodson, T Johnson, A Jones, C Jones, B Kenny, A McLachlan, M McLaughlin, C Meaden, C Muspratt, S Niblock, T Norbury, M Patrick, T Pilgrim, D Realey, L Reecejones, L Rennie, D Roberts, J Salter, PA Smith, W Smith, C Spriggs, J Stapleton, M Sullivan, A Sykes, J Walsh, G Watt, S Whittingham, I Williams, KJ Williams, S Williams and J Williamson.

One abstention – Councillor Les Rowlands.

The Liberal Democrat amendment was therefore lost (5:54) (One abstention).

Prior to the vote on the motion, Councillor Jeff Green and five Conservative Members rose to request a ‘card vote’.

A ‘card vote’ was then taken on Councillor Jeff Green’s motion and the Council divided as follows:

For the motion (18) Councillors T Anderson, B Berry, C Blakeley, E Boulton, D Burgess-Joyce, Mrs W Clements, D Elderton, G Ellis, J Green, J Hale, P Hayes, A Hodson, K Hodson, T Pilgrim, L Rennie, A Sykes, G Watt and S Williams.

Against the motion (41) Councillors R Abbey, A Brighthouse, P Brightmore, C Carubia, P Cleary, M Daniel, A Davies, G Davies, P Davies, W Davies, P Doughty, S Foulkes, P Gilchrist, R Gregson, P Hackett, T Johnson, A Jones, C Jones, B Kenny, A McLachlan, M McLaughlin, C Meaden, D Mitchell, C Muspratt, S Niblock, T Norbury, M Patrick, D Realey, L Reecejones, D Roberts, J Salter, PA Smith, W Smith, C Spriggs, J Stapleton, M Sullivan, J Walsh, S Whittingham, I Williams, KJ Williams and J Williamson.

One abstention – Councillor Les Rowlands.

The motion was therefore lost (18:41) (One abstention).

34 **MOTION - IMPLEMENTATION OF NOTICE OF MOTION 'BECOMING A DEMENTIA FRIENDLY COUNCIL'**

Councillor Bill Davies suggested that with Standing Order 9 (Conclusion of Council meeting) due to come into force during the next item, only movers and seconders be heard for the third matter to be debated.

Proposed by Councillor Tom Anderson

Seconded by Councillor Tracey Pilgrim

Council:

- (1) notes that the Notice of Motion 'Becoming a Dementia Friendly Council' was brought to Council on 14th July 2014 and was subsequently referred to the Families and Wellbeing Policy and Performance Committee at its meeting on 9 September 2014 where it was unanimously endorsed.
- (2) expresses disappointment in the delay in bringing this back to Council, finally being resolved and endorsed at Council on 8th December 2014.
- (3) acknowledges that it's been 12 months since this Motion was first introduced and concludes that it is unacceptable that little has been done to promote and implement the sentiments contained within the original Motion.

Council therefore instructs the Chief Executive to:

- (a) fully implement the will of Elected Members as set out in the original Notice of Motion 'Becoming a Dementia Friendly Council,' without delay.
- (b) conduct an investigation into why this Notice of Motion has not been driven forward by Chief Officers and report his findings to the Policy and Performance Co-ordinating Committee.

Two amendments which had been circulated in advance of the meeting were submitted in accordance with Standing Order 12(1) and (9), as follows:

First amendment

Proposed by Councillor Moira McLaughlin

Seconded by Councillor Denise Roberts

Delete all after paragraph 1 and add the following sentence to paragraph 1:

“And from there it was referred back to Full Council recommending approval, which took place at Policy Council on December 8th”

Paragraph 2

Council notes that, in line with good practice for scrutiny, a progress report on the implementation of the 5 recommendations was requested by the committee and it appears on the current work programme for the committee, with the plan to bring that report back at the 12 month stage.

Council therefore requests that the Strategic Director for Families and Wellbeing:

Produce the progress report and submit it as requested to the September 2015 meeting of the Families and Wellbeing Policy and Performance Committee. That all elected members respond to the recommendation to become Dementia Friends by completing the necessary training when it is offered.

Second amendment

Proposed by Councillor Phil Gilchrist

Seconded by Councillor Chris Carubia

Add new clause(c) at end...

- (c) establish a mechanism for tracking Notices of Motion so that those Members who take the time to develop and research issues can be assured these are being followed up. This will necessitate Officers being nominated to check on the steps being taken to implement agreed action and will require that timescales or milestones for progress are developed in consultation with Members, it being noted that, in the case of this particular subject, various initiatives are in hand, including a reference in the relevant work programme.

Council agreed that Standing Order 12(10) be suspended for this item, so that both amendments could be considered together.

Following speeches by the movers and seconders and Councillor Tom Anderson having replied, the first amendment was put and carried (36:22) (Two abstentions).

The second amendment was then put and lost (23:36) (One abstention).

The substantive motion as amended was put and carried (58:1) (One abstention).

Resolved (58:1) (One abstention)

Council:

(1) notes that the Notice of Motion ‘Becoming a Dementia Friendly Council’ was brought to Council on 14th July 2014 and was subsequently referred to the Families and Wellbeing Policy and Performance Committee at its meeting on 9 September 2014 where it was unanimously endorsed, and from there it was referred back to Full Council recommending approval, which took place at Policy Council on December 8th

(2) notes that, in line with good practice for scrutiny, a progress report on the implementation of the 5 recommendations was requested by the committee and it appears on the current work programme for the committee, with the plan to bring that report back at the 12 month stage.

(3) therefore requests that the Strategic Director for Families and Wellbeing:

Produce the progress report and submit it as requested to the September 2015 meeting of the Families and Wellbeing Policy and Performance Committee. That all elected members respond to the recommendation to become Dementia Friends by completing the necessary training when it is offered.

35 VACANCIES

The Council was requested to deal with the following matter in respect of appointments to outside organisations.

Councillor Pat Hackett to replace Councillor Bernie Mooney on the Mersey Maritime Group Ltd.

Resolved – That the amendment to the membership of the Mersey Maritime Group Ltd. be approved.

COUNCIL

Monday, 13 July 2015

Present: The Civic Mayor (Councillor Les Rowlands) in the Chair
Deputy Civic Mayor (Councillor Pat Hackett)

Councillors	RL Abbey	R Gregson	D Realey
	B Berry	P Hayes	L Reecejones
	E Boulton	A Hodson	L Rennie
	D Burgess-Joyce	K Hodson	D Roberts
	C Carubia	T Johnson	J Salter
	P Cleary	AER Jones	Tony Smith
	W Clements	C Jones	W Smith
	M Daniel	B Kenny	C Spriggs
	A Davies	A Leech	J Stapleton
	G Davies	AR McLachlan	A Sykes
	P Davies	C Meaden	J Walsh
	WJ Davies	D Mitchell	G Watt
	P Doughty	B Mooney	S Whittingham
	D Elderton	C Muspratt	J Williamson
	G Ellis	S Niblock	I Williams
	S Foulkes	T Norbury	KJ Williams
	L Fraser	M Patrick	S Williams
	P Gilchrist	T Pilgrim	

<u>Apologies</u>	Councillors	T Anderson	J Hale
		C Blakeley	M McLaughlin
		A Brighthouse	C Povall
		P Brightmore	M Sullivan
		JE Green	P Williams

36 DECLARATIONS OF INTEREST

The Members of the Council were invited to consider whether they had any disclosable pecuniary and/or any other relevant interest in connection with any matters to be determined at this meeting and, if so, to declare it and state the nature of such interest.

No such declarations were made.

37 MAYOR'S ANNOUNCEMENTS

The Mayor noted that apologies for absence were received from Councillors Anderson, Blakeley, Brighthouse, Brightmore, Green, Hale, McLaughlin, Povall, Sullivan and P.Williams.

The Mayor informed of a procedural change to the electronic reporting of Streetscene matters by Councillors, referring to a guidance note circulated to all Members at the meeting.

The Mayor reported on his attendance at Wirral University Teaching Hospital's safety awareness show, held on 8, 9 and 10 July at the Emergency Services Training Centre in Wallasey, during which 1048 youngsters attended, with 450 teachers and teaching assistants.

The Mayor informed that he had attended the event, along with the Police and Crime Commissioner for Merseyside and that it surpassed all expectations - people had given up their time to instruct attendees: these included Doctors, Nurses, Police, Police Cadets, Rail Transport Police, Coastguards, Merseytravel, Network Rail and the Council's Road Safety Team, CEOPS, St John's Ambulance and the NHS.

The Mayor thanked Dave Alcock and Lesley Ashcroft and their Team for facilitating the excellent event at no cost to the attendees.

The Mayor further informed that as a result of the decisions made at the extraordinary meeting of Council the previous week, all Members would be receiving a formal invitation to the Freedom of the Borough Event and Parade for HMS Astute and the Wallasey Sea Cadets (TS Astute), to be held on Sunday, 20 September 2015 at New Brighton. Members were requested to confirm their attendance as soon as possible to enable the necessary arrangements to be made.

38 **PETITIONS**

In accordance with Standing Order 21, the Civic Mayor received petitions submitted by Councillor Christina Muspratt on behalf of 55 signatories objecting to the proposed redevelopment of a rented garage area at Benty Close, Bebington.

Resolved – That the petitions be noted and referred to the appropriate Chief Officer in accordance with Standing Order 34.

39 **MATTERS REQUIRING APPROVAL BY THE COUNCIL**

The Council was requested to consider the report of the Chief Executive, a Cabinet referral on the following matter – Wirral Council Plan: A 2020 Vision, and the Cabinet's recommendation of 9 July 2015 (minute 22 refers).

It was moved by Councillor Phil Davies and seconded by Councillor Ann McLachlan –

“That the recommendations as contained within Cabinet minute 22 be approved”.

It was moved as an amendment by Councillor Phil Gilchrist and seconded by Councillor Dave Mitchell –

“That the Wirral Council Plan as proposed be approved, subject to the following comments and observations which require additional work so that Council can be clear on how the Plan can be put into practice:

- a. how the document is to be channelled into plans for the departments and operational units of the Council;
- b. how the target of new house building is to be progressed and how this fits in with brownfield sites and land not yet allocated for housing;
- c. the developing financial situation identified in the context of the Tory Government’s recent budget and forthcoming spending review;
- d. the practical use of the substantial capital receipts expected to be secured this year.

Council welcomes the emphasis on the importance of public sector partners working closely together, removing duplication and working with the private and third sector, along with the emphasis on tackling health, educational achievement and other inequalities.

Council also recognises the emphasis on stating key priorities since the Peer Challenge in May 2013 told Wirral that it needed:

...A fully owned, clear vision of what the organisation looks like in 3-4 years’ time, including key service delivery methods, levels of service provided, and ways of working that will help inform the transformation activity required...

Council notes the references to ‘*radical changes*’ in the document bearing in mind that the Peer Challenge of November 2012 called upon the Council to:

‘....Accelerate ground work on radical options for service delivery’ and to ‘Use learning from others in the sector’

Council is anxious to receive further detail on the ‘new models’ referred to in the ‘Foreword’.

Council looks forward to the work being undertaken to inform and involve communities. Council suggests that the section ‘Go local’ (page 35) requires early identification of the additional funding to the Constituency Committees.

Council also notes that this is a more user-friendly and better set out document, especially when compared to that of December 2011 when the then Leader used his driving test analogy.”

Following speeches by the movers and seconders and Councillor Phil Davies having replied, the Liberal Democrat amendment was then put to the vote.

The amendment was lost (18:36) (One abstention).

One abstention – Councillor L Rowlands (Civic Mayor).

At the request of several Members, a ‘card vote’ was then taken on Councillor Davies’ motion and the Council divided as follows:

For the motion (54) Councillors R Abbey, B Berry, E Boulton, Burgess-Joyce, C Carubia, P Cleary, W Clements, M Daniel, A Davies, G Davies, P Davies, W Davies, P Doughty, D Elderton, G Ellis, S Foulkes, L Fraser, P Gilchrist, R Gregson, P Hackett, P Hayes, A Hodson, K Hodson, T Johnson, AER Jones, C Jones, B Kenny, A Leech, A McLaughlin, C Meaden, D Mitchell, B Mooney, C Muspratt, S Niblock, T Norbury, M Patrick, T Pilgrim, D Realey, L ReeceJones, L Rennie, D Roberts, J Salter, PA Smith, W Smith, C Spriggs, JV Stapleton, A Sykes, J Walsh, GCJ Watt, S Whittingham, I Williams, KJ Williams, S Williams, J Williamson.

Against the motion (Nil).

One abstention – Councillor L Rowlands (Civic Mayor).

The motion was carried.

Resolved (54:0) (One abstention) – That the recommendations contained within Cabinet minute 22, be approved.

40 **VACANCIES**

The Mayor informed the Council that the Head of Legal and Member Services had not been notified of any vacancies to be filled.

COUNCIL
12TH OCTOBER 2015

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Phil Davies
CABINET PORTFOLIO	Leader of the Council
CO-ORDINATING CHIEF OFFICER	Eric Robinson, Chief Executive

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. WIRRAL PLAN: 2020 VISION

Council met on the 13th July 2015 and approved an ambitious, progressive and pragmatic Council Plan, setting out a five year vision for Wirral and committing to 20 pledges that we will deliver by 2020. I have been clear from the outset that the Council cannot and should not deliver these priorities alone, and I am delighted that Wirral partners have signed up to all of the 20 pledges and the plan will now be known as the Wirral Plan. This means that our collective resources will be targeted at the delivery of the plan and that the totality of public resources available in Wirral, nearly £2 billion every year, will be invested towards achieving those 20 Pledges to improve the lives of local people.

This is a big achievement for Wirral. We have always worked well in partnership but this goes much further; now we will be working to one shared set of goals, we are working towards major integration projects with our partners and we have recognised that our collective power puts us in a much stronger position to create a better quality of life for Wirral residents.

We have recently launched a Resident's Survey to hear directly from local people about what is important to them, and how they want to improve Wirral and make this borough an even better place to live. Knowing what our residents need and want is the fundamental principle upon which our new approach is built. The findings of the resident survey will be available in December 2015 and will enable the Council and its partners to work towards securing the outcomes that local people tell us are important to them.

Work is well underway to develop the plans and strategies that will be required to deliver the 20 pledges. The first phase of the delivery plan will be reported to Cabinet on the 8th October 2015 which sets out the direction of travel for this work. A range of strategies are in development and will be reported to Cabinet prior to a final delivery plan in February 2016 which will fully align our plans with a five year budget strategy.

2. WIRRAL PARTNERSHIP

The second Wirral Partnership summit held on 15th September 2015 was a resounding success, attended by our main partners from the public, private and

voluntary sectors, all of whom are all committed to working collectively and sharing resources in the best interest of Wirral residents.

At the summit, partners formally signed up to deliver the Wirral Plan and I am delighted that 8 of the pledges will now be led by a partner organisation working closely with all relevant stakeholders.

It is now proposed that I will chair a meeting of the Wirral Partnership every four months to review progress on delivering the pledges set out in the Wirral Plan. An officer delivery group has also been established to oversee the implementation of the plan who will meet on a more frequent basis to ensure we are on track to deliver our plans.

3. DEVOLUTION

A great deal of work continues to take place across the Liverpool City Region on our devolution proposals. We sent our first submission to Government at the start of the month and we have had some initial contact and meetings with the civil service and ministers. We are also talking to a range of stakeholders about these proposals including businesses and public sector partners.

Negotiations will continue with Government over the next few weeks and months with initial details of our devolution expected in the Chancellor's Autumn Statement in November 2015.

4. GROWTH STRATEGY

Significant progress has been made in developing the strategic framework that will enable the Council and its partners to deliver the growth outlined within the 2020 Vision. The pledges set out a series of challenging growth targets. These targets will be achieved by having in place a much more integrated and focussed growth strategy – led by the Council but delivered in partnership. This approach will build upon the strong platform that is currently in place, but ensure that key growth opportunities are seized. Recent progress includes:

- a) **Sector Development (Offshore Renewable Energy):** In June we hosted an event with Dong Energy on the offshore wind opportunities coming from the Burbo Bank wind farm extension. Over 150 businesses attended. We followed this on the 17th September with a further event targeted at those companies looking to access contracts and 47 companies attended. Local businesses already working with Dong or their suppliers spoke and gave a real insight into their work. Initial feedback from the event is that it has led to a number of businesses securing contracts with a range of suppliers.
- b) **The A 41 Corridor (supplier parks):** This is a key strategic corridor for the borough, incorporating a number of industrial and business sites and offering further growth potential. Funding secured by the Council from the Government's Regional Growth Fund has supported the development of two new business parks that are being targeted to supply chain businesses operating in the offshore and renewable sectors. These business parks are currently under construction and will together create up to 285 jobs and 120,000 sq ft of new business floorspace.

- c) **Pacific Road** - On the 2nd September, Wirral Chamber of Commerce launched its latest small business centre. Pacific Road will be the chamber's third business centre and will offer 16,000 sq ft of office accommodation which will provide much needed small business space. Wirral is recognised for having a dynamic and growing SME business economy and this fantastic project is part of a plan for supporting further growth and investment in Wirral.
- d) **Wirral Waters:**
- **Maritime Knowledge Hub (Project Launch):** The Liverpool City Region has one of the largest clusters of maritime business in Europe - generating £2.6bn of the region's GVA. Working with Mersey Maritime, Liverpool John Moores University and the Peel Group, we have recognised that there is now an opportunity to develop the market still further to increase innovation, generate and share knowledge within the sector and increase skills. This will be done through creating a Maritime Knowledge Hub based within the Enterprise Zone which will bring together a range of activities including maritime simulators, offshore survival training, a maritime manufacturing technology centre and business support. We were delighted that the project was able to be launched at an event held as part of London Shipping week.
 - **Tower Wharf:** Work is nearing completion on the £11.7m Tower Wharf Grade 'A' office building. The project has created 48,000sq.ft of premium office space and represents the first commercial building to be completed within the Wirral Waters EZ. On completion the building will be occupied by the Contact Company who estimate that it will create up to 745 new jobs for the Borough.
 - **Wirral Metropolitan College:** The College's new campus opened to students in early September. The Built Environment, Skills and Enterprise Centre will provide the skills and knowledge needed to support the developments that will take place within Wirral Waters and across the Borough.
- e) **Development Proposals:**
- **Hoylake Golf Resort:** We have announced the Jack Nicklaus JV Group as the Council's preferred Development Partner. The £145m scheme has now moved into the detailed design stage which will see plans drawn up for the golf complex incorporating a 4* Marriot Hotel, associated leisure and spa facilities, a Jack Nicklaus designed golf course and a re-provided Hoylake Municipal Course with associated enabling development. Once completed the project will have the potential to create 130 direct jobs and dramatically increase visitor numbers to Wirral. We will also be facilitating public consultation events in Hoylake and West Kirby before Christmas 2015 to give people an opportunity to comment on the outline proposals.

- **Birkenhead Town Centre:** Following agreement by Cabinet to the principles of the masterplan for the town centre, the Council has been working with the Developer (Neptune Developments) and other landowners in the town centre and progress is being made on all aspects of this complex and commercial project with the aim of bringing everything together for decisions later this year.
 - **Birkenhead BID:** Led by Wirral Chamber of Commerce, a campaign launch event took place on 2nd September, outlining plans to improve the commercial and retail areas. Local businesses are being given the opportunity to vote in support of the BID via an election to be held in November. The outcome of the vote will be announced in December and if successful the BID will be in place for a period of five years and is expected to raise more than £2m, which will be invested in delivering a safer and cleaner town centre, improving access and amenities and on promoting events to attract increased footfall into Birkenhead.
- f) **International Development:** Representatives from Wirral's business community have returned from China, having created new business links and signed a Memorandum of Understanding with the Taicang General Chamber of Commerce, based in one of China's most competitive cities. The delegation met with Chinese government officials and businesses supported by UKTI and members of the China-Britain Business Council, the leading organisation helping UK companies to grow and develop business in China. It was also confirmed that a Chinese delegation will be visiting Wirral in November, and a return trade mission will also be organised by Wirral Chamber of Commerce during 2016 for local businesses to visit China.

Wirral's growing links with international markets have taken another step forward following a recent visit to Reno, where I met with senior officials from the Governor of Nevada's office and signed a Twin City Partnership agreement between Wirral and Reno. We have an ambition to grow our clean energy manufacturing sector and Reno is home to 13 geo-thermal companies and a number of advanced clean energy manufacturers. Earlier this year, Reno gained international recognition when electric car company Tesla Motors announced plans for a \$5bn factory in the area and was recently cited by the Kauffman Foundation as the U.S.'s "most consistent standout" for start-ups, with an emerging concentration of aviation, research-and-development, and high-tech industries.

5. LGA CORPORATE PEER CHALLENGE

The Council has invited the LGA to return to Wirral to conduct a Financial Review and Corporate Peer Challenge during October and November 2015. It is over three years since the Council first participated in a Corporate Peer Challenge in October 2012, with a follow up visit in May 2013. My view is that the Council benefitted greatly from the previous findings and recommendations provided by the Peer Team, and I welcome the opportunity to participate once again in this free offer from the LGA to provide external challenge and expert opinion on our future plans.

The areas that the Peer Team will focus on include understanding the local context and priorities, financial planning, leadership and governance and our capacity to deliver organisationally. The Wirral Plan and the arrangements to deliver the 20 pledges will provide a clear focus for the team and their findings and recommendations will provide the basis to ensure our plans and arrangements are sound to deliver the changes that we must make. I believe Wirral Council is a very different organisation from when the Peer Team visited three years ago and I look forward to providing further details on their visits as they become available.

6. EXTERNAL AUDIT FINDINGS

Grant Thornton, our External Auditor completed their review of the council's financial statements for 2014/15. In their latest report, Grant Thornton highlighted that the progress the Council has made, has been formally recognised by an award for 'Most Improved Council' from the Local Government Chronicle. The report additionally notes the progress already made in the Wirral Plan, which is now providing a Wirral-wide blueprint for partners' to work together and deliver services differently. The report was particularly positive and highlighted the council's effective arrangements for delivering value for money and achieving good financial performance.

7. NEW CABINET ARRANGEMENTS

The Wirral Plan provides an ambitious set of pledges to be achieved by 2020 and as a result I will be reviewing the responsibilities of my Cabinet portfolios to ensure they are fit for purpose and fully reflect the priorities set out in the Wirral Plan. I look forward to outlining these changes to you when I have completed my review.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Ann McLachlan
CABINET PORTFOLIO FOR	Governance, Commissioning and Improvement
CO-ORINDATING CHIEF OFFICER	Joe Blott, Strategic Director-Transformation and Resources

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. ALTERNATIVE DELIVERY MODELS

Financial challenges, demographic changes and national policy drivers are impacting significantly on the services that we deliver. We stated in the Wirral Plan that we would not use this as an excuse for doing nothing, and that we have a duty to find innovative, imaginative solutions. We are already making significant progress in this area, evidenced through the creation and establishment of two new service delivery vehicles: Edsential, to provide services to schools, and Wirral Evolutions, to provide Day Services to adults with a disability.

Edsential: Wirral Council Cabinet and the Executive of Cheshire West and Chester Council (CW&C) approved a series of recommendations in November 2014 for the establishment of a Community Interest Company to provide services to schools and improve the lives of children in the local area. It was agreed the company would be jointly owned by Wirral Council and CW&C Council.

Since the decision was made to create the company, both councils have made significant progress and delivered key milestones towards the creation and launch of Edsential. On the basis that both Councils agree to commence a phased go-live process throughout October and November 2015, formal trading as a separate legal entity will commence in December 2015 with completion of a legal transfer agreement and TUPE transfer of staff. The base for the new company is in Ellesmere Port.

Wirral Evolutions: In March 2014, Cabinet approved the establishment of a new, independent organisation, Wirral Evolutions, to offer day care services through a local authority trading company. The company is currently operating in shadow form and the Council will retain 100 per cent of the shares in the company.

This new model for delivery provides an innovative approach which strengthens our ability to deliver on our 2020 Pledge to ensure **people with disabilities live independently**. The company operates on a model whereby all profits are reinvested into the company to improve the services provided and the positive outcomes achieved for the disabled residents who will benefit from it.

To contribute to the overall delivery of our Wirral Plan, we are continuing to explore our approach to developing alternative delivery models and new ways of working. We will continue to progress this work to ensure that the Council continues to identify opportunities for new delivery models for the foreseeable future.

2. ANNUAL GOVERNANCE STATEMENT

A final draft of the Council's Annual Governance Statement for 2014/15 was presented to Audit and Risk Management Committee in September 2015. The statement will now be signed by the Leader and Chief Executive and reported to Cabinet in October 2015. The statement demonstrates the continued progress to further strengthen our internal governance controls and demonstrates the improvement the Council has made during 2014-15 to address the Council's existing governance issues.

The Council has identified four remaining governance issues which include business continuity arrangements, corporate procurement arrangements, absence management and culture. An action plan has been developed to address these issues and I will receive regular progress reports on its implementation to ensure we are taking the necessary actions and that these are effective and completed to the agreed timescales. I am pleased at the considerable improvements that have taken place across the organisation to improve our internal governance controls and I am determined that we take prompt and effective action to resolve the four remaining governance issues.

3. LANARKSHIRE VISIT

North Lanarkshire Council is facing cuts of £40m per year for the next 3 years from on an annual budget of £750m. A delegation from North Lanarkshire Council requested to visit Wirral Council to discuss the implications of financial cuts facing local government and how various councils cope with these cuts.

North Lanarkshire were looking for examples of innovation and best practice and were really keen to hear about Wirral's improvement journey and our experience of reducing the budget by £151m over the last 5 years. Areas of specific interest included the creation of our transaction centre, our digital strategy and our experience of transferring our housing stock, which they have still yet to do.

This was an immensely rewarding session for both North Lanarkshire and Wirral, enabling the sharing of experiences and learning during these challenging times. The colleagues from North Lanarkshire were very impressed with our progress and the session really emphasised how far we have come over recent years.

I believe that it is a real demonstration of our progress that other Councils are beginning to see Wirral as a success story, an example of national best practice, and are seeking us out for support and guidance as they face their own challenges in relation to transformation and improvement.

4. CORPORATE RISKS

The Council's corporate risks are those which have greatest potential to prevent or frustrate delivery of the Wirral Plan. As such, our success in addressing them is a key determinant of overall corporate performance. The current register is the product of a fundamental refresh conducted in 2013/14.

The Strategic Leadership Team (SLT) has overall executive responsibility for the topics included in the register and oversight of the effectiveness of their management and each quarter carries out a review of the register. This involves examination of progress with the implementation of key control measures for corporate risks. The reviews also consider key risks to programmes and to directorate plans and emerging risks in the wider environment and their potential impact on delivery of the Wirral Plan. The reviews can lead to risks being added or removed from the register, amendments to their scores or changes to controls.

Scrutiny is provided by the Audit & Risk Management Committee. At its meetings the committee considers the results of the SLT reviews and summaries of progress with the implementation of key control measures. Members also have the opportunity to propose topics for potential inclusion in the register and this has led to the addition of several new risks. I provide further scrutiny of the most critical corporate risks through my Portfolio Holder meetings. To assist me the Risk & Insurance Officer provides a briefing note on each risk, summarising the current control environment and any relevant performance data. Other officers with more direct responsibility for the controls are also present, enabling me to question them on the effectiveness of those controls and potential improvements.

Since the start of 2015 I have examined every 'red' rated risk on the corporate register. For the majority I have been satisfied with the existing mitigation. However, I did consider that there were opportunities to improve the response of the Council and its partners to the 'Welfare Reforms' risk and I tasked officers with developing proposals. This led to the inclusion of a specific enabling project in the new Delivery Plan around Welfare Reform.

There will be a further major refresh of the register later this year, to take account of the current Council Plan and Delivery Plan. My scrutiny programme will continue and will take account of any new critical risks identified through that exercise.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor George Davies
CABINET PORTFOLIO FOR	Neighbourhoods, Housing and Engagement
CO-ORDINATING CHIEF OFFICER	Kevin Adderley, Strategic Director-Regeneration and Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. ENABLING NEW HOUSING SUPPLY

A key Pledge within the Wirral Plan is to ensure good quality housing for residents. I am therefore pleased to report that during the first quarter of 2015/16, 194 affordable housing units in Wirral were completed and we are on track to exceed this year's overall target of 250 affordable housing units completed.

2. ENERGY EFFICIENCY

Energy Projects Plus completed their 12 month Council contract in August for the Fuel Poverty & Energy Efficiency awareness programme. As part of the programme 741 residents were provided advice and 221 referrals were made for assistance ranging from heating grants, loft insulation grants and the Collective Energy Switch, providing residents living in our most economically deprived areas much needed support in reducing energy bills and fighting fuel poverty.

A tender for the 2015-18 contract has recently been concluded with Energy Projects Plus winning with the most economically advantageous tender.

3. SELECTIVE LICENSING

A further demonstration of our commitment to our Pledge of good quality housing can be seen through the success of the Council's Selective Licensing Scheme, which has now been fully operational in 4 areas within Tranmere, Birkenhead and Wallasey since 1st July 2015. The team are now in place and starting to go out and radically improve the quality of private rented property and the standard of management of properties in these areas.

To date, private landlords in these areas have applied for a license for almost 400 properties; estimated at being almost half the private rented stock in these areas. Almost 500 landlords have applied to get their properties accredited with the Council's property accreditation scheme which means that these properties will be brought up to an acceptable standard prior to them being licensed. Therefore Selective Licensing is already making a significant impact on improving the quality of private rented properties in these areas.

An OJEU tender process to select delivery partners for energy efficiency and fuel poverty awareness and solid wall insulation grants for the Selective Licensing areas is nearing completion. Contracts are due to be in place by the end of October 2015.

4. HOUSING REGENERATION IN BIRKENHEAD AND TRANMERE

Following the confirmation of a Compulsory Purchase Order, the final privately owned houses were transferred to Council ownership and have now been demolished. The remaining site within the St James Gate redevelopment scheme has been handed over to Keepmoat and is currently being redeveloped. Keepmoat has advised that property sales are strong with some plots being sold 'off plan' in advance of the houses being built. Keepmoat are currently developing plans for their next phase of development on Station & Tyrer Streets close to Birkenhead North Station. These plans also include the redevelopment of a cleared site on Shannon Street, Birkenhead and at the time of writing it is anticipated that Keepmoat will be on site towards the end of the year.

In Tranmere, the final block of houses/former retail units on Church Road has now been demolished. The proposed redevelopment now has planning permission and Lovell are aiming to start phase 1 of the housing redevelopment before Christmas.

5. DOMESTIC ABUSE BID

In the July Budget a £3 million fund for 2015 to 2016 was announced to address any gaps in the provision of specialist accommodation-based support, and provide support for victims seeking to access these services. In late August 2015, the Department of Communities and Local Government (DCLG) announced the opening of this fund and invited bids from Local Authorities in partnership with relevant local services, to be submitted by the 1st October.

Officers from the Supported Housing Team and Family Safety Unit are currently working in partnership with Wirral Women and Children's Aid (WWACA – Refuge for women fleeing domestic abuse) to construct a bid, to support us as we work towards achieving our pledge of demonstrating zero tolerance to domestic violence. Members will be informed of the outcome in due course.

6. MAINSTAY – SUPPORTED HOUSING GATEWAY

The previous portfolio summary report advised members of the implementation of 'MainStay', a pan-Merseyside 'virtual' single point of access to supported housing services for vulnerable, homeless people, funded by DCLG.

During the month of August, MainStay reported the following outcomes:

- 85 people were accommodated in local supported housing services.
- 49 single homeless people were supported to secure their own, independent, accommodation.
- 34 vulnerable people began receiving a package of floating support to enable them to remain independent in their own home.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Pat Hackett
CABINET PORTFOLIO FOR	Regeneration and Planning
CO-ORDINATING CHIEF OFFICER	Kevin Adderley, Strategic Director- Regeneration And Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. SKILLS

Officers from Wirral's Investment Strategy Team have been working on the development of a Liverpool City Region Combined Authority bid for European Social Fund (ESF). This is in response to the 'Inclusive Labour Markets' call for commissioned projects to support adults and young people into employment as published by the Department for Work and Pensions as Managing Authority for these funds. An outline submission was submitted on 22nd May and the Combined Authority has subsequently been invited to submit a full application by 2nd October 2015. This is a competitive bidding process and as such details of the bid are commercial in confidence at this stage.

2. SMALL BUSINESS

Work continues on the roll out of Action Plans across the borough's 23 retail areas. In 2014/15 a further 6 will be completed and the current status is as follows:

- West Kirby – completed
- Upton Village – completed
- Eastham – completed
- Laird Street – completed
- Lower Bebington – Inaugural workshop set for 9th September, anticipated completion by end of October 2015.
- Oxton Village – Workshop scheduled for November 2015, plan completed by end of December 2015.

3. INFRASTRUCTURE

- a.) **Hamilton Square** - The £1.1m project will facilitate improved accessibility and traffic movements within Hamilton Square including the re-opening of Hamilton Street outside Birkenhead Town Hall. Mott MacDonald has been commissioned to

design up the scheme which will be consulted upon prior to its implementation. Subject to securing its approvals the project will be tendered in December 2015 with a view to the works being completed in March 2016.

- b.) **BDUK** - The Merseyside Connected superfast broadband programme is now in the last phase of roll out delivery and is on course to be completed in June 2016. This is a circa £15m investment that in Wirral has already delivered 88 (78.6%) new superfast broadband street cabinets linked by a network of new connections across the Borough. This represents the second highest investment in Merseyside and contrasts strongly with St Helens which only has 30 live cabinets and is only 50.8% complete. As an illustration of this investment each cabinet costs around £20,000 to install, power and commission. As of July 2015, the total number of homes past (THP) in Wirral stood at 12,960 therefore the project is well on course to surpass the Government's national target of 95% of premises served by superfast broadband. In fact across Wirral and Merseyside the figure is expected to be in the region of 98% to 99%.

The Business Support element of the programme has been successfully completed, delivering and in some cases surpassing all of the contracted targets. It has delivered;

- 500 Business Engagements - 100% of target
- 316 Business Assist – 105% of target
- 250 Business Improvements (GVA) – 100% of target
- 151 New Jobs – 101% target

Broadband Voucher Scheme is a related support measure to help businesses pay for new superfast broadband connections. A grant of up to £3,000 is available per business and to date a total of 102 Wirral based companies have been allocated grants to the value of £58,000.

4. INVESTMENT

Cabinet at its meeting on 10 September 2015 (Minute 48 refers) approved the setting up of a register of Brownfield Land suitable for residential development, and, where appropriate, agreed that Local Development Orders should be drawn up. These Local Development Orders will be drawn up in draft form by the Head of Regeneration and Planning and then discussed with ward members as well as undergoing statutory consultation. The draft Order and the consultation responses will then be reported to Planning Committee who will be responsible for adopting the Order or not.

5. RETAIL

Work is nearing completion on a new retail offer at Junction 1 of the M53. The development will deliver 23,000 square feet of new retail floor space at a cost of £7m. The fit out cost by tenants is estimated at around £5m. The total investment of £12m will create an estimated 359 new jobs (a mix of full-time and part time). Confirmed tenants including Marks and Spencer Simply Food, Aldi, Pets at Home and Home Bargains.

This is alongside significant new retail investment at Croft Retail Park in Bromborough worth in total over £8.3m which has created/safeguarded 297 jobs. This includes investments by Costa, KFC, Subway, Dunelm, JD Sports, The Range, Greggs, Harvester, Nandos and Mothercare.

6. PLANNING

- a.) **Devonshire Park Neighbourhood Plan Referendum** - The local referendum will take place on 22 October 2015. If a majority of the people who vote in the referendum, vote to approve the Plan, the Council will be required to formally adopt it by resolution at Full Council.
- b.) **Land at Oxton Road/Balls Road Birkenhead** - Lidl have submitted a planning application for a new food store on derelict land at the junction of Oxton Road and Balls Road in Birkenhead. If planning permission is granted then this will represent an investment of £5m and will create 40 jobs.
- c.) **Port Sunlight Local Listed Building Consent Order – Consultation** Planning Committee at its meeting on 17 September 2015 (Agenda Item 16) approved consultation on the Local Listed Building Consent Order for residential houses that are grade 2 listed in Port Sunlight Village Conservation Area. Consultation started on 21 September 2015 and will finish on 25 October 2015. This is a partnership Initiative with the Port Sunlight Trust and Historic England. The Order when made will give consent for the replacement of rear doors, rear yard gates and rear windows without the need for listed building consent. This will be helpful to residents who will then not need to apply for consent as long as the works proposed are within the scope of the Order.
- d.) **Local Development Framework** - The Council is still waiting for the Government to release information on housing requirements which will then enable housing numbers for the Borough to be calculated. It is anticipated that this information will be received from Government in October/November 2015.

7. PARTNERSHIPS - MERSEY DEE ALLIANCE (MDA)

Significant progress has been made in this vital partnership agenda to champion cross border transport issues. For Wirral, enabling access for its residents to job opportunities in North East Wales is a key priority. Meetings with the Welsh Assembly Government, the North Wales Economic Ambition Board and also with Whitehall Officials have all taken place to put forward a strategic business case for the electrification of the Wrexham to Bidston (Borderlands) rail link.

The power of this partnership work has recently been demonstrated by a visit by the Parliamentary Undersecretary of State for Wales, Alun Cairns MP, who has pledged support for the MDA priorities. The Minister for the Northern Powerhouse, James Wharton MP attended a meeting with MDA partners in August which further raised the priorities and the valuable work undertaken by the partners.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Adrian Jones
CABINET PORTFOLIO FOR	Central and Support Services
CO-ORDINATING CHIEF OFFICER	Joe Blott, Strategic Director- Transformation and Resources

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. ASSET MANAGEMENT

A number of major asset disposals are underway and making good progress, including:

- Acre Lane: demolition is due to commence in October, the monitoring of bats will continue during the demolition and the progress will be dependent on their presence. Legal documents have been prepared to offer Morris Homes an exclusivity period to undertake intensive surveys of the grounds and once completed a final offer will be made.
- Manor Drive: we have received a good response following the marketing exercise and offers have been submitted in the region of £6/7m.
- Secretary of State Submissions: a number of submissions are required including Rock Ferry High, Foxfield and Pensby Park, which will be completed in the next few weeks. Marketing will then take place of these sites which will result in significant Capital receipts.

We have also made significant progress on our capital projects, including:

- West Kirby Concourse: a new 90 station fitness suite opened in June which has resulted in the actual income surpassing target. There are over 2500 Invigor8 members associated with West Kirby Concourse. Two new aerobics studios and a new catering facility will also be open within the next few weeks and will attract further new customers to the Invigor8 product.
- Wallasey Town Hall: the latest phase of internal refurbishments has been completed on the ground floor and the 2nd floor. All staff have been relocated into the Town Hall that were located in the South Annex (which is now empty and awaiting asbestos strip).
- School Summer Projects: a large summer programme was completed successfully by project officers. Larger schemes due for completion in the next week include Fender Primary and Elleray Park.

Intensive work has been undertaken by Asset Technical Officers to implement a new Asset Management System; the Helpdesk facility will be rolled out in the next few weeks and will enhance the workflow of day to day repairs, payments and bring significant improvements to schools and other premises. Other modules will be come on-line on a priority basis. For the first time all asset data will be brought together in one system. Demonstration of the system to the Portfolio Holder is planned shortly

2. HEALTH, SAFETY & RESILIENCE

The emergency planning and Health and Safety Team were heavily involved in the coordination and response to the Severe Flood Event of the 2nd September. It would appear approximately 100 properties (business and residential) experienced some internal flooding. This has led to a number of families (primarily from the Moreton Area) remaining displaced in temporary accommodation, until their properties are habitable again.

The Head of Corporate & Community Safety has begun a Significant Flooding Event Investigation, as required under Section 19 of the Flood & Water Management Act. Understandably this investigation is likely to take some time to complete and as a part of that investigation, we have already held a multi-agency de-brief meeting and a community drop-in event in the Moreton area. This was a particularly difficult event for all agencies, as residents who had either directly experienced flooding, or those who were concerned about the proximity of the flooding to their houses/businesses, came in to speak to representatives and express their anger about why the flooding occurred.

The section 19 investigation will determine the specific causes of the flooding, but it is likely to be a case that the volume of rain that fell over such a short period of time simply overcame the existing drainage infrastructure and overtopped the main watercourses. Early indications have identified that 80% of September's average rainfall fell over the 1st and 2nd of September.

3. INFORMATION TECHNOLOGY

On 6 October the Council website, wirral.gov.uk, will be re-launched with a new, mobile-friendly, easier to navigate and use design. The Council website receives in the region of 3 million visits every year – around 58,000 per week – and increasingly these visits are coming from mobile devices such as smart phones and tablets such as iPads. These devices currently account for 58% of all traffic to the Council website.

The new Council site will be completely 'mobile-responsive', which means it will detect what kind of device the resident is using to access our website, and automatically redesign itself to the best possible layout to suit that device, no matter if it is a smart phone, laptop, desktop PC or tablet.

Almost every page of content on the current Council website, more than 2,000 pages, has been reviewed, re-written and made easier to use and understand. This has led to the total number of pages being reduced from over 2000 to around 1000; providing the same information but presented in a much more efficient, easier to understand way. The overall structure of the site has also been completely redesigned, based on national best practice and local data showing how people currently use the website.

Extensive user testing has been undertaken, with over 800 residents taking part and contributing to improvements in the new design and layout. We will continue to conduct this user testing and ensure the site is constantly monitored to take account developing technologies, changes in usage trends and what residents tell us.

Work is underway regarding the migration of email from the current solution to the future Office365 system. IT services are working in partnership with BT to implement a highly resilient Wide Area Network. Work is progressing with upgrades to selected Children's Centres and other key links.

4. HUMAN RESOURCES/ORGANISATIONAL DEVELOPMENT

Remodelling and change: The remodelling work is in its final stages of delivery. We continue to work hard to redeploy employees who are displaced by organisational change. Work also continues to support transfer of staff to new Local Authority Companies to deliver day services and schools traded services.

HR Policy Development: A revised disciplinary policy was agreed by Transformation and Resources Policy and Performance Committee in July. The Committee will consider a report proposing changes to Council's attendance management policy on 21 September 2015.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Christine Jones
CABINET PORTFOLIO FOR	Adult Social Care & Public Health
CO-ORDINATING CHIEF OFFICER	Graham Hodgkinson, Director Of Adult Social Services

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. HEALTHY WIRRAL (VANGUARD)

Health and social care partners in Wirral were successful in bidding to achieve 'Vanguard' status, one of only 29 areas in the UK. Wirral Health and Social Care partners include; Wirral Clinical Commissioning Group, Wirral Council, Wirral University Teaching Hospital NHS Foundation Trust, Cheshire and Wirral Partnership NHS Foundation Trust, GPs across the borough, Local Professional Committees, local community groups and Healthwatch.

The Vanguard programme, which is called 'Healthy Wirral', is now in the position of being able to work towards improving services and making sure Wirral residents have the access to high quality, appropriate care in the right settings. Vanguard sites are offered greater freedoms in relation to how the health system works; providing the opportunity to re-design the whole system of health and care to offer more integrated and responsive services. The focus is on population health and supporting people in their own communities, offering the right support in the right place, at the right time.

A very important part of the development will be a series of engagement events with patients, public and other stakeholders to shape and develop the 5 year plan in line with the Wirral Plan priorities.

2. WIRRAL INDEPENDENCE SERVICE COMMISSION

More work to ensure people with disabilities live independently has been successfully completed with a joint social care and health commission (Wirral Council DASS, PH and NHS Wirral Clinical Commissioning Group) for a new Wirral Independence Service. The integrated commission was led by Adult Social Care.

The Wirral Independence Service Contract was launched on 1 July 2015 and runs for 4 years. The service is provided via a partnership between Medequip and Community Voice which includes:

- Providing an Integrated Community Equipment Service (ICES) for adults and children
- Telecare and Telehealth 24hr monitoring service and Telecare mobile response service including falls pickup
- An innovative and creative Falls Prevention Service that delivers evidence based interventions, training, awareness raising, information and advice for other Wirral customers and services (e.g. Wirral Care Homes).

3. EARLY SUPPORTED DISCHARGE

We continue to work closely with partners at Wirral University Teaching Hospital to ensure that people are discharged in a safe and timely manner.

This includes a focus on ensuring early notification, improving communication with ward colleagues, streamlining assessments etc. Referrals into the Early Supported Discharge Team, (which is a combination of therapy and reablement services), continue to increase and has shown a reduction in the length of stay for many people.

Reduced reliance on care placements has been supported by improved access into community based and intermediate care services focussed on supporting people to return home.

The Integrated Discharge Team is working closely with the Rapid Community Service to ensure these services inter link smoothly and individuals requiring support on discharge are identified as quickly as possible.

The volume of presentations and admissions to the Acute Trust remains a challenge to these services, but Delayed Transfers of Care remain low.

4. OLDER PEOPLE'S DAY

Each year, October 1st marks Older People's Day in the UK, coinciding with the UN International Day of Older Persons observed since 1991.

The main objectives of the day are to celebrate older people's achievements and contributions to society and the economy, raise awareness of issues that affect older people and challenging negative attitudes and outdated stereotypes.

Linking this to our Wirral Plan Pledge 'Older People Live Well' the Council will promote the work being done to deliver the pledge with a short press release which also aims to create awareness of Older People's Day amongst organisations, community groups and individuals in Wirral and to encourage those over 50+ to take advantage of the many activities that Wirral has to offer.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Chris Meaden
CABINET PORTFOLIO FOR	Leisure, Sport and Culture
CO-ORDINATING CHIEF OFFICER	Clare Fish, Strategic Director- Families & Wellbeing

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. LEISURE

The capital projects at Guinea Gap and West Kirby Concourse are now complete and open to the general public. Guinea Gap has just under 1500 new Invigor8 members and West Kirby Concourse just over 2500 members, with the actual income now surpassing the targets set. A £840,000 capital bid (Wirral Council £690,000 and Sport England £150,000) has been submitted to upgrade the facilities at West Kirby Marine Lake to create a modern base for those engaged in water sport activity. A planning application will be submitted later on this year. Both of these developments are evidence of our commitment to securing leisure and cultural opportunities for all, a key pledge in our 2020 Plan.

I am pleased to announce the NCS graduation ceremony took place at Wallasey Town Hall on Saturday 26th September.

The Mayor presented certificates to 150 16 and 17 year olds who successfully completed this summer's programme. In addition to the away and home residential, they have collectively completed 2400 hours of community programmes. Those programmes have included delivering community fun days in our parks to undertaking a complete garden makeover for a young peoples' project in Grange Road West, Birkenhead, where I performed the ribbon cutting ceremony.

To deliver a number of those programmes the young people have raised their own funds and sought the support of local businesses. During the 'home' phase of the NCS programme at Thurstaston Country Park, the old toilet and shower block was completely refurbished. For the first time in over a decade participants have been able to enjoy hot showers and the basic amenities of toilets and hot running water. Further developments of this site can now be considered.

Sport Development's outreach programme will be working alongside the Merseyside Fire & Rescue Service to deliver 'Operation Banger' for the period including Mischief Night, Halloween & Bonfire Night, aiming to reduce ASB & fires at this peak time in the calendar. This will be the 3rd year that sports instructors will be delivering activities in multiuse games areas across the Borough. Partnership working is key, with other agencies directing young people to these activities.

2. WILLIAMSON ART GALLERY AND PRIORY

Discussions with National Museums Liverpool have been paused whilst both organisations await the outcome of the Comprehensive Spending Review at the end of November 2015. The employees at the Williamson and Priory are now working with their Head of Service to develop a plan for continuing to run and develop the Gallery and Priory. The Friends of the Williamson are also working with the staff to support the planned activities and they are making a valuable contribution towards future events.

3. FLORAL PAVILION

The Floral Pavilion continues to provide a range of high quality events as part of its autumn and winter programmes and other parts of the business, including weddings, are continuing to develop. Work is currently on-going to look at various commercial opportunities that the building can be used for, with the aim of reducing the Council's subsidy over the next three financial years.

New management systems are now in place which allow for better programming and cost analysis and arrangements to achieve more on-line transactions and promotions are in place. The Volunteers continue to make a very valuable contribution towards the running of the venue with their enthusiasm and interaction with members of the public. The Floral is also playing its part in the wider success of New Brighton by working with other venues and businesses in the town.

4. PARK & OPEN SPACES

The Junior Rangers outreach programme was launched again this summer in partnership with the Pyramids Shopping Centre in Birkenhead, and has been a huge success with over a 1,000 children attending every day. Educational and fun activities were delivered by Rangers, Forest school leaders and Volunteers of Birkenhead Park. New York's Central Park assisted with Virtual live educational games via Skype (60+ children at each session). Local media and press attended. Local user groups such as nurseries and youth schemes have utilised this event along with the Animal Ark and Owl animal sanctuaries.

The pilot Assistant Discovery Ranger Traineeship programme run in Birkenhead Park and delivered in partnership with Wirral Met College finished its 14 week term this July. Two of the trainees were successful in applying for an 18 month NVQ level 2 park ranger apprenticeships. A second cohort of Assistant Discovery Rangers began in August.

Four of the Parks and Countryside Horticultural Apprentices that successfully completed their NVQ level 2, have been successful in applying for an Advanced Apprenticeship, during which they will complete their NVQ level 3. Those successful in this will be kept on as gardeners within Parks and Countryside.

Mary Worrall's joint presentation at the Large Parks in Large Cities Conference in Stockholm (2 to 4 September) with Sari Suomalainen from HAMK University, Finland went very well. Through the presentation and poster display, the international significance of Birkenhead Park was highlighted and significant interest in visiting Birkenhead Park was expressed by presenters and conference attendees from across the world.

Sari Suomalainen is one of the Senior Lecturers at HAMK University who earlier this year spent several weeks with Wirral's Parks & Countryside Team as part of her six week visit studying UK and Ireland Parks good practice. HAMK University is the main University in Finland which provides education for horticulturalists, landscape designers, landscape managers and landscape constructors.

HAMK University has developed the use of mobile technologies to help interpret their campus and assist in the education of students. They have also piloted the use of new and innovative techniques, such as 'drifting' to help people share and enhance the awareness of the special nature of places. The international partnership project we are developing with HAMK University, called Landscape Alive, will pilot the use of these technologies to help interpret Birkenhead Park in a number of different languages.

5. LIBRARIES

Our work with Volunteer and Partner Libraries continues to support our main service with initiatives in place at Leasowe, St. James and Pensby operating new 'Library Express' service successfully for their communities. Our officers are in discussion with other groups which we hope will soon be established.

Added to this site support the service has a range of individual volunteers. 32 computer support volunteers help customers in libraries, nine who work to help book delivery to the vulnerable with the home reader service and this year we were extremely pleased to welcome 25 students who have helped us deliver an excellent Summer Reading Challenge across all sites this year.

Our Library service continues to successfully provide a wide range of activities that support the cultural and learning aspects of a Library service. Once again we will be promoting our Annual Bookfest events in October with a range of events across the area. Our high profile Bookfest event is the return of Brian Patten to Merseyside to read a selection of his works. As part of the launch of the next round of the "Reading Ahead" initiative Birkenhead Library will be host on 11th November to guest author Andy McNab, given this authors international standing this is another extremely high profile event for Wirral I am pleased to report on.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Bernadette Mooney
CABINET PORTFOLIO FOR	Environment & Sustainability
CO-ORDINATING CHIEF OFFICER	Kevin Adderley, Strategic Director- Regeneration And Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to her portfolio.

1. LITTER ENFORCEMENT

Ensuring an attractive local environment for local people is a key Pledge in our 2020 Plan. In a focussed effort to reduce litter, the Council's Litter Enforcement Contract commenced on 1st July 2015 and in just over 2 months of operation have issued over 2500 fixed penalty notices (FPNs) for littering offences across the Borough. The Council's litter enforcement contractor deploys their uniformed officers through a shift system to operate across a programme of locations 7 days a week.

Prior to the commencement of enforcement operations the Council ran a high profile anti-littering campaign warning that such activity will not be tolerated with appropriate action taken. This campaign was followed up by further promotion updating on action taken since commencement of operations and to inform that income generated through enforcement action has been reinvested in facilities such as additional cigarette litter bins.

The payment rate from the FPNs issued so far is over 70% with an extended payment period provided to those who request it. The Council is now preparing cases against non-payers for referral to the courts, with the first due to be heard this autumn. Early indications from recent environmental monitoring are that litter enforcement is having a positive effect on environmental conditions through reduced littering.

2. RECYCLING PERFORMANCE

A number of initiatives and operations have been established this summer to improve recycling performance and target residents who are not recycling. Officers have been working with colleagues at Biffa to deliver 'tool box talks' to refuse crews clarifying bin contamination arrangements, identifying locations of low level participation and non-presented grey bins and to update additional green bin allocations. Such actions have given the Council an accurate base to inform future promotion and areas to target. However the overall view that has emerged is that recycling participation levels could be improved in all areas of the borough.

The Council will shortly embark on a recycling participation promotion campaign to underline key messages about recycling, using the baseline understanding to target areas as well as individuals. The campaign will involve a door stepping exercise, social media and the use of new technology that targets smartphones and tablets as well as a high profile press and media campaign.

3. GARDEN WASTE SUBSCRIPTIONS

The Garden Waste Collection Subscription Service is now in its third year, attracting over 38,000 annual subscribers. By this autumn subscriptions are due to reach 40,000, which was the target set for the third year of operations following a successful promotion campaign and renewal reminders this summer.

The service is popular and regarded as highly reliable and this is borne out by the high level of repeat subscribers. This year the Council has offered residents additional brown bins at a reduced subscription, this initiative has proven popular with over 1000 additional collections.

4. ALLEYWAY DUMPING INVESTIGATIONS

The alleyway dumping investigation exercise, now in its second year, involves the deployment of an investigation team, employed by Biffa, to search through dumped refuse within the authorities' alleyways looking for evidence. To date the investigation team have referred over 1500 cases to the Council for action and offenders have been prosecuted as a result. The Council is currently determining the way ahead for the initiative and considering various options. The investigations and action taken against the perpetrators of alleyway dumping does appear to have had a significant effect on reducing dumping levels and tonnages since being introduced in April 2014.

5. TRADING STANDARDS ENFORCEMENT

In June 2015 after a complex investigation by Trading Standards four defendants were sentenced at Liverpool Crown Court in relation to Fraud and Consumer Protection offences. Trading Standards secured refunds to Wirral consumers totalling £39,495.

6. OUT OF HOURS ON CALL SERVICE TO DEAL WITH ANTI-SOCIAL BEHAVIOUR LINKED TO NOISE FROM MUSIC AND PARTIES

Since May 2015 the Environmental Health Service has been operating an on-call 'out of hours' service for noise complaints related to anti-social behaviour in domestic properties. The service has operated successfully using a team of volunteers from within Environmental Health who deliver the service in addition to their existing duties. The service is co-ordinated from the Council Control Room and receives support from the Community Patrol Service to enable officers to be able to operate safely.

The service has increased the opportunities for Council Officers to witness and assess the severity of noise. Where necessary this service has enabled Officers to try

and resolve noise problems while in attendance to the reported incident. In some cases the noise is indicative of wider problems and in such cases officers have liaised with colleagues in the Anti-Social Behaviour team and Merseyside Police to find a longer term solution to the problems witnessed.

Prior to this service out of hours witnessing of noise could only be arranged by prior appointment. Whilst pre-arranged visits are helpful in some cases, they are not effective where the noise is unpredictable or intermittent in nature. Residents distressed by domestic noise previously could not access the Environmental Health service outside office hours. Whilst the service cannot resolve all noise complaints immediately on the ground and has limited capacity, the service is managing to bring complaints to a conclusion more quickly due to officers witnessing complaints.

Over the period May to August 2015 the pilot on-call service responded to fifty eight calls that related to noise complaints associated with anti-social behaviour in domestic properties. While attending incidences, where offences have been observed Officers have given advice or issued verbal or written warnings to secure compliance. It has only been necessary to serve two formal abatement notices for non-compliance. This work is in addition to action which continues to be taken by Environmental Health as part of its normal service functions.

The calls received vary in nature but mainly relate to parties and loud music being played. Whilst some of these incidents are one-off events some addresses have received multiple visits and have therefore required more formal action. Many calls are referred to the Control Room from Merseyside Police.

The service is reliant on close working links between Community Patrol, the Council Control Room and ongoing management of complaint cases by Environmental Health and the Anti-Social Behaviour team. In some cases the service is also reliant on the support of Merseyside Police where risks to public order and Council staff require a police presence.

7. 'REDUCING THE STRENGTH' CAMPAIGN

There are 23 independently trading off sales premises in the "7 beats" area of Birkenhead which have been visited as part of the Reducing the Strength Campaign. Intelligence gathered during the delivery of this campaign concerning serious criminal activities linked to alcohol enabled a multi-agency operation to be planned with Officers from Environmental Health, Trading Standards, HMRC and the Police. The operation focused on a premise at the centre of a known hotspot for alcohol related crime, anti-social behaviour and begging.

During the operation HMRC seized approximately 10,000 cans of duty avoidance beers, 100 bottles of "Italian" wine and significant quantities of illicit cigarettes and tobacco. Initial estimates (final figures to be confirmed) were that over £4,150 and £1,800 of duty has been avoided on the alcohol and tobacco respectively. A Police Officer present noticed numerous licensing breaches and during the operation one man was arrested for immigration offences.

Responsible Authorities have submitted applications to seek and support the revocation of this premises licence as the Premises Licence Holder is considered to be failing to promote the Licensing Objectives. This application is being heard by the Licensing sub-committee in October.

CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	COUNCILLOR TONY SMITH
CABINET PORTFOLIO FOR	CHILDREN AND FAMILY SERVICES
CO-ORDINATING CHIEF OFFICER	JULIA HASSALL, DIRECTOR OF CHILDREN'S SERVICES

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. CHILDREN ARE READY FOR SCHOOL

Progress is underway to ensure that more of our children are ready for school. There has been an increase in Wirral children achieving a Good Level of Development in the Early Years Foundation Stage at school, with (provisional) results rising by 6.8% from 2014, to 69.7% this year. This compares with a national increase of 6.2% and a national average of 66.2%.

Wirral is also reaching more vulnerable young children from disadvantaged backgrounds, giving them the crucial support they need to do well at school and beyond, through the funded early learning for two year olds. In June 2015 Wirral's take – up of the entitlement to early learning was 75%, or 1283 children. This is an increase of 9.1% since February 2015, and places Wirral 27 out of 152 authorities nationally; the average take – up nationally is 63%.

2. YOUNG PEOPLE ARE READY FOR WORK AND ADULT LIFE

Provisional GCSE results for 2015 are positive, with an increase in children achieving 5 A* - C from 69.2% to 72.8%, and an increase in children achieving 5 A* - C including English and Maths from 60% to 61.6%.

To be ready for and succeed in work and adult life, young people need to have self-confidence, high aspirations and to be resilient. Opportunities to engage positively with peers, in activities which support personal development, contribute to achieving this outcome. There are for example, positive developments in moving towards the opening of the Youth Zone (the Hive), which is an exciting new youth offer in Wirral. A general manager has been appointed by the national charity "Onside"; Stuart Barnes started work in September and will focus on driving forward fundraising for the revenue costs and familiarising himself with Wirral people and the place. The Hive is on track to open at the end of 2016, and activity will pick up in October 2015, when builders are appointed and the building work starts.

The Youth Voice Conference, which is taking place on 20 October 2015, is being developed and delivered by young people, through the Youth Voice Group. This year's theme: Keeping Safe is based on consultation with young people across Wirral. The Conference will explore youth issues, discuss policy matters and

influence service provision. Workshop groups will include: exploitation; being streetwise; media pressure; mate crime; bullying; gang culture and internet safety.

3. VULNERABLE CHILDREN ACHIEVE THEIR FULL POTENTIAL

The re-design of Specialist Services (Children's Social Care) is being driven by the need to improve outcomes for vulnerable children. The four Children in Care teams, which incorporate the former leaving care (pathway teams), provide a clearer focus on children for whom Wirral has corporate parenting responsibility. They provide opportunity to integrate specialist health and education functions within these teams, so that there is much more joined up support for children and young people. The twelve Children in need / Child protection teams are smaller, geographically based social work teams, which will allow for closer management oversight of the assessments and plans for some of our most vulnerable children. Implementation of the re-design has been phased over the summer, allowing time for children and young people who need to transfer to new social workers in different teams, to do so in a planned way.

Plans are being developed to safely support a reduction in the numbers of children who are looked after through discharging their care orders, or supporting them to achieve permanence with family members. The number of children in care is starting to reduce.

Raising awareness of child sexual exploitation (CSE) and testing the effectiveness of partnership responses to CSE remains a key priority for the Safeguarding Children's Board. Partners are constantly being challenged about whether their staff members and managers have received training, whether all front line practitioners are aware of what should concern them, and that they know how to make a referral. All partners are also being asked what they have done in their work with young people, to raise awareness. Young people from the Creative Youth Development arts and drama group have also designed a CSE awareness raising performance for young people; the plan is for this to be taken into Wirral's secondary schools.

Work is underway to ensure we are fully implementing the requirements of the Counter-Terrorism and Security Act, to quickly respond to any suspected cases of radicalisation in Wirral; this is an area of work involving both the Children and Adult safeguarding teams, who are working closely with schools and colleges in Wirral.

4. INTERVENING EARLY TO SUPPORT CHILDREN AND FAMILIES

Intervening early before problems escalate is an important guiding principle underpinning how all the pledges focusing on people will be achieved. The new Family Intervention service which becomes operational in October provides a proven way of doing this. This service brings together the early help family support service and the intensive family intervention programme (troubled families). Streamlining these services provides a more cost effective model of delivery, and opportunity to shape the whole service by using the evidence of supporting families to live better lives, from the previous Troubled Families Programme. Families' experiences of this programme show that the following outcomes have been achieved:

- Families have purpose: children attend school and have aspirations; young people are meaningfully engaged in employment, education or training; and parents are either working or motivated towards work.
- Families have belonging: they live positive lives in their communities, without committing crime or behaving antisocially; they participate in community activities; and they grow positive friendship networks.
- Families have health relationships: children live in safe homes, without domestic abuse; adults are confident in their parenting ability; and families communicate and work well together.
- Families have stability: their financial status and housing are secure; they enjoy routine; mental health is good; unplanned hospital admissions and police call outs do not happen regularly.

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CABINET PORTFOLIO SUMMARY REPORT

REPORT OF	Councillor Stuart Whittingham
CABINET PORTFOLIO FOR	Highways and Transport
CO-ORDINATING CHIEF OFFICER	Kevin Adderley, Strategic Director- Regeneration and Environment

EXECUTIVE SUMMARY

This report is an update from the Cabinet Portfolio Holder to Members of the Council on matters relevant to his portfolio.

1. MAINTENANCE PROGRAMMES FOR 2015/16 AND BEYOND

Delivery of the current year's Structural Maintenance Programme has made good progress with approximately 93% of the planned work already carried out at a value of £3.2 Million.

Members may recall that the government has announced indicative capital maintenance allocations for a five year period, and officers are now preparing our first detailed three year maintenance programme, with the eventual goal to have a five year rolling capital maintenance programme with the front three years developed in detail.

2. HIGHWAY SERVICES CONTRACT

The second year of the contract with BAM Nuttall is now mid-way through, and the opportunities for planning the current year's programmes are evident, with good use of the summer months for delivery of the main road surfacing and surface treatment programmes. Performance on the contract continues to be a focus for both partners, and the number of customer complaints attributable to the contractor's activities is again considerably lower than in any year since records were collected in 2009/10.

3. MAJOR SCHEME SUBMISSION – DOCK BRIDGES

The preferred option for the replacement of the two bridges has now been agreed, including agreement in principle with Peel Ports regarding 'A' Bridge, of which they are the owners/operators.

Outline design of the two replacement structures is ongoing with procurement arrangements also underway. The formal Notice of the forthcoming procurement has already been published in the Official Journal of the European Union (OJEU) and it is expected the pre-qualification process which is now underway will be completed in November 2015, and tenders for the detailed design and construction of the bridges will be invited in December 2015, with construction expected to commence in Spring 2016, and the project completed in 2018.

4. STREET LIGHTING STRATEGY DELIVERY

Installation of over 7,500 LED lighting units with Central Management System control began on 25 August, and it estimated that 990 units will have been completed by the date of this Council meeting, with the project due for completion in March 2016.

The viability of a second phase of conversion to LED, for some or all of the remaining street lighting units has been carried out and this is presently being assessed for rate of return on the investment required, and the likelihood of securing an interest-free loan on part or all of the investment.

5. SAFE AND SUSTAINABLE TRANSPORT - PUBLIC HEALTH FUNDED TRANSPORT PROGRAMME

The programme continues to support residents to access employment and work with local businesses to encourage safe and sustainable travel to work to reduce the number of people killed and seriously injured on our roads.

The Travel Solutions team received 780 referrals from 1st April to 31st August 2015, and have worked closely with organisations such as Mencap, NAC Academy and Princes Trust. The Business Travel Team is working with numerous local businesses such as Unilever, The Land Registry and Sainsburys, and has delivered Bike Maintenance Sessions at 18 organisations. The Mind Your Business Road Safety team continue to engage local businesses and among other events, held a very successful Drink and Drugs Seminar at the Emergency Services Training Centre.

6. LIVERPOOL CITY REGION *TRANSPORT PLAN FOR GROWTH*- PIPELINE SCHEMES

The Liverpool City Region Transport partners are developing a long term 'pipeline' to provide the City Region with a new programme of proposed transport investment beyond the current Local Growth Fund programme period; beyond 2020. The outcome of the pipeline process will be a dynamic list of prioritised interventions, at a district and City Region level from which quick and effective decisions can be made in response to new funding opportunities as they arise.

LCR funding to support this process has been provided and specialists will be engaging with each district, including Wirral, regarding regeneration, housing and planning proposals and opportunities which will impact on future transport provision.

7. PACKAGE (STEP)

Wirral secured £1,700,000 of capital investment over 2015/16 and 2016/17 for the delivery of STEP schemes to support the ambitions of the LCR Strategic Economic Growth Plan. Cabinet have approved the delivery of 7 schemes to support Growth Zones two and five, the Mersey Waterfront and A41 Corridor respectively, and work is ongoing to deliver the schemes.

Wirral have also been successful in bidding for £105,000 of revenue funding to support the delivery of the STEP capital programme which will enable the delivery of LCR Wide Business Grants Programme for local businesses, the employment of a second Business Travel Support officer and provide additional funding to expand the existing Public Health funded Mind Your Business Programme.

8. ACTIVE TRAVEL FORUM

Consultation has been undertaken into a proposal to combine the Pedestrian and Cycle Forums. Given due consideration to all of the comments received, myself and the Chair of the Pedestrian and Cycle Forums made the decision to operate as a single Active Travel Forum.

The proposal will be taken to Annual Council, scheduled to be held in May 2016, to disband the Pedestrian and Cycle Forums in favour of the creation of an Active Travel Forum where, in accordance with Council Constitution, Elected Members will then be appointed to the Forum. A joint forum is in line with local and national policy and will strengthen the voice of both Forums in light of the approach of the Combined Authority and the new approach to funding streams for Active Travel schemes.

The first meeting of the Active Travel Forum took place on 23 September.

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WIRRAL COUNCIL

COUNCIL MEETING

12 OCTOBER 2015

SUBJECT:	POLICY AND PERFORMANCE COMMITTEE CHAIRS' REPORTS
WARD/S AFFECTED:	ALL
REPORT OF:	POLICY AND PERFORMANCE COMMITTEE CHAIRS
RESPONSIBLE PORTFOLIO HOLDER:	CLLR ANN MCLACHLAN (GOVERNANCE & IMPROVEMENT)
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 This report provides Members of the Council with an update on the work carried out by each of the Policy and Performance Committees. The report includes contributions from each of the Committee Chairs. Members of Council are requested to note the contents of this report.

2.0 BACKGROUND AND KEY ISSUES

2.1 The Policy and Performance committees are responsible for discharging the Council's scrutiny function. Formal meetings include performance management, budget monitoring and policy updates as standing items. Each committee has also developed a work programme which includes a combination of officer reports and scrutiny reviews conducted by smaller groups of committee members.

3.0 COORDINATING COMMITTEE CHAIR'S REPORT

3.1 At the time of writing, the first of the year's Coordinating committee meetings has been held, with the second being scheduled for 30th September.

3.2 The aim for Coordinating Committee this year is to undertake more in-depth scrutiny through Task and Finish work which we weren't able to do last year because of the number of call-ins that we were required to deal with. We have established a panel of 4 members from across the political groups to look at how the Government's alcohol strategy can be progressed locally. An initial scoping meeting has been held and the review will have a particular focus on the use of Cumulative Impact Policies and their potential to improve public health outcomes.

3.3 Through this Coordinating committee we will also look to develop a common approach across the Policy and Performance committees to scrutinising the impact of the Wirral Plan: A 2020 Vision. This is in a similar way to the approach used to look at budget proposals last year. We have also requested that officers

work on alternative ways of presenting performance data so that elected members can obtain a more in-depth picture of Council performance.

- 3.4 Cllr Williamson and I have signed up with the Northwest Employers Strategic Scrutiny network and are combining this with LGA training for Scrutiny Chairs so that we can use the training and sharing of best practice to help with Scrutiny here on Wirral.

Councillor Moira McLaughlin

4.0 FAMILIES & WELLBEING CHAIR'S REPORT

- 4.1 Since the last Full Council we have continued the work of this very busy committee. Thanks to the other members of the committee for their input and work. At the meetings of the full committee, reports on Directorate performance and finance have been presented and scrutinised. A request for more comprehensive performance data is being acted on by officers. We have also looked at the departmental plans.

- 4.2 The very thorough piece of task and finish work on the safeguarding of children is nearing completion and it is expected that the report will be presented to the next committee and then to Cabinet. We have moved on to scope a review to scrutinise avoidable hospital admissions at Wirral University Teaching Hospital (WUTH) and how strategies are being developed across the partner agencies to develop effective community-based services. We have asked a representative of Healthwatch Wirral to join the panel for this review to give us a service-user perspective.

- 4.3 A Spotlight session has been held which gave an insight into the use of Vanguard Status. This was made available to all members of the Council and was very well attended. This is a key initiative that will contribute to the plan to reduce dependency on hospital delivered care and move care to a community based service.

- 4.4 The Health and Care Panel has continued to monitor standards of care delivered by the health and social care providers. We have provided a submission to the Care Quality Commission, at their request, on our perception of standards and care at WUTH. This was in advance of the full inspection which has recently been carried out and follows concerns raised in their previous inspection and those raised by Monitor over the hospital's financial position. We have done extensive work on this in the last 12months.

- 4.5 The Children Sub Committee meets three times during the municipal year. A recent meeting reviewed progress relating to the Early Years and Children's Centre Review; the redesign of Specialist Services; and attainment at Key Stage 1, Key Stage 2 and GCSE levels in 2015.

Councillor Moira McLaughlin

5.0 REGENERATION & ENVIRONMENT CHAIR'S REPORT

- 5.1 The Committee has met in July and September since the last Council meeting. A number of reports have been presented to Members for discussion and these include:

- The current delivery of tourism in Wirral and plans for the future
- An overview of how Merseytravel operates and the Transport Levy
- An update on Devolution

5.2 The Committee has agreed to undertake a task & finish review on tourism as its next piece of work following on from a report that was presented in July. A Scrutiny Panel has now been agreed and a scoping meeting has been scheduled for October.

5.3 The task & finish scrutiny review on the Council's Coastal Strategy is still progressing and a number of meetings with stakeholders are to be arranged. A task & finish scrutiny review on homelessness and the impact of the removal of housing benefit for under twenty ones has now been scheduled to commence in January 2016. To support this review, a report outlining the key issues will be presented to the committee at December's meeting.

5.4 Councillor Leech and myself continue to represent the Council on the Liverpool City Region Combined Authority Scrutiny Panel. Since the last update to Council, a final report on the European Funding Scrutiny Review has been completed and presented to both the Liverpool City Region Scrutiny Panel and the Combined Authority. The report was well received and all recommendations were agreed. A piece of work on Affordable Transport is currently underway. The scope of the review is around the high cost of short journeys by bus and why bus operators have different fare levels in place across different areas/routes of the City Region.

5.5 I would like to thank Members of this Committee for their continued support and engagement in developing and delivering the work programme for this year.

Councillor Mike Sullivan

6.0 TRANSFORMATION & RESOURCES CHAIR'S REPORT

6.1 The Transformation and Resources Policy & Performance Committee has met twice since the last report to Full Council (July and September). The committee was presented with a number of reports which prompted discussion and questions for officers. These included:

- An Interim report on reconfiguration of library services.
- An update report on Asset Management.
- Performance Appraisals
- Attendance Management Policy
- I.T. Services Business Continuity and Disaster Recovery Update
- Customer Relationship Management System

6.2 The Committee also received the final report from the Local Welfare Assistance Scheme (LWAS) Scrutiny Review. This report was referred to Cabinet 29 June at which all six recommendations were accepted and there was some very positive feedback on the value and benefit of this piece of work for people in desperate need. It was agreed that the Scrutiny Panel would review progress with the LWAS after 6 months.

- 6.3 The Committee has agreed to prioritise its next piece of task and finish work around the Council's disaster recovery arrangements. A further piece of task and Finish work will commence in the New Year to review the operating arrangements for Community Libraries. This will follow the completion of some research into the impact of the implementation of 18 hours opening and the outcome of the Leisure and Culture Review currently being undertaken.
- 6.4 I would like thank all the Committee Members for their participation and input and look forward to continuing our work together in the future. I am very proud of our Local Welfare Assistance Scheme Report, which I believe will play an increasingly important role in light of further Central Government welfare reforms.
- 6.5 I would also like to offer a huge thanks to Malcolm Flanagan who is leaving the Council. He has been a constant source of advice and information both personally to me as Chair, and to all members of the Committee. We all wish him well for the future.

Councillor Janette Williamson

7.0 RELEVANT RISKS

7.1 N/A

8.0 OTHER OPTIONS CONSIDERED

8.1 N/A

9.0 CONSULTATION

9.1 N/A

10.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

10.1 N/A

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

11.1 N/A

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

12.1 N/A

13.0 LEGAL IMPLICATIONS

13.1 N/A

14.0 EQUALITIES IMPLICATIONS

14.1 Has the potential impact of your proposal(s) been reviewed with regard to equality? (c) No because of another reason which is:
The report is for information to Members and there are no direct equalities implications.

15.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

15.1 N/A

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 N/A

17.0 RECOMMENDATION

17.1 Members are requested to consider the contents of this report and whether they have any questions for the Chairs of the Policy and Performance Committees.

18.0 REASON FOR RECOMMENDATION

18.1 To update Members on the progress with Policy and Performance Committees.

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APPENDICES

N/A

BACKGROUND PAPERS/REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council – Revisions to the Constitution	30/04/13
Council – Reports from Policy and Performance Committee Chairs	14/10/13
Council – Reports from Policy and Performance Committee Chairs	16/12/13
Council – Reports from Policy and Performance Committee Chairs	10/03/14
Scrutiny Annual Report to Council	14/07/14
Council – Reports from Policy and Performance Committee Chairs	16/03/15
Scrutiny Annual Report to Council	06/07/15

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TRANSFORMATION AND RESOURCES POLICY AND PERFORMANCE COMMITTEE

15 JULY 2015

7 HUMAN RESOURCES POLICY UPDATE

The Head of Human Resources and Organisational Development reported upon proposed changes to the Council's Disciplinary Policy and Procedure following a review and also outlined details of new legislation in relation to shared parental leave which had been incorporated into Council policies.

The Council had to operate a fair and legally compliant Disciplinary Process. The policy and procedure had been reviewed to ensure the Council's processes continued to comply with ACAS Codes of Practice and were consistent with policies in place in other Local Authorities and large organisations (best practice). A range of changes had been proposed to the policy and procedures on this basis and the report gave details of the key changes.

A copy of the proposed revised Disciplinary Policy and Procedure was appended to the report. Trade Unions had been formally consulted on the proposed revisions and they retained their objection to the decision taken by Council in January 2013 to delegate employment appeals (including Disciplinary Appeals) to the Chief Executive.

With regard to Parental Leave, in April 2015, new legislation had come into place which introduced Shared Parental Leave. This enabled eligible mothers, fathers, partners and adopters to choose how to share time off work after their child was born or placed for adoption. The Council had implemented shared parental leave as part of the existing policy framework. Guidance and FAQs had been developed and would be available on the Council's intranet.

A Member suggested that the non-completion of Performance Appraisals by managers could be termed a matter of misconduct.

Members referred to a letter circulated at the meeting from UNISON, which referred to a quarterly report from the Chief Executive on the operation of the arrangements for conducting employment appeals and the lack of such reports being produced following the removal of this function from the Appeals Sub-Committee of the Employment and Appointments Committee in January, 2013.

The Head of Legal and Member Services commented that he would look into the matter raised and ascertain what exactly Council did resolve in January 2013, although the remit and scope of the Employment and Appointments Committee had changed following revisions to the Council Constitution in 2013. He would circulate an advice note once the issue had been looked into.

A Member suggested that with the change in remit of the Employment and Appointments Committee a report should have been produced and circulated to a Policy and Performance Committee as Members should have oversight of

disciplinary issues. Members reiterated their concerns if no reports on the outcomes / operation of the appeals process had been produced.

The Head of Human Resources and Organisational Development commented that the right to an employment appeal against dismissal, a disciplinary warning or for a grievance was a fundamental right and that all such appeals below Chief Officer level were delegated through the Chief Executive to Strategic Directors with two Heads of Service. She stated that she had only received a copy of the letter from UNISON just before the meeting and that the unions' principal objection to the delegation of employment appeals was noted in the report. She met with the Trades Unions every three weeks and at no stage recently had they raised concerns regarding the operation of the appeals process or on the reporting of these issues.

Resolved –

(1) That this Committee recommends to Council:

(a) Approval of the revised Disciplinary Policy and Procedure and;

(b) Approval that the legislative changes outlined in the report in relation to Shared Parental Leave are incorporated into Council existing policies.

(2) That this Committee notes the concerns expressed as to whether reports have been written in respect of the operation of the arrangements for conducting employment appeals and requests that the Head of Legal and Member Services inform Committee Members of the situation.

WIRRAL COUNCIL

TRANSFORMATION & RESOURCES POLICY & PERFORMANCE COMMITTEE

15 JULY 2015

SUBJECT:	HUMAN RESOURCES POLICY UPDATE
WARD/S AFFECTED	ALL
REPORT OF:	HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT
RESPONSIBLE PORFOLIO HOLDER	CLLR A JONES
KEY DECISION	NO

1.0 EXECUTIVE SUMMARY

This report sets out proposed changes to the Council's Disciplinary Policy and Procedure following a review and also outlines details of new legislation in relation to shared parental leave which have been incorporated into Council policies.

2.0 BACKGROUND AND KEY ISSUES

The Council's Human Resources policies are subject to an ongoing review to ensure they remain fit for purpose, legally compliant and provide a valuable and workable resource for employees and managers on employment related issues in the workplace.

DISCIPLINARY POLICY

2.1 All organisations are required to have a Disciplinary policy. The Council's Disciplinary Policy and Procedure has been reviewed to ensure it meets requirements, reflects current and best practice, and is a clear and helpful resource to managers and employees who may have course to refer to it.

2.2 The Council must operate a fair and legally compliant Disciplinary Process. The policy and procedure have been reviewed to ensure our processes continue to comply with ACAS codes of practice and are consistent with policies in place in other Local Authorities and large organisations (best practice).

2.3 A range of changes have been proposed to the policy and procedures on this basis. The key changes are:

- Definitions of Gross Misconduct and Misconduct updated and levels clarified (removal of 'serious' misconduct);
- Policy updated to ensure Senior Managers in service areas with different reporting lines and structures can act as Nominated Officer and deal with cases of potential Gross Misconduct.

- Changes to potential sanctions and timeframes in line with ACAS standards;
 - Verbal warning, 6 months
 - First written warning 6 months
 - Final written warning 12 months
 - Dismissal
 - Update to the role of the Investigating Officer and purpose of investigation report;
 - Clarification in relation to the right to representation in formal process;
 - Additional information in relation to Safeguarding, Criminal Conduct, Police investigations and Duty to refer to professional or regulating bodies for cases of safeguarding;
- 2.4 We have also developed checklists, guidance and Frequently Asked Questions (FAQs) to support the operation of the policy.
- 2.5 A copy of the proposed revised Disciplinary Policy and Procedure is attached at Appendix 1 and Appendix 2. (Please note that there is wide range of supporting guidance and other documents which are appendices to the main policy/procedure but which have not been appended to the report. These supporting documents are updated as required.)

Shared Parental Leave

- 2.6 The Council has policies in place in relation to maternity, adoption, paternity and parental leave. These are governed by legislation and also in some cases national conditions of service.
- 2.7 In April 2015, new legislation came into place which introduced Shared Parental Leave. This enables eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or placed for adoption.
- 2.8 The Act, and Regulations made under it enable mothers or adopters to commit to ending their maternity leave and pay at a future date, and share the untaken balance of leave and pay as shared parental leave with their partner.
- 2.9 It is designed to give parents more flexibility in how to share the care of their child in the first year following birth or adoption. Parents will be able to share a 'pot' of leave, and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.
- 2.10 The Council has implemented shared parental leave as part of the existing policy framework. Guidance and FAQs have been developed and will be available on the Council's intranet.

3.0 FURTHER ACTION

- 3.1 Line Managers will receive training on managing Disciplinary issues as part of the Wirral Manager's Development Programme.
- 3.2 A new e-learning module will be developed and updated guidance will be available on the Council's Intranet.
- 3.3 The changes to Shared Parental Leave do not require employee or manager training but all relevant information and procedures will be on the Council's intranet.

4.0 RELEVANT RISKS

- 4.1 There are no specific risks arising out of this report.

5.0 OTHER OPTIONS CONSIDERED

- 5.1 There are no other specific options to consider arising out of this report.

6.0 CONSULTATION

- 6.1 In developing the Disciplinary Policy, a workshop was held with a group of experienced managers drawn from services across the Council to listen to issues they had experienced in operating the current policy and to identify how policy and practice may be improved.
- 6.2 Trade Unions were formally consulted on the revised Disciplinary Policy and Procedure. The Trade Unions retain their objection to the decision taken by Council in January 2013 to delegate employment appeals (including Disciplinary Appeals) to the Chief Executive.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 There are no specific implications arising out of this report.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 8.1 There are no specific financial implications arising out of this report. All expenditure involved has been contained within existing budgets or funded from other specific budgets or has been funded by external organisations. There are no specific staffing implications arising out of this report.

9.0 LEGAL IMPLICATIONS

- 9.1 There are no specific legal implications arising out of this report.

10.0 EQUALITIES IMPLICATIONS

- 10.1. Equality Impact Assessment (EIA)
 - (a) Is an EIA required? Yes

11.0 CARBON REDUCTION IMPLICATIONS

11.1 There are no specific implications arising out of this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no specific implications arising out of this report.

13.0 RECOMMENDATION/S

That Policy and Performance Committee recommends to Council;

a) Approval of the revised Disciplinary Policy and Procedure and;

b) Approval that the legislative changes outlined in the report in relation to Shared Parental Leave are incorporated into Council existing policies.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 To ensure that Council's HR policies are up to date, legally compliant and relevant to the organisations requirements.

REPORT AUTHOR:

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APPENDICES

Appendix 1 Disciplinary Policy
Appendix 2 Disciplinary Procedure

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date



Disciplinary Policy

1. Policy Statement

The Council's Disciplinary Policy and supporting procedure has been developed to ensure that, where there is an alleged breach of the Council's rules, regulations or standards, the employee is treated in a fair and consistent manner in accordance with the principles of natural justice and in line with the ACAS Code of Practice.

The Council will endeavour, wherever possible, to ensure that all employees are aware of and fully understand the rules, regulations and standards operating within the organisation.

2. Background

It is necessary for the proper operation of the Council's business and the health and safety of employees that the organisation operates a disciplinary procedure.

The policy and procedure allows for issues to be dealt with both informally and formally as appropriate. Informal action may take form of a management instruction where appropriate.

There are a number of levels of potential misconduct:

2.2 Misconduct

A breach of rules, regulations or standards, which may warrant the issuing of a formal warning.

Examples of allegations of misconduct

- Persistent poor timekeeping
- Unauthorised absence and/or poor attendance
- Disruptive or unacceptable behaviour
- Contraventions of health and safety or hygiene regulations
- Failure to comply with organisation rules and/or procedures
- Maladministration
- Unreasonable refusal to follow an instructions issued by a Manager or Team leader
- Smoking in non-designated areas

This list is neither exclusive nor exhaustive and in addition there may be other offences of similar gravity which would constitute misconduct.

2.3 Gross Misconduct

Gross misconduct is an act of misconduct that is considered to be so serious for the Council to justify the employee's immediate dismissal as it may represent a breakdown in trust between employer and employee.

Examples of allegations of gross misconduct

- Unauthorised removal of the Council's property
- Stealing from the Council, its members, members of staff, or the public and other offences of dishonesty
- Misappropriation of Council property/money
- Sexual offences/misconduct
- Conduct at work likely to offend common decency
- Fighting / Physical / Verbal assault
- Falsification of time sheets, bonus sheets, subsistence or expense claims, etc
- Falsification of qualifications which are a stated requirement of employment
- Malicious damage to the Council's property
- Serious breaches of safety regulations endangering other people, including deliberate damage to, neglect of, or misappropriation of safety equipment
- Criminal conduct
- Being on duty under the influence of drink or drugs, other than those which have been medically prescribed
- Serious Breach of Confidentiality (excluding disclosure governed by the Public Interest Disclosure Act 1998)
- Improper disclosure of information and misconduct in relation to official documents including breaches of new technology systems' security
- Serious Breaches or abuse of the Council's sickness procedure/scheme
- Breaches of the Council's Internet (ICT) Security Policy in relation to unauthorised or unacceptable use of facilities.
- Neglect of duty
- Bullying/Harassment/Victimisation
- Breaches of the Council's Equality and Diversity Policy
- Failure to disclose a Conflict of Interest or declare Gift or Hospitality in accordance with Council policies
- Failure to disclose previous convictions as required
- Breach of the Council's Employee Code of Conduct
- Breach of the Council's Domestic Violence/Abuse Policy
- Bribery offences under the Bribery Act 2010
- Inappropriate use of social networking sites
- Failure to adhere to the Safer Working Practices for adults who work with children and young people document
- Failure to uphold public trust and maintain high standards of ethics and behaviour within and outside of work.
- Failure to maintain proper and professional regard for the ethos, policies and practices of the Council

This list is neither exclusive nor exhaustive and in addition there may be other offences of similar gravity which would constitute gross misconduct.

Any action against a branch official, departmental representative or trade union steward of a recognised trade union should first be the subject of consultation with the paid official of the relevant trade union and Human Resources.

The Council reserves the right to suspend employees for allegations of misconduct where appropriate. Suspension is not an automatic response to a gross misconduct allegation, but may be appropriate in circumstances where a preliminary examination suggests there is some credible evidence to support the allegation. Under these circumstances the employee should be immediately suspended and sent away from the workplace on **full pay** by a Chief Officer (whilst the investigation proceeds)

Similarly, if during the course of an investigation it is considered that gross misconduct may have occurred, the employee may be suspended and sent off the site, again on **full pay**.

There may be situations where an employee is instructed to leave or not attend the workplace in advance of any formal suspension being confirmed if that is considered to be appropriate. This would be in response to situations of risk or concerns where immediate action is required to ensure that the employee does not remain on Council premises. A decision about suspension should be made at earliest opportunity.

In limited circumstances, the Council may suspend an employee on medical grounds to ensure that the Council as the employer exercises its duty of care to the employee under the Health & Safety at Work Act 1974 and its Regulations and Approved Codes of Practice. Some suspensions on medical grounds will be required in accordance with statutory legislation.

2.4 Dismissal

Gross Misconduct

In the case of gross misconduct the employee may be summarily dismissed i.e. dismissed without notice or pay in lieu of notice. To justify summary dismissal, the misconduct must be so grave as to go to the root of the contract and be such that no reasonable employer could tolerate the continued employment of the employee.

'Totting up' Dismissal

A totting up dismissal may occur, in the absence of gross misconduct, where misconduct or serious misconduct occurs after a current 'live' final written warning has been issued, and such dismissal will be subject to notice pay

2.5 Criminal Charges or convictions outside of work

All employees are required to declare their criminal convictions. Employees are required to inform their Line Manager if they are charged subject to a police investigation for criminal offence(s) at any time during their employment.

Line Managers should seek advice from Human Resources.

Any employees who work with children and / or vulnerable adults must inform their Head of Service of any police investigations they are subject to.

A charge or conviction may result in an investigation / action and could result in disciplinary proceedings being taken against the employee where, in the opinion of the Council, the charge or conviction is such as to affect, or be likely to affect, the suitability of the employee for the position in which he/she is employed, or the business or reputation of the Council, or where the existence of the charge or conviction could, in the opinion of the Council, otherwise seriously undermine the trust and confidence that the Council has in the employee.

2.6 Definition of Roles

<i>Nominated Officer</i>	<p>Disciplinary hearings for gross misconduct hearings where the outcome may be dismissal will only be conducted by a Nominated Officer, i.e. Strategic Director, Director, Head of Service or most senior manager in service area</p> <p>Disciplinary hearings for Misconduct hearings where the outcome will not result in dismissal will be conducted by an appropriate manager/team leader</p>
<i>Investigating Officer</i>	<p>In cases of Gross Misconduct and, where appropriate, in cases of Misconduct, an Investigating Officer will normally be appointed by the Nominated Officer.</p> <p>The role of the investigating officer is to gather information and/or take statements to establish the facts surrounding any allegations, produce a fair, balanced and objective report with recommendations as to suitable actions. They will present or support the presentation of any disciplinary case to a nominated officer. They should ensure that the employee is updated on progress of the investigation.</p> <p>NB The investigating officer should undertake the investigation without any unreasonable delays.</p>
<i>Trade Union</i>	<p>The Trade Union is responsible for supporting employees through the disciplinary process, including representing</p>

	employees at relevant meetings, including investigatory meetings
<i>Employee</i>	The employee should co-operate fully in the disciplinary process, including investigatory meetings and disciplinary hearings. The employee is responsible for contacting and liaising with trade union representatives, or work colleague.
<i>Human Resources</i>	An appropriate Human Resources Officer will advise the Chief Officer/Manager and provide support and advice to the appointed Investigating Officer in relation to procedure and ensure the application of fairness and consistency. In addition, Human Resources will be consulted throughout the procedure in order to ensure fair and consistent application of the policy. A Human Resources Officer will be present at any hearing where there is a potential for dismissal.

2.7 Disciplinary sanctions

A number of sanctions are available where the Manager concludes that the alleged misconduct is more likely than not to have occurred (i.e. on the balance of probabilities).

The table below outlines the Local Authority recommended delegation of responsibilities for disciplinary matters.

	Person responsible for investigating and /or presenting the allegation(s)	Person responsible for Hearing the Disciplinary case
Informal/Pre-Disciplinary Management Instruction	Line manager/team leader	n/a
Misconduct	Investigating Officer	Chief officer/ Senior Manager/Manager
Misconduct Appeals	Chief officer/ Senior Manager /Manager, who made the decision on the sanction to be issued	Chief officer/ Senior Manager
Gross Misconduct or Totting up Dismissal	Senior Manager/Manager	Head of Service or most senior manager in service area and above
Disciplinary Dismissal Appeals	Head of Service or most senior manager in service area and above	Director/Strategic director appeal panel

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- *Senior Manager is normally manager reporting to Head of Service. If no Head of Service in structure, most senior manager may undertake role for gross misconduct or totting up dismissal hearings*

The table below outlines the time limits of the disciplinary sanctions:

Sanction	Time limit
Recorded Verbal Warning	6 months
First Written Warning	12 months
Final Written Warning	12 months

2.8 The Right to be Accompanied

In any formal hearings under this procedure an employee has the statutory right to request to be accompanied by a work colleague or Trade Union representative. The Council does not permit family members or legal representatives to be present at any stage of the process.

3. Commitment to Equality

Please identify which, if any, of the following Equality Duties this policy addresses:

Eliminate unlawful discrimination, harassment and victimisation

To advance equality of opportunity

To foster good relations between different groups of people

4. Procedures

There are different levels of misconduct set out within the policy and there are procedures for each. There is also an appeals procedure.

This policy applies to all Council employees; however the terms and conditions of service agreed by the Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Chief Executives contain model disciplinary procedures.

5. Supporting Documentation

- Disciplinary Procedure
- Format of Disciplinary hearing
- Misconduct Checklist
- Misconduct Flowchart
- Gross Misconduct Checklist
- Gross Misconduct Flowchart
- Nominated Officers Role
- Nominated Officers Guidance
- Investigating Officers Role
- Investigating Officer's Guidance
- Investigating Officer – Template Report
- Template Letters
- Support Officer guidance
- Frequently asked Questions (FAQs)

6. Related Policies

- Grievance Policy
- Capability Performance Policy
- Dignity at Work (Bullying and Harassment)
- Officer Appeals Procedure

7. Consultation

Trade Unions were consulted on when policy was originally implemented by the Council.

8. Communication and Awareness

This policy is considered:

Internal
[For Members, Officers and
Contractors]

External
[For our Residents, Customers
and Service Users]

All managers must be aware this Policy. It is an integral part of a manager's job to address any issues of misconduct in the workplace and follow the correct procedures in doing so.

All employees must be aware of what may constitute misconduct in the workplace.

All employees and managers are expected to comply with the terms of this Policy.

9. Monitoring and Review

The table below sets out the ownership and review schedule for this policy. However it may be necessary to review as and when required, for example, due to legislative changes or if an issue arises around its effectiveness.

Document Ownership	
Policy owned by:	Head of Human Resources & Organisational Development
Policy written by:	Tony Williams Senior Human Manager, Human Resources & Organisational Development, Transformation & Resources
Date policy written:	June 2015
Policy due for 1st review:	June 2018

Version Control Table			
All changes to this document are recorded in this table.			
Date	Notes/Amendments	Officer	Next Scheduled Review Date
December 2014	<ul style="list-style-type: none"> Revised Policy Format 	Tony Williams	Jan 2014
February 2015	<ul style="list-style-type: none"> Revised Policy wording and refreshed policy to incorporate best practice 	Tony Williams	February 2017



Disciplinary procedure

1. Introduction

- 1.1 This procedure aims to ensure a fair process is followed in the management of employee conduct and any disciplinary issues that arise.

2 Informal Procedure

- 2.1 Minor breaches of misconduct should be dealt with by the line manager through a discussion. Early intervention and action are essential to avoid matters escalating and may well prevent the need for future disciplinary action.
- 2.2 The purpose of the discussion is for the line manager to discuss the reason the employee's conduct is unacceptable and ways in which their conduct can be improved.
- 2.3 There may be a requirement at the informal/pre-disciplinary stage to issue a management instruction. The purpose of a management instruction is to advise and assist the employee to improve. Providing guidance or training at an early stage may well prevent the need for future disciplinary action.
- 2.4 In all cases a written record of the advice given, or objectives agreed, should be kept and a copy given to the employee concerned. The advice should include a statement that failure to remedy the conduct could lead to formal disciplinary action being taken.

3. Formal Procedure

- 3.1 The formal procedure will be applied where informal action has failed to achieve the required improvement in conduct or behaviour or the manager considers that the alleged breach of conduct is too serious to be dealt with informally.

- 3.2 Misconduct is classified as follows:

a. **Misconduct**

A breach of rules, regulations or standards, which may warrant the issuing of a formal warning up to and including a final written warning.

b. **Gross Misconduct**

Gross misconduct is an act of misconduct that, if substantiated, is considered serious enough on its own to justify the employee's immediate dismissal

3.3 In certain cases it can be difficult to determine the level of alleged misconduct when the matter is first raised as all the facts of the case may not be known. Managers in conjunction with Human Resources should make a judgement based on the available facts at the time. If at any stage as part of the investigation the misconduct is more or less serious than first thought, the level can be reassessed accordingly. This will be confirmed to the employee in writing.

4.0 The Right to be Accompanied

4.1 In any formal hearings under this procedure an employee has the statutory right to request to be accompanied by a work colleague or Trade Union representative. The Council does not permit family members or legal representatives to be present at any stage of the process.

4.2 Whilst there is no statutory right for employees to be accompanied at a formal investigatory interview, the Council's normal practice is to agree to employees request to be accompanied by a work colleague or Trade Union representative. All parties have a responsibility to be available to move through the process without delays.

4.3 Throughout the formal disciplinary process a representative may address the hearing or meeting to put the employee's case, sum up their case or respond on the employee's behalf to any views expressed at the hearing. They may confer with the employee during the hearing, but do not have the right to answer questions on the employee's behalf.

5.0 Formal Disciplinary process

5.1 Allegation

5.11 Where an issue of alleged misconduct is brought to a manager's attention, the manager should refer to the policy which sets out the management levels authorised to implement the formal procedure and issue disciplinary sanctions up to and including dismissal (as outlined in the Disciplinary policy).

5.12 The Manager nominated to deal with the alleged misconduct will determine the level, in consultation with Human Resources.

5.13 The Manager nominated to deal with the alleged misconduct is responsible for informing the employee (in writing) of the allegation of misconduct.

5.14 In situations where the allegations are made anonymously the manager will deal with the facts as far as they can based on the evidence available at that time.

5.2 Suspension

- 5.21 Where there is an allegation of gross misconduct the Manager should consider whether it is necessary to suspend an employee (on full pay). The Manager should seek advice from Human Resources.
- 5.22 There may be instances where suspension with pay is necessary while investigations are carried out. The Council has the right to suspend with pay where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses pressurised before the disciplinary hearing, or if there is a potential risk to the Council or other employees. It may also be appropriate for the Council to request that the employee return any Council equipment / property at this time.
- 5.23 The Manager should consider in the first instance whether a transfer to another location and/or if they could conduct an alternative role will be considered, if appropriate, as an alternative to suspension. Managers reserve the right to move employees into alternative roles as an alternative to suspension.
- 5.24 The decision to suspend an employee will normally be taken by the Head of Service/Director. There may be situations where an employee is sent away from the workplace in advance of being formally suspended. This would be in response to situations of risk or concerns where immediate action is required to ensure that the employee does not remain on Council premises. A decision about suspension will be made at earliest opportunity.
- 5.25 The suspension with pay should only be imposed after careful consideration and should be reviewed to ensure it is not unnecessarily protracted. It should be made clear that suspension is not an assumption of guilt and is not considered a disciplinary sanction.
- 5.26 Where an employee becomes unfit for work during a period of suspension, normal rules of the occupational sick pay scheme apply and that suspension may be lifted during the period of sickness.
- 5.27 The employee will usually be informed of the decision to suspend in a meeting and will receive confirmation of this (in writing) within 2 working days. It is also appropriate at this stage to confirm any conditions which will apply during the period of suspension, for example, communication channels, requirement to refrain from contacting work colleagues etc.
- 5.28 Annual leave which has already been arranged during a period of suspension will be taken and permission to take additional leave may be sought.

5.29 Medical Suspension

- 5.30 In limited circumstances, the Council may suspend an employee on medical grounds to ensure that the Council as the employer exercises its duty of care to the employee under the Health & Safety at Work Act 1974 and its Regulations and Approved Codes of Practice. Some suspensions on medical grounds will be required in accordance with statutory legislation.
- 5.31 Prior to any suspension, a risk assessment would need to be undertaken to identify the hazards and risks to the employee or their colleagues arising from their continued presence in their workplace. It is anticipated that managers will identify any adjustments to the role or any alternative employment that the employee could undertake prior to determining that the individual should be suspended on medical grounds.
- 5.32 If it is determined that an employee should be suspended on medical grounds they will be advised in writing.
- 5.33 During any period of suspension on medical grounds, the employee will receive full salary. The suspension must be kept under review and managers should seek regular advice from the Occupational Health service.

5.4 Allocation of Support Officer

- 5.4.1 Where an employee is suspended from the workplace the Council will appoint a Support Officer. The role of the Support Officer is to provide a link between the employee and the Council during a period of suspension to ensure any practical issues are dealt with during this time. Please see guidance outlining the responsibilities of the Support Officer.

5.5 Investigation

- 5.51 The nature and extent of the investigation will depend on the seriousness of the matter.
- 5.52 It is not always necessary to appoint an Investigating Officer to undertake an investigation. There may be cases of misconduct where a Manager could gather all the relevant facts in relation to the allegation and could invite an employee and their representative to a disciplinary hearing to allow the employee to respond to the allegation before a decision is made. In such circumstances all information/evidence to be considered at the hearing should be provided to the employee in advance (See 5.7).
- 5.5.3 Where the Manager is a witness to an alleged misconduct they cannot conduct the disciplinary hearing.
- 5.5.4 The decision to appoint an Investigating Officer will be made by the manager who is responsible for conducting any subsequent disciplinary hearing and must be made in consultation with Human Resources.

- 5.5.5 Where the Manager takes the decision to appoint a trained Investigating Officer the employee and their representative will be informed (in writing) and the Investigating Officer will contact the employee to arrange an investigatory meeting. The employee must be given advance warning and time to prepare.
- 5.5.6 The Investigating Officer should be a manager or officer who is considered to be independent and not directly involved in alleged offence. There may be exceptional situations where it is appropriate to appoint an external investigator; these cases must be agreed by Human Resources.
- 5.5.7 Employee must fully co-operate with the investigation and be prepared to attend an investigatory meeting to provide answers to questions, including any mitigation in respect of the allegation. Employees may be represented by a trade union representative or work colleague at an investigatory meeting

5.6 No investigation required

- 5.6.1 In cases where an investigation is not required into the alleged misconduct the Officer (who is dealing with the misconduct) will invite the employee and their representative to a formal disciplinary hearing. Refer to section 5.8. Prior to the hearing the person must have all the evidence given to them.

5.7 Outcome of Investigation

- 5.7.1 Investigations should be conducted as quickly as possible. Timescales may vary depending on circumstances but will normally be completed within **twenty working days**. Where it is not possible to complete the investigation within this timescale the nominated Manager will inform the employee and their representative in writing when the investigation is expected to be completed and should keep the employee informed of progress.
- 5.7.2 If an employee fails to co-operate with an investigation, a decision on whether to proceed to a disciplinary hearing will be made on the basis of the evidence available. In these circumstances the Manager \ Investigating Officer should seek advice on the appropriate way forward from Human Resources.
- 5.7.3 At the conclusion of an investigation the Investigating Officer should produce a report which includes a summary of the case, background/context, key facts, evidence gathered including witness statement and / or other evidence, the mitigation offered by the employee and a conclusion of whether there is a case to answer or not. In cases of gross misconduct Human Resources should always be consulted prior to finalising the Investigation report.
- 5.7.4 The report should include recommendations as to whether there is a disciplinary case to answer on each of the allegation(s).

5.7.5 The Manager nominated to consider the case will be responsible for informing the employee and their representative of the outcome of the investigation within five working days of its conclusion. If there is a case to answer the Manager will invite the employee and their representative to a disciplinary hearing. A copy of the investigation report and any appendices should be sent to the employee and their representative with the invite letter.

5.7.6 The Manager \ Investigating Officer will inform all parties involved that the matter is being dealt with confidentially and that they should not discuss the matter with other colleagues etc. In some circumstances statements may be disclosed.

5.8 Disciplinary Hearing

5.8.1 Employees will be given a minimum of **five working days' notice** prior to the date of the hearing. However shorter notice periods may be agreed with the employee.

5.8.2 An employee who has been invited to attend a disciplinary hearing must take all reasonable steps to attend, including ensuring that any representative (TU rep of work Colleague) is available to attend on the proposed date. Where an employee fails to attend a disciplinary hearing, with no reasonable explanation, the hearing may be held in his or her absence and a decision will be made based on the available evidence. Advice must be sought from Human Resources before a decision to proceed in the employee's absence is taken. Similarly advice should be sought on the options available in respect of an employee who is unable to attend because they are on sick leave.

5.8.3 The employee and representative will be provided with copies of all evidence and other relevant information in advance of the disciplinary hearing.

5.8.4 Please refer to guidance outlining the format of the disciplinary hearing.

5.8.5 The Manager will confirm the outcome of the disciplinary hearing to the employee and their representative in writing normally within **five working days** of the conclusion of the hearing, normally the outcome of a disciplinary hearing will not be given on the day of the hearing

5.9 Disciplinary Sanctions

5.9.1 A number of sanctions are available where the Manager concludes that the alleged misconduct is more likely than not to have occurred (i.e. on the balance of probabilities). The available sanctions are:-

- Recorded Verbal Warning
- First Written Warning;
- Final Written Warning;

- Dismissal.

5.9.2 The nature of the disciplinary sanction imposed will depend on the seriousness of the employee's behaviour. Before imposing any level of disciplinary sanction the Manager should consider relevant details of the employee's employment record including his/her disciplinary record, general work record, work experience, position and length of service.

The table below outlines the time limits of the disciplinary sanctions:

Sanction	Time limit
Recorded Verbal Warning	6 months
First Written Warning	12 months
Final Written Warning	12 months

5.9.3 Dismissal

5.9.4 At the conclusion of a disciplinary hearing an employee may be dismissed where:

- The required improvement as stated in a final written warning is not achieved; or
- Further misconduct takes place during the currency of a final warning - whether or not involving a repetition of conduct which was the subject of a previous warning; or
- It is reasonably believed that they have committed an act(s) of gross misconduct.

Unless dismissal is for gross misconduct, the employee will be dismissed with notice.

Where the Manager takes the decision to dismiss an employee they will state the reason, the date on which the dismissal takes effect and inform the employee of their right to appeal. This will be confirmed in writing to the employee and TU representative within **five working days** of the conclusion of the hearing. Confirmation of the decision to dismiss must notified to the Council's Payroll Team to ensure that pay is stopped as soon as possible.

A final written warning may also be issued or where this is already in place it may be extended for a further period.

5.9.4 Expired Warnings

5.9.5 Where a further act of misconduct occurs, any expired disciplinary warnings under this procedure will be disregarded. However, there may be occasions where an employees conduct is satisfactory throughout the period the

warning is live, only to lapse very soon after. Where a pattern emerges and / or there is evidence of abuse, the employee's disciplinary record should be considered.

- 5.9.6 Further advice on the consideration of spent warnings must be sought from Human Resources prior to issuing any warnings.

6.0 Appeals

- 6.1 The right of appeal is normally to the next level of Manager.
- 6.2 Appeals against dismissal will be heard by a panel chaired by a Strategic Director. Details of the appeals process should be outlined in the outcome letter. Further information is provided in the officer appeals procedure.

7.0 Record Keeping

- 7.1 It is important to keep written records during the disciplinary procedure. Records should include:
- The complaint against the employee
 - The employee's mitigation
 - Findings made and actions taken, including sanctions given
 - Whether an appeal was lodged
 - The outcome of the appeal
 - Any grievances raised during the disciplinary procedure
 - Notes of formal meetings
- 7.2 Records must be treated as confidential and must be kept in accordance with the Council's Records Management Policy and the Data Protection Act 1998.
- 7.3 Copies of meeting records will be provided on request, including copies of any formal minutes that may have been taken. In certain circumstances (to ensure Data Protection is not breached) the employer might redact some information.

8.0 Grievances during a Disciplinary Process

- 8.1 The ACAS Code provides that where an employee raises a grievance during the disciplinary process, the disciplinary process may be temporarily suspended, to deal with the grievance when:
- The grievance relates to a conflict of interest that the nominated manager is alleged to have.
 - Bias is alleged in the conduct of the disciplinary hearing
 - The line manager/Investigating Officer has been selective in the evidence they have supplied in the disciplinary hearing.

- There is possible discrimination.

8.2 However, where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently. Advice should be sought from Human Resources before determining which approach is most appropriate.

9.0 Criminal Conduct

9.1 All employees are required to declare their criminal convictions. Employees are required to inform their Head of Service if they are charged subject to a police investigation for criminal offence(s) at any time during their employment.

9.2 Any employees who work with children and / or vulnerable adults must inform their Head of Service of any police investigations they are subject to.

9.3 A charge or conviction may result in an investigation / action and could result in disciplinary proceedings being taken against the employee where, in the opinion of the Council, the charge or conviction is such as to affect, or be likely to affect, the suitability of the employee for the position in which he/she is employed, or the business or reputation of the Council, or where the existence of the charge or conviction could, in the opinion of the Council, otherwise seriously undermine the trust and confidence that the Council has in the employee.

10 Police Investigations

10.1 Where a police investigation is underway or court proceedings pending it may not be always be reasonable or practical for the Council to await the outcome of that process before dealing with the matter as a disciplinary process. However, advice should be sought from Human Resources on cases with police involvement.

11 Allegations of Misconduct Involving Children or Adults at Risk

11.1 The Council has a statutory duty under the Working together to Safeguard Children 2015 and Safeguarding Vulnerable Groups Act 2006 to refer any relevant information concerning an individual working with children or adults at risk working in a regulated activity where that person has caused harm or poses a risk of harm to children and/or vulnerable adults to the Disclose and Barring Service (DBS) and where appropriate relevant professional body e.g. HCPC

11.2 The procedure should be used when an allegation is made that an employee has:

- Behaved in a way that has harmed, or may have harmed a child or vulnerable adult
 - Possibly committed a criminal offence against, or related to a child or vulnerable adult; or
 - Behaved towards a child, children or vulnerable adult(s) in a way that indicates they are unsuitable to work with children or vulnerable adults.
- 11.3 Discussion should always take place between the responsible manager and the Council's Local Authority Designated Officer (LADO). In such cases managers are also advised to contact Human Resources for advice. Referrals may also be required to the Council's (CADT) team.

12 Duty to Refer

- 12.1 The Council has a statutory duty to refer to the Disclosure and Barring service (DBS) any relevant information concerning an individual working with children or vulnerable adults in a regulated activity where that person has caused harm or poses a risk of harm to children and/or vulnerable adults.
- 12.2 Where the person who is subject to investigation is registered with the Health Care and Professions Council (HCPC), or other relevant professional body the responsible manager should inform that an investigation is taking place. In such cases, managers should consult Human Resources.
- 12.3 Consideration should also be given to other public bodies that may need to be informed of disciplinary proceedings / outcomes. Examples of this include the Information Commissioner Officer (ICO) for breaches of data protection.

CABINET

27 JULY 2015

41 CAPITAL MONITORING 2015/16 - QUARTER 1 (APRIL - JUNE 2015)

Councillor Phil Davies introduced a report by the Acting Section 151 Officer which provided an update on the progress made to deliver the Capital Programme 2015/16 at the end of Quarter 1 (April-June 2015). Appended to the report at Annex 1 was the Capital Programme and Funding 2015/16.

The Cabinet noted that the Programme for 2015/16 was subject to change and reflected the Programme it had agreed on 10 February 2015 (Minute No. 137 refers.) together with subsequent amendments. Broadly the report reflected the re-profiling identified since the 2014/15 Budget Cabinet meeting. The provisions differed from the 2014/15 Outturn report which detailed re-profiling relating to the 2014/15 Programme only, whilst the report also showed post 2014/15 adjustments. Revisions to the Programme also included any changes relating to external financial support, primarily the latest grant notifications and any estimated re-profiling of schemes into the 2016/17 year.

Councillor Phil Davies informed that he was pleased with the Capital Projects that were underway to improve facilities in the Borough. He referred, in particular, to the School projects, the investment in leisure facilities, the forthcoming LED Lighting Scheme which would improve street lighting services and the investment in new housing.

RESOLVED: That:

- (1) the spend to date at Month 3 of £7.3 million, with 25% of the financial year having elapsed, be noted;**
- (2) the revised Capital Programme of £61.5 million (Table 1) be agreed and referred to Council for its approval; and**
- (3) the Capital Monitoring report be presented to the Cabinet after the end of each quarter, which is in line with the Performance Management Monitoring arrangements.**

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WIRRAL COUNCIL

CABINET

27 JULY 2015

SUBJECT	CAPITAL MONITORING 2015/16 QUARTER 1 (APRIL TO JUNE 2015)
WARD/S AFFECTED	ALL
REPORT OF	ACTING SECTION 151 OFFICER
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR PHIL DAVIES
KEY DECISION	YES

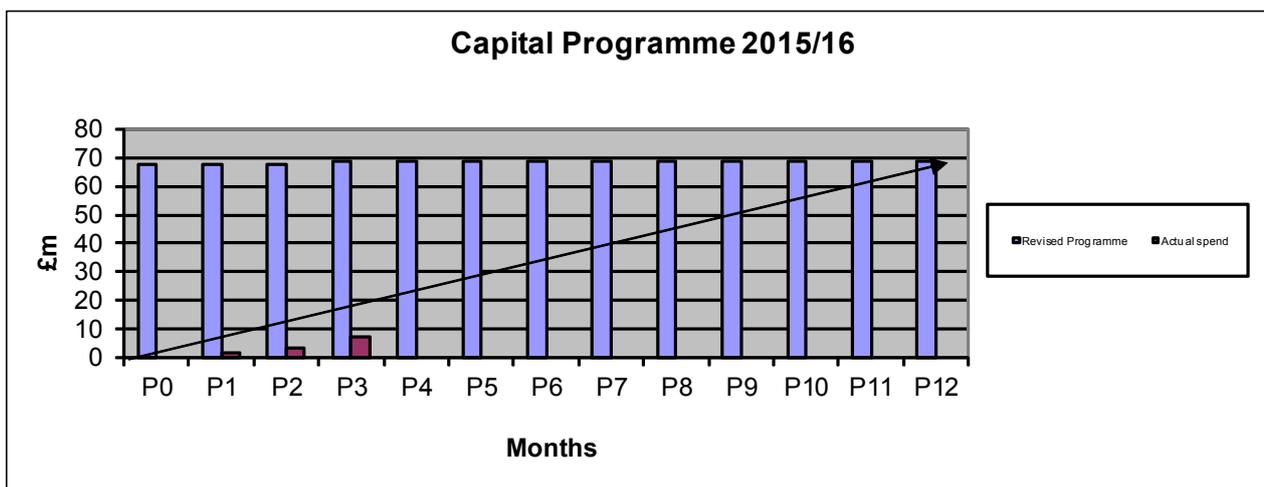
1 EXECUTIVE SUMMARY

1.1 This report provides an update on the progress in delivering the Capital Programme 2015/16 at the end of Quarter 1 (June 2015).

2 OVERALL POSITION AT END OF QUARTER 1 (30 JUNE 2015)

2.1 The actual spend against the Capital Programme is summarised in Table 1.

Chart 1: Capital Programme spend below line of best fit



3 ORIGINAL AND PROPOSED CAPITAL PROGRAMME FOR 2015/16

3.1 The Programme for 2015/16 is subject to change and reflects the Programme agreed by Cabinet on 10 February 2015 together with subsequent amendments. Broadly these reflect the re-profiling identified since the 2014/15 Budget Cabinet. The revisions differ from that reported in the 2014/15 Outturn report which shows re-profiling relating to the 2014/15 programme only, whilst this report also shows post 2014/15 adjustments. Revisions to the programme also include any changes regarding external financial support, primarily the latest grant notifications and any estimated re-profiling of schemes into the 2016/17 year.

- 3.2 To aid the monitoring process, schemes are categorised against five gate points being Conception, Approval, Start Up, Delivery and Completion.

Table 1: Capital Programme 2015/16 at end of Quarter 1 (30 June)

	Capital Strategy	Revisions Since Budget Cabinet	Revised Capital Programme	Actual Spend June 2015
	£000	£000	£000	£000
Universal & Infrastructure	8,956	-190	8,766	505
Families – Children	8,517	2,337	10,854	1,054
Families – Adults	8,263	-2,446	5,817	213
Families – Sport & Rec	1,865	1,725	3,590	581
R&E– Env & Regulation	12,633	2,491	15,124	180
R&E– Hsg & Comm Safety	6,412	2,381	8,793	374
R& E – Regeneration	1,808	3,751	5,559	4,322
Transformation Resources	1,600	1,404	3,004	115
Total expenditure	50,054	11,453	61,507	7,344

- 3.3 As outlined above a number of schemes within the 2014/15 Programme have been reprofiled with expenditure now likely in 2015/16. A smaller number of schemes had spend re-profiled from 2015/16 into the 2014/15 Programme to reflect accelerated progress. Details of significant variances are shown in Table 2.

Table 2: Significations variations to the 2015/16 Programme

Scheme	£000
Universal & Infrastructure	
Re-profiling	
Building refurbishment to increase occupancy	
Fund to assist land assembly and resale	-643
Park depot rationalisation	-113
	670
Families & Wellbeing – Children	
Re-profiling	
School remodelling and additional classrooms	-550
Condition/Modernisation	1,864
Youth Capital	149
Universal Free School Meals	209
Somerville Mobile Replacement	366
Wirral Youth Zone rephased into 2016/17	0
Grants	
Condition/Modernisation	-1,706
Basic Needs	1,897
Families & Wellbeing – Adults	
Citizen and provider portal	450
Transformation of day service	1,115
Integrated I.T.	1,085

Extra Care Schemes reprofiled to 2016/17	-3,896
Pensby Wood – day service remodelling and additional rooms reprofiled to 2016/17	-1,200
Families & Wellbeing – Sport & Recreation	
Re-profiling	
West Kirby/Guinea Gap/Europa Pools	824
West Kirby Marine Lake	690
Reg & Env – Environment & Regulation	
Re-profiling	
Active Travel	101
Highway Maintenance	146
Bridges	352
Energy schemes (LED Street Lighting)	236
Parks vehicles replacement	684
Allotments	165
Additional Grant – STEP	500
Reg & Env – Housing & Community Safety	
Re-profiling	
LIFT programme	298
DFG/ Aids and adaptations	1,162
Home Improvements	-878
Clearance	519
Improvement for sale grants	180
New House Building Programme	520
Cluster of Empty Homes Grant	650
Reg & Env – Regeneration	
Re-profiling and additional grant	
Other Regional Growth Fund Schemes	3,208
LEP Regional Growth Fund Schemes	1,102
Hamilton Square Access Improvements to 2016/17	-600
Transformation & Resources	
Re-profiling	
I.T. development	1,404
Total of variances below £100,000 each	493
Overall Total	11,453

3.4 Universal and Infrastructure Services

Cleveland Street Transport Depot works are continuing refurbishing existing buildings to allow a phased move from various parks depots that will reduce revenue implications and/or produce a capital receipt.

Other spend to date includes the continuation of building refurbishment works to increase occupancy, energy efficiency and land assembly.

3.5 Families and Wellbeing - Children

This area of the Programme includes investment in Schools which is essentially funded by Government Grant. The Government Grant announcements have been confirmed annually just prior to the financial year, however this year 3 year announcements have been made providing allocation amounts from 2015/16 – 2017/18. This 3 year allocation will assist in the programming of significant school projects. The works to the buildings are undertaken in co-operation with the schools and, mindful of the impact upon the service, such works are largely arranged for completion outside of term-times wherever possible. These factors impact upon the timing of the actual spend with frequent revisions to be accommodated. A design framework is being developed to allow the use of external Designers i.e. Architects, Mechanical and Electrical engineers, Cost Surveyors to enable schemes to progress in partnership with Local Authority Designers team and Asset Management.

Woodslee Primary School scheme [£550,000] is nearing completion replacing the nursery and creating a new library/resource area.

Fender Primary School scheme to create two additional classrooms and internal remodelling [£600,000] is now on site and progressing well, with anticipated completion October 2015.

Stanley Special School scheme [£750,000] to further develop two classrooms and external remodelling to enable the school to receive additional pupils places to be ready for September 2016.

Legal documentation has been drafted between OnSide Youth Zones and Hill Dickenson and competitive tendering undertaken for the building works in respect of the Youth Zone. A formal planning application is expected early in the new financial year. To date approximately £5m of the overall £6m funding required has been secured with OnSide hoping to secure the rest by July. The Council's contribution is now more likely to be drawn down during 2016/17.

3.6 Families and Wellbeing - Adults

The Integrated I.T. scheme (Liquidlogic) went live during September 2014. The next phase of the project will see the procurement and implementation of the additional modules relating to the citizen and provider portals. Implementation will support the delivery of some Care Act duties from April 2015. £500,000 has been committed in the year to date. Additional modules and implementation costs may increase the committed spend in year.

Transformation of Day Services is ongoing. Plans for the Local Authority implementation have been delayed slightly resulting in some of the capital works being delayed until next year.

3.7 Families and Wellbeing – Sport and Recreation

The programme for the year involves £3.6 million of investment across a range of Leisure facilities.

West Kirby Concourse – phase 1 – creation of the new fitness suite is now open to all user groups. There are some delays with phase 2, which includes remodelling of other areas of the building and completion is now expected during September.

3.8 Regeneration and Environment – Environment and Regulation

This element of the capital programme will involve £15.1 million of investment.

The largest element of the programme is LED lighting scheme. The tender process for the installation has been completed, and installation will commence mid-August. The scheme remains on schedule and the budget savings are expected to be achieved.

Cabinet 20 July 2015 received reports detailing planned use of transport block g and Sustainable Transport Enhancements Package (STEP) funding.

3.9 Regeneration and Environment – Housing and Community Safety

Investment of £8.8 million is planned for this element of the programme. This includes support for the provision and re-provision of new housing through the clearance programme with £1.8 million deferred to 2015/16 from 2014/15 as well as approximately half of the 2014/15 Home Improvement allocation.

The authority has received DCLG funding via Liverpool City Council (acting as the accountable body) of £1.2m for a grant scheme entitled “Cluster of Empty Homes Fund”. This capital funding is to be used in accordance with the bid conditions to bring empty property (including commercial property) into use as housing. £31,657 has been used to support the Council’s Empty Homes Grant programme. The remaining funding has been allocated to contribute to the overall costs of renovating and converting the Old Court House in Manor Road and The Ark, Birkenhead.

Disabled Facilities Grants/Aids and Adaptations continue to be approved and the spend committed but the incurring of this spend is determined by the grant applicants which may result in delays.

3.10 Regeneration and Environment – Regeneration

Approximately £5.6 million of expenditure is forecast in the year for this area. £4.3 million has been incurred to date in respect of Regional Growth Fund activity.

3.11 Transformation and Resources

The programme comprises £3 million of expenditure mainly in respect of the continued programme of IT development. Expenditure of £112,000 has been incurred to date.

4 FINANCING OF THE CAPITAL PROGRAMME

4.1 Table 3 summarises the financing sources for the original and latest programmes.

Table 3: Revised Capital Programme Financing

Capital Programme Financing	Capital Strategy	Revised Programme
	£000s	£000s
Unsupported Borrowing	19,090	21,410
Capital Receipts	12,693	14,436
Revenue and Reserves	537	1,387
Grants	17,734	24,274
Total Financing	50,054	61,507

4.2 Any reprofiling of the Capital Programme which reduces the borrowing requirement will produce one off in-year revenue savings. A permanent saving will only occur if schemes are permanently ceased, otherwise the full budget will be required in 2016/17 when the re-profiled expenditure is incurred.

5 PROJECTED LONGER TERM CAPITAL PROGRAMME

5.1 Funding for the forecast 2015/16 to 2017/18 Capital Programme is shown in Table 4. This reflects the 2015-18 Capital Programme agreed by Cabinet on 10 February 2015 together with any subsequent amendments for additional reprofiling and subsequent grant notifications.

Table 4: Capital Programme Financing 2015/16 to 2017/18

Capital Programme Financing	2015/16 Revised Estimate	2016/17 Revised Estimate	2017/18 Revised Estimate	Total Programme
	£000	£000	£000	£000
Unsupported Borrowing	21,410	9,362	0	30,772
Capital Receipts	14,436	5,445	2,414	22,295
Revenue / Reserves	1,387	120	66	1,573
Grants	24,274	15,075	9,511	47,563
Total Financing	61,507	30,002	11,991	102,203

6 SUPPORTED AND UNSUPPORTED BORROWING AND THE REVENUE CONSEQUENCES OF UNSUPPORTED BORROWING

6.1 Based on the current cost, £1 million of Prudential Borrowing would result in additional revenue financing costs of £80,000 per annum in the following year. As part of the Capital Strategy 2015/16 to 2017/18 the Council has included an element of prudential borrowing. At Month 3 there is a sum of £30.7 million of new unsupported borrowing included over the three years, which will result in approximately £2.5 million of additional revenue costs detailed at Table 5, if there is no change in the Strategy.

Table 5: Unsupported Borrowing Forecasts & Revenue Costs

	2015/16	2016/17	2017/18	2018/19
	£000	£000	£000	£000
New Unsupported Borrowing	21,410	9,362	0	0
Cumulative	21,410	30,772	30,772	30,772
Annual Revenue repayment costs				
Cumulative	0	1,713	2,462	2,462

6.2 The re-profiling of the capital programme and the use of internal borrowing i.e. using the Councils cash balances rather than taking out external loans, means that Treasury Management costs are anticipated to be £1 million less in 2015/16. With cash investments currently yielding low rates of return and the interest rate on external loans being much higher it is financially advantageous to use cash balances to fund certain capital projects.

7 CAPITAL RECEIPTS POSITION

7.1 The Capital Programme is reliant on the Council generating capital receipts to finance future schemes. The Capital Receipts Reserve at 1 April 2015 contained £8.3 million of receipts. The table assumes the proposed spend, set out at Section 4.1 is agreed. Receipts and funding assumptions are based upon the latest estimates available.

Table 6: Projected Capital Receipts position

	2015/16	2016/17	2017/18
	£000	£000	£000
Capital Receipts Reserve	8,300	364	4,469
In - Receipts Assumption	6,500	9,550	9,550
Out - Funding assumption	-14,436	-5,445	-2,414
Closing Balance	364	4,469	11,605

7.2 There are 3 possible major site disposals. Bids from various developers for the site at Acre Lane are being assessed. Marketing of the Manor Drive site has commenced. The third site is Rock Ferry High School where Secretary of State approval would be required should the Council decide on any sale.

8 RELEVANT RISKS

8.1 The possibility of failure to deliver the Capital Programme will be mitigated by the monthly review by a senior group of officers, charged with improving performance.

8.2 The generation of capital receipts may be influenced by factors outside the authority's control e.g. ecological issues. Lambert, Smith, Hampton are still providing external support.

9 OTHER OPTIONS CONSIDERED

9.1 No other options have been considered.

10 CONSULTATION

10.1 No consultation has been carried out in relation to this report.

11 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

11.1 There are no outstanding actions.

12 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

12.1 As yet, there are no implications for voluntary, community or faith groups.

13 RESOURCE IMPLICATIONS

13.1 The whole report is about significant resource implications.

14 LEGAL IMPLICATIONS

14.1 There are no legal implications arising directly from this report.

15 EQUALITIES IMPLICATIONS

15.1 An Equality Impact Assessment is not attached as there are none.

16 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

16.1 There is no carbon reduction or environmental implications arising directly from this monitoring report.

17 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

18 RECOMMENDATIONS

18.1 That Cabinet is asked to note:

- a) The spend to date at Month 3 of £7.3 million, with 25% of the financial year having elapsed;

18.2 That Cabinet is asked to agree and refer to Council:

- a) The revised Capital Programme of £61.5 million (Table 1);

18.3 That the Capital Monitoring report be presented to Cabinet after the end of each quarter, which is in line with Performance Management Monitoring arrangements.

19 REASONS FOR RECOMMENDATIONS

19.1 Regular monitoring and reporting of the Capital Programme enables decisions to be taken faster which may produce revenue benefits and will improve financial control of the Programme.

19.2 Any variations to the Capital Programme are agreed by Cabinet but then referred to Council to formally approve the changes.

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SUBJECT HISTORY

Council Meeting	Date
Capital monitoring reports, from September 2012	
Capital Programme – Council	25 February 2014
Capital Programme – Council	24 February 2015

Universal & Infrastructure	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
Building refurbishment to increase occupancy	2,119	337	2,119	-	-	2,119
Fund to assist land assembly and re-sale	623	63	623	-	-	623
Cleveland St Transport Depot	3,115	-	3,115	-	-	3,115
Park depot rationalisation	1,270	-	1,270	-	-	1,270
Energy efficiency Initiatives	596	105	596	-	-	596
Demolish Stanley Special & External Renovation Work	150	-	150	-	-	150
Demolish Bebington Town Hall and Liscard Municipal	378	-	378	-	-	378
Demolish former Rock Ferry High	395	-	395	-	-	395
Demolish Foxfield	120	-	120	-	-	120
	8,766	505	8,766	-	-	8,766

Families and Wellbeing - CYP	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
Elleray Park Special School redevelopment	850	198	850	-	-	850
School remodelling and additional classrooms (Primary Places)	2,050		1,800	-	250	2,050
Condition/Modernisation	4,658	397	-	-	4,658	4,658
Basic Need allocation	1,897	66	-	-	1,897	1,897
PFI	150	-	-	150	-	150
Children's centres	53	-	-	-	53	53
Aiming Higher	24	53	-	-	24	24
Youth Capital	149		98	-	51	149
Birkenhead High Girls Academy	80	157	-	69	11	80
Funding for 2 year olds	18	-	-	-	18	18
Universal Free School Meals	209	-	-	-	209	209
Somerville Mobile Replacement	366	134	366	-	-	366
Family Support Scheme	200	49	200	-	-	200
Stanley Special School - additional classrooms, medical/hygiene provision	150	-	150	-	-	150
	10,854	1,054	3,464	219	7,171	10,854

Families and Wellbeing - DASS	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
Citizen and Provider Portal for Social and Health Services	617	-	-	-	617	617
Transformation of Day Service	1,115	90	500	-	615	1,115
Integrated IT	1,085	123	1,000	-	85	1,085
Community Intermediate Care Services	1,000	-	-	-	1,000	1,000
Integrated Social Care and Health Learning Disability Service - Girtrell Court	2,000	-	2,000	-	-	2,000
	5,817	213	3,500	-	2,317	5,817

Families and Wellbeing - Sports & Recreation	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
West Kirby Concourse Fitness Suite	112	-	112	-	-	112
Guinea Gap 3G Football pitches	99	-	99	-	-	99
West Kirby/Guinea Gap/Europa Pools	2,024	581	2,024	-	-	2,024
Refurb of Artificial Turf Pitch & perimeter fence repairs at the Tennis & Sports Centre	240	-	240	-	-	240
West Kirby Marine Lake – Integrated accommodation and service delivery	690	-	690	-	-	690
Bidston Tennis Centre re-roofing	425	-	425	-	-	425
	3,590	581	3,590	-	-	3,590

Regeneration and Environment - Environment & Regulation	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
Road Safety	157	14	84	-	73	157
Active Travel	185	13	185	-	-	185
Transportation	104	11	104	-	-	104
Bridges	1,566	-	728	-	838	1,566
Street Lighting	76	18	26	-	50	76
Highway Maintenance	3,105	80	400	-	2,705	3,105
Integrated Transport	1,558	-	-	-	1,558	1,558
Start Active, Play Active, Stay active	34	6	24	10	-	34
Wirral Way - widening and safety improvements	14	-	14	-	-	14
Cemetery Extensions and Improvements	171	-	171	-	-	171
Coast Protection	251	4	251	-	-	251
Energy schemes (LED Street Lighting)	4,236	-	4,236	-	-	4,236
Allotments	165	-	165	-	-	165
Parks Improvements	13	8	-	13	-	13
Royden Park	2	-	-	-	2	2
Parks vehicles replacement	684	23	684	-	-	684
Reeds Lane Play Area	23	3	-	-	23	23
West Kirby Flood Alleviation	1,500	-	-	200	1,300	1,500
Dock Bridges Replacement	280	-	280	-	-	280
Preventative Maintenance to Unclassified and Residential Streets	500	-	500	-	-	500
Preventative Maintenance to Classified Roads	500	-	500	-	-	500
	15,124	180	8,352	223	6,549	15,124

Regeneration and Environment - Housing & Community Safety	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
Aids, Adaptations and Disabled Facility Grants	3,235	263	1,162	-	2,073	3,235
LIFT	298	2	298	-	-	298
Clearance	1,840	16	755	350	735	1,840
Home Improvement	854	66	485	369	-	854
Improvement for sale grants	180	-	-	180	-	180
Empty Property Interventions	236	27	190	46	-	236
New House Building Programme	1,500	-	1,500	-	-	1,500
Cluster of Empty Homes Fund	650	-	-	-	650	650
	8,793	374	4,390	945	3,458	8,793

Regeneration and Environment - Regeneration	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
Other Regional Growth Fund Schemes	3,208	3,208	-	-	3,208	3,208
LEP Regional Growth Fund Schemes - Targeted Assistance	1,102	1,102	-	-	1,102	1,102
Business Investment Grants	780	-	780	-	-	780
The Priory	69	12	-	-	69	69
Hamilton Square Accessibility Improvements	400	-	-	-	400	400
	5,559	4,322	780	-	4,779	5,559

Transformation & Resources	Revised Programme £000	Spend to Date £000	Council Resources £000	Revenue/ Reserves £000	Grants £000	Total Funding £000
CCTV cameras and other equipment	100	-	100	-	-	100
I.T Development	2,904	115	2,904	-	-	2,904
	3,004	115	3,004	-	-	3,004
Programme Total	61,507	7,344	35,846	1,387	24,274	61,507

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CABINET

27 JULY 2015

42 REVENUE MONITORING 2015/16 - QUARTER 1 (APRIL - JUNE 2015)

Councillor Phil Davies introduced a report by the Acting Section 151 Officer that set out the projected revenue position for 2015/16 as at the end of June 2015. The 2015/16 revenue budget included a savings programme of £38 million. The Cabinet noted that progress had been regularly reviewed and had identified that whilst over £28 million had been deliverable in year, some slippage had been identified. It was recommended that the 2015/16 budget was adjusted to reflect this through the use of Reserves and an element of the sum set aside in General Fund balances. This led to a forecast overspend of £2.9 million primarily due to early indications of demand pressures on which further work would be undertaken to confirm and to seek mitigation. Also, there would be a review of reserves in order to restore the General Fund balances to the required level.

Appended to the report at Annex 1 was the General Fund Revenue Budget 2015/16 which had been agreed by the Council on 24 February 2015.

Councillor Phil Davies informed that there would be some challenges in revenue monitoring and in respect of the £2.0 million overspend; measures were now in place to address the situation. He also informed that in-year cuts were difficult to manage and the £2.4 million cut in Public Health Grant made it impossible to manage. Councillor Phil Davies reported that he had written to the Secretary of State for Health informing him of the Cabinet's opposition to this cut. He raised concerns that there may be more cuts as a result of the forthcoming Public Spending Review.

Councillor Phil Davies was aware that Officers did the best they could to manage a difficult situation but at the recent Annual Local Government Conference in Harrogate delegates had been told to plan for an additional 5% cut. Consequently, it would be a difficult year for the Council and it would need to work creatively and with its partners to try to obtain the best value it could for every £ it spent.

RESOLVED: That:

- (1) the Revenue Budget 2015/16 be amended to reflect the re-profiling of the delivery of the savings programme with this funded through contributions from the Families and Wellbeing Reserve, Remodelling Reserve and General Fund balances and referred to the Council for its approval;**
- (2) Officers be requested to identify actions to reduce the projected overspend of £2.9 million, to mitigate against any in-year funding reductions for Public Health and to replenish General Fund balances; and**
- (3) the Financial Monitoring report be presented to Cabinet after the end of each quarter which is in line with Performance Management monitoring arrangements.**

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WIRRAL COUNCIL

CABINET

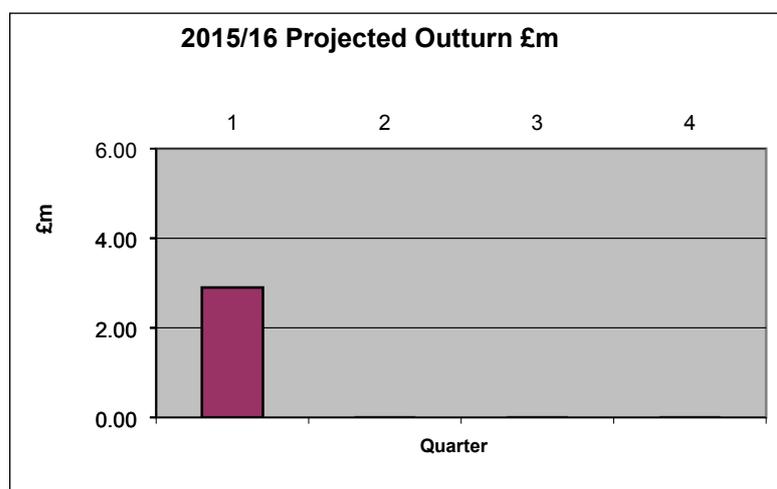
27 JULY 2015

SUBJECT	REVENUE MONITORING 2015/16 QUARTER 1 (APRIL-JUNE 2015)
WARD/S AFFECTED	ALL
REPORT OF	ACTING SECTION 151 OFFICER
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR PHIL DAVIES
KEY DECISION	YES

1 EXECUTIVE SUMMARY

- 1.1 This report sets out the projected revenue position for 2015/16 as at the end of June 2015. The 2015/16 revenue budget included a savings programme of £38 million. Progress is regularly reviewed and has identified that whilst over £28 million is deliverable in year some slippage has been identified. It is recommended that the 2015/16 budget be adjusted to reflect this through the use of Reserves and an element of the sum set aside in General Fund balances. This leads to a forecast overspend of £2.9 million primarily due to early indications of demand pressures on which further work will be undertaken to confirm, to seek mitigation and also a review of reserves in order to restore the General Fund balances to the required level.
- 1.2 The headline position is shown in the graph below.

Graph 1: Wirral Council – 2015/16 General Fund Variance



2 CHANGES TO THE AGREED BUDGET

- 2.1 The 2015/16 Budget was agreed by Council on 24 February 2015 and is detailed in Annex 2; any increase in the Budget has to be agreed by full Council. Changes to the Budget since it was set are summarised in Table 1.

Table 1: 2015/16 Original & Revised Net Budget by Directorate £000's

	Original Net Budget	Approved Budget Changes Prior Mths	Approved Budget Changes Quarter 1	Proposed Budget Changes Quarter 1	Revised Net Budget
FWB - Adult Social Care	68,305	-	134	2800	71,239
FWB – Children & Young People,	67,964	-	141	4400	72,505
FWB - Further Areas: Safeguarding, Schools, Leisure, Public Health	7,956	-	431	400	8,787
Regeneration & Environment	90,287	-	-664	-	89,623
Transformation & Resources	31,947	-	-556	-	31,391
Corporate Growth, Savings & Grant	-7,267	-	514	2000	-4,753
Net Cost of Services	259,192	-	-	9600	268,792

- 2.2 The Approved Budget Changes reflect the impact of the completion of the on-going remodelling and restructuring of Council services. With structures finalised this sees adjustments between Children & Young People, Regeneration & Environment and the Corporate Growth, Savings and Grant budgets. Other movements as a consequence of the restructuring include the transfer of employee budgets between Directorates and the implementation of the Social Worker Progression Framework.
- 2.3 The Proposed Budget changes relate to the review of the savings programme and a realistic assessment of the deliverability of the savings in the current financial year. It is recommended that these be covered by the actions and recommendations set out in Table 5.
- 2.4 The Chancellor of the Exchequer announced on 4 June 2015 a series of in year savings to Government Department budgets. The Local Government Finance Settlement for 2015/16 remains unchanged. Whilst there are reductions in other areas the details are awaited. It is estimated that the reduction in the Department of Health resources may result in an in-year reduction in Wirral's Public Health Grant of up to £2.4 million.
- 2.5 The Chancellor delivered a Budget Statement on 8 July 2015. This was focussed upon welfare reform, which is likely to lead to increased demands for Council support and services, and included the National Living Wage. The latter increases provider costs, particularly within care services, which will lead to increased pressure on service providers to the Council and potentially increased contract costs.

3 PROJECTIONS AND KEY ISSUES

- 3.1 The projected outturn position as at the end of June 2015, key issues emerging and Directorate updates are detailed in the following section.

Table 2: 2015/16 Projected Budget variations by Directorate £000's

Directorates	Revised Budget	Forecast Outturn	(Under)	RAGBY Class	Change from prev
			Overspend		
			Quarter 1		
FWB - Adult Social Care	71,239	73,670	2,431	R	
FWB – Children & Young People	72,505	74,505	2,000	R	-
FWB - Further Areas: Safeguarding, Schools, Leisure, Public Health	8,787	8,787	0	G	
Regeneration & Environment	89,623	89,323	-300	B	-
Transformation & Resources	31,391	30,202	-1,189	Y	
Corporate Growth, Savings & Grant	-4,753	-4,753	0	G	-
TOTAL	268,792	271,734	2,942		-

The report classifies the forecast under/overspends for the above areas using a colour RAGBY rating. The ratings are defined as follows:

- Extreme: Overspends **Red** (over +£301k), Underspend **Yellow** (over -£301k).
- Acceptable: **Amber** (+£141k to +£300k), **Green** (range from +£140k to -£140k); **Blue** (-£141k to -£300k).

3.2 Directorate Updates

Families and Wellbeing: Adult Social Care

3.2.1 There is a shortfall, primarily within adult social care, of £2.8 million relating to delays in the implementation of a number of savings projects which are detailed in Table 4. There is a further £2.4 million in respect of demand pressures within a number of Community care areas for which further work is being undertaken to confirm the projection and identify mitigating actions.

3.2.2 To assist with budget delivery, a number of projects are being supported by the Improvement and Transformation Team. Saving Plans and profiles are being reviewed to identify mitigation and an Implementation Board has been established to review Day Services and challenge financial delivery targets. Further detailed work is being undertaken to further analyse the causes and impact of the demand pressures.

Families and Wellbeing: Children and Young People

3.2.3 The forecast shows a shortfall of £4.4 million against current savings (see Table 4) and pressures of £2.9 million which have partly been offset by £0.9 million of mitigation. The increased demands relate to commissioned services and agency costs and include additional foster allowance costs.

Families and Wellbeing : Other

- 3.2.4 The Budget, and the progress on delivery of change, is reviewed at the Directorate Senior Leadership Team meetings. With the Social Worker Progression Framework now implemented there is a rolling programme of recruitment to Social Work positions. Agency costs and placements are being reviewed and the implementation of the framework will enable progress to be made on the required changes. A Project Group meets to review numbers and the Strategic Plan for looked after children is identifying work to develop an adolescent unit and reduce agency foster care numbers/residential care.
- 3.2.5 **Leisure Services:** An adverse variance of £0.4 million is currently forecast relating to slippage against the leisure review saving. Further areas for mitigation will be identified and investigated.
- 3.2.6 **Public Health.** As referred to earlier in the report the Chancellor announced a reduction in the Health Budget which could see an in-year reduction of up to £2.4 million in the Public Health grant.

Regeneration and Environment

- 3.2.7 An underspend of £0.3 million is currently forecast relating to further contract efficiencies within Supported Housing.

Transformation & Resources

- 3.2.8 An underspend of £1.2 million is currently forecast. This is mainly within Treasury Management as a consequence of the continued use of internal funds to minimise the need to externally borrow and the projected slippage within the Capital Programme which delivers one-off in year savings.

Remodelling

- 3.2.9 The savings from remodelling totalled £10.9 million. Slippage is forecast at £2 million as a number of staff consultations have still to be concluded resulting in delayed implementation of savings.

4 IMPLEMENTATION OF SAVINGS

- 4.1 The delivery of the agreed savings is key to the Council's financial health and is tracked at both Council and Directorate level. The Budget for 2015/16 included £38 million of efficiency measures and it was recognised that the delivery of the savings, particularly within Adults and Children's Services was challenging being more of a transformational / change nature. In determining the level of General Fund balances the risk of slippage / non-delivery was assessed at £7.2 million.

Table 3: Budget Implementation Plan 2015/16 (£000's)

BRAG	Number of Options	Approved Budget Reduction	Amount Delivered at Q1	To be Delivered see T4
B - delivered	24	14,258	14,258	0
G – on track	19	3,016	2,193	823
A - concerns	19	16,739	1,260	15,479
R - high risk/ not achieved	6	4,011	0	4,011
Total at Quarter 1 2015-16	68	38,024	17,711	20,313

- 4.2 The savings tracker contains an assessment of the 2015/16 savings. The forecasted position includes overspends from the red rated savings. Within the amber rated projects a number will be delivered by the end of 2015/16 but will not fully deliver in year. Overall the latest projections indicate that over £28 million of the planned savings will be achieved with a £9.6 million shortfall forecast.

Table 4: Shortfall against the 2015/16 target

Department/Saving	Reasons for Delay	£m
Adult Social Care		
Extra Care Housing	Key housing provider withdrew and now looking for alternative providers and potential sites. Links to slippage in Capital Programme. Full saving slips to 2016/17.	1.3
Girtrell Court shared service	Working with partner provider to agree service specification prior to implementing the capital works for which funding is in the Capital Programme so to 2016/17.	0.3
Cost of Care	Projections are for overspending within Care services meaning the proposed saving will not be delivered in 2015/16. Work by the Directorate to address the pressures and deliver the savings for 2016/17 is on-going.	0.5
Day Services	New company established during 2015/16 Anticipated that 50% of savings deliverable in year with balance in 2016/17.	0.5
Continuing Health Care Appeals	Process involved negotiations on individual cases with progress being made but not as anticipated so partially deliverable in 2015/16.	0.2

Department/Saving	Reasons for Delay	£m
Children & Young People		
Specialist Services	Looked After Children numbers rising so potential overspend makes saving non-achievable in 2015/16. The Directorate are confident this is still deliverable over a longer timeframe given the structural changes now in place.	1.4
All Age Disability Service	The savings will be delivered but the timescales means the full £0.6 million will not be achieved this year.	0.4
Transport	Whilst numbers of Children & Adults receiving transport have reduced this saving will not be delivered without a fuller review of Transport options which will not be effective in 2015/16.	1.0
Children's Centres	Proposals being considered by Cabinet in July and following consultation the savings will be delivered from early 2016 leaving a shortfall in year.	1.2
Central Strategic services	Proposals to amend internal structures and policies still to be developed so will slip to 2016/17.	0.4
Leisure Review	Work continues of options to deliver the £1 million for 2015/16 including alternative provision but projected shortfall this year.	0.4
Remodelling	Of the overall £10.9 million programme £9.4 million agreed but there are staff consultations to be concluded resulting in delayed implementation.	2.0
Total Savings Slippage		9.6

4.3 In order to fund the slippage a series of actions have been recommended.

Table 5 : Actions to cover the shortfall in 2015/16

Use of	£m
Families & Wellbeing Reserve Established from the early delivery of savings by the Directorate in 2013/14 and held to meet potential shortfalls in delivery in future years	3.4
Remodelling Reserve Set up to meet the cost of remodelling and restructuring of the Council so can be applied to meet slippage in the delivery of remodelling savings	2.0
General Fund balances Included £7.2 million identified as being based on the risk of non-delivery of savings so part of this sum used to meet the balance of the shortfall	4.2
Total	9.6

4.4 The Directorates will work to identify compensatory savings which will be reported to Cabinet as part of the Monitoring report and these will be used to replenish the General Fund balances.

5 GROWTH

5.1 An allowance for the impact of demographic changes, inflation and other risks has been incorporated into the 2015/16 budget. Details of these allowances are contained within the Budget Book and Forecasts 2015/18 approved by Budget Council on 24 February 2015.

6 INCOME AND DEBT

6.1 Revenue and Income falls into four broad areas for reporting purposes. Amounts raised and collected in the year are shown below.

Table 6: Amount to be collected in 2015/16

	2015/16	2015/16	
	Collectable	Collected	%
	£000	£000	
Council Tax	139,663	38,739	27.7%
Business Rates	71,214	21,905	30.8%
Fees and charges – Adults & Children	29,165	9,611	33%
Fees and charges – all other services	26,314	16,445	63%

COUNCIL TAX

6.2 Compared with June 2014 the collection performance is down by 0.2% and recovery action has commenced with 28,168 reminders and 5,820 summonses issued to date.

6.3 The major change this year relates to the full removal of the local Pensioner Discount for 2015/16. This affected 11,482 Band A-D, 70+ households who previously received a 5% discount. In 2014/15 the discount from Band E-H households was removed with a reduction in the discount from 7.76% to 5%.

BUSINESS RATES

6.4 The % collected at June 2015 of 30.8% compares favourably with the 27.6% at June 2014.

6.5 The Government is undertaking a fundamental review of Business Rates including consultation with interested parties. It has been indicated that any changes would need to raise the same amount as Business Rates does now, some £27 billion and the Government has also indicated that it prefers a property based tax. The outcome of the review is expected to feature in the Government Budget 2016.

DEBTORS

- 6.6 At the end of June 2015 the arrears stood at £22.8 million which compares to £21.4 million at June 2014. With the date being a moment in time the timing of the sending of bills impacts upon the reported position particularly with month-end and year-end bills. Recovery action continues to be undertaken to minimise arrears and additional temporary staff will support this work.

7 RELEVANT RISKS

- 7.1 The possible failure to deliver the Revenue Budget is being mitigated by:
- Senior Leadership Team / Directorate Teams reviewing the financial position.
 - Tracking system of savings options to monitor progress.
 - Benefits Realisation Group monitors the delivery of key change projects.
 - Use of temporary additional support to assist with revenues collection.

8 OTHER OPTIONS CONSIDERED

- 8.1 Any option to improve the monitoring and budget accuracy will be considered.

9 CONSULTATION

- 9.1 No consultation has been carried out in relation to this report.

10 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 10.1 There is an ongoing requirement to identify during the financial year necessary actions to mitigate any forecast overspend.

11 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 11.1 As yet there are no implications for voluntary, community or faith groups.

12 RESOURCE IMPLICATIONS: FINANCIAL, IT, STAFFING AND ASSETS

- 12.1 On 10 February 2015 Cabinet agreed to the level of General Fund balance for 2015/16 being based upon a risk calculation and a minimum of £17.4 million. The level is kept under review during the year to reflect changing circumstances and in-year developments.
- 12.2 As reported to Cabinet on 13 July 2015 the 2014/15 financial year saw an underspend of £0.5 million on the revenue budget, With the release of Insurance Fund Reserve this added £1.4 million to the balances at 31 March 2015.

- 12.3 As referred to in this report the delivery of the large savings programme brings significant risks of delay (slippage). The opening balance contained £7.2 million specifically against this risk of which £4.2 million is to be used to meet the in-year shortfall set out in Section 4.

Table 7: Summary of the projected General Fund balances

Details	£m
Balance 31 March 2015 when setting the Budget 2015/16	+17.4
Add; Increase following closure of 2014/15 Accounts	+1.4
Less Transfer to General Fund	-4.2
Less: Potential overspend at June 2015	-2.9
Projected balance 31 March 2016	+11.7

- 12.4 The requirement to replenish the General Fund balances to the minimum level will be addressed through Directorates identifying potential underspends in the current financial year together with a mid-year review of the Earmarked Reserves. The Reserves excluding School balances totalled £71.5 million at 1 April 2015. These include reserves relating to the cost of Council remodelling, mitigation and specific project support and ongoing financial risks.

- 12.5 There are no IT, staffing or asset implications arising directly out of this report.

13 LEGAL IMPLICATIONS

- 13.1 The entire report concerns the duty of the Council to avoid a budget shortfall. The Chief Finance Officer has a personal duty under the Local Government Finance Act 1988 section 114A to make a report to the executive if it appears to them that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources available to it to meet that expenditure.

14 EQUALITIES IMPLICATIONS

- 14.1 This report is essentially a monitoring report which reports on financial performance.

15 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

- 15.1 There are no implications arising directly from this report.

16 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 16.1 There are no implications arising directly from this report.

17 RECOMMENDATIONS

- 17.1 That the Revenue Budget 2015/16 be amended to reflect the re-profiling of the delivery of the savings programme with this funded through contributions from the Families & Wellbeing Reserve, Remodelling Reserve and General Fund balances.
- 17.2 That Officers identify actions to reduce the projected overspend of £2.9 million, to mitigate against any in-year funding reductions for Public Health and to replenish General Fund balances.
- 17.3 That the Financial Monitoring report be presented to Cabinet after the end of each quarter which is in line with Performance Management monitoring arrangements.

18 REASONS FOR THE RECOMMENDATIONS

- 18.1 The Council, having set a Budget at the start of the financial year, needs to ensure that the delivery of this Budget is achieved. Consequently there is a requirement to regularly monitor progress so that corrective action can be taken when required which is enhanced with the monthly reporting of the financial position.

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ANNEXES

Annex 1 General Fund Revenue Budget 2015/16
Annex 2 Income and Debt

SUBJECT HISTORY

Council Meeting	Date
Since September 2012 Revenue monitoring reports have been submitted to Cabinet. Budget Council	24 February 2015

GENERAL FUND REVENUE BUDGET 2015/16

ORIGINAL BUDGET AGREED BY COUNCIL ON 24 FEBRUARY 2015

Directorate/Service Area	Original Budget	Variances	Revised Budget
	£000	£000	£000
Expenditure			
Families and Wellbeing			
Adult Social Services	68,305	134	68,439
Children and Young People	67,964	141	68,105
Further Areas - Public Health, Schools, Sports and Recreation	7,956	431	8,387
Regeneration and Environment	90,287	-664	89,623
Transformation and Resources	31,947	-556	31,391
Net Cost of Services	266,459	-514	265,945
Corporate Growth	457	-400	57
Corporate Savings	-4,068	914	-3,154
Education Services Grant	-3,656	-	-3,656
Budget Requirement	259,192	-	259,192
Income			
Revenue Support Grant	64,281	-	64,281
Business Rates Baseline	33,266	-	32,266
Business Rates Top Up	41,287	-	41,287
Business Rates Section 31 Grants	2,193	-	2,193
Council Tax Requirement	114,210	-	114,210
Council Tax Freeze Grant	1,358	-	1,358
New Homes Bonus	2,597	-	2,597
Total Income	259,192	-	259,192
Statement of Balances			
As at 1 April 2015	17,400	1,400	18,800
Contributions to/from Balances	0	-	0
Forecast Balances 31 March 2016	17,400	1,400	18,800

Note:

This table will be updated for agreed variances during the year.

Balances as at 1 April 2015 updated following completion of the Accounts for 2014/15.

INCOME AND DEBT

The following shows the collection progress for Council Tax, Business Rates, Accounts Receivable and Benefits.

COUNCIL TAX

The following statement compares the amount collected for **Council Tax** in the period 1 April 2015 to 30 June 2015 with the amount collected in the same period in 2014/15:

	Actual 2015/16 £000s	Actual 2014/15 £000s
Cash to Collect	139,663	137,208
Cash Collected	38,739	38,330
% Collected	27.7%	27.9%

Council Tax Support Scheme

Council Tax benefits were abolished at the end of 2012/13 and replaced by Council Tax Support. £27 million is currently in payment and the numbers of awards as at 30 June 2015 are as follows:

Number of pensioners	15,066
Number of vulnerable (working age)	9,036
Number of working age	<u>11,826</u>
Number of Council Tax Support recipients	<u>35,928</u>

Council Tax Support claimants have dropped from 36,231 to 35,928 (303) since the beginning of the financial year.

Council Tax Discretionary Policy as at 30 June 2015

Period 1 April 2015 – 30 June 2015
1 award and 23 refusals in this period.

BUSINESS RATES

The following statement compares the amount collected for **National Non-Domestic Rates** for the period 1 April 2015 to 30 June 2015 with the amount collected for the same period in 2014/15:

	Actual 2015/16 £000	Actual 2014/15 £000
Cash to Collect	71,214	71,310
Cash Collected	21,905	19,714
% Collected	30.8%	27.6%

ACCOUNTS RECEIVABLE

The table below shows the directorates and amount of debt at each recovery stage:

Directorate Description	Less than 10 days	1st reminder	2nd reminder	3rd reminder	Total at 30.06.15
Chief Executive	£196,692	£8,903	£5,809	£785,378	£996,782
Neighbourhood	£30,899	£330	£330	£18,317	£49,876
Transformation & Resources	£1,753,349	£893,419	£98,023	£1,800,659	£4,545,450
Families & Wellbeing	£3,684,624	£1,198,955	£1,497,859	£9,757,775	£16,139,213
Regeneration & Environment	£493,817	£37,909	£87,859	£852,609	£1,472,194
Policy & Performance	£3,005	£0	£0	£1,600	£4,605
Totals	£6,144,677	£2,139,186	£1,691,421	£13,223,453	£23,198,737

The above figures are for invoices in respect of the period up to the end of June 2015. Payments as well as amendments such as write-offs and debt cancellations continue to be made after this date on all these accounts. There is a further deduction of £353,769 to be made for unallocated payments at month end leaving a balance of **£22,844,968**

BENEFITS

The following statement details the number of claimants in respect of benefit and the expenditure for Tenants and those in receipt of Council Tax Support up to 30 June 2015:

	2015/16	2014/15
Number of Private Tenant recipients	30,233	32,221
Total rent allowance expenditure	£38,615,749	
<i>Number under the Local Housing Allowance Scheme (included in the above)</i>	11,698	12,396
	£14,818,686	
Number of Council Tax Support recipients	35,928	37,578
Total Council Tax Support expenditure	£27,028,551	
Total expenditure on benefit to date	£65,644,300	

The following statement provides information concerning the breakdown according to client type as at 30 June 2015 and gives the early year numbers to show the shift in sector by benefit claimants during the year.

	30.06.15	31.3.15
Claimants in the Private Rented Sector	13,715	13,723
Claimants in the Social Rented Sector	16,518	16,271
Owner Occupiers	10,180	10,112
 Total claimants by age group		
- under 25 years old	2,213	2,238
- 25 – 60 years old	21,290	20,921
- over 60 years old	16,910	16,947

There are 40,413 benefit recipients in Wirral as at 30 June 2015.

Under Occupancy regulations

From 1 April 2013 property size criteria was introduced to working age tenants of social landlords (Registered Providers). Where a claimant is deemed to be occupying accommodation larger than they reasonably require, Housing Benefit is restricted:-

- By 14% in 2,550 cases
- By 25% in 628 cases

The number of claims affected does fluctuate. The numbers above are a snapshot at 30 June 2015

Housing Benefit Fraud and Enquiries – 1 April 2015 to 30 June 2015

New Cases referred to Fraud team in period	473
Successful Prosecution/Administration penalty/caution	26
Tenancy Fraud	0

Discretionary Housing Payments

The table profiles Discretionary Housing Payment (DHP) administration and associated spend. DHP is not a payment of Housing Benefit and is funded separately from the main scheme. Since the introduction of Welfare Reform and associated impacts, additional funding has been made available.

The Government contribution for 2015/16 is £736,570 with an overall limit of £1,841,425 which the Authority must not exceed. The difference must come from the Authority's own Expenditure. It was agreed to supplement the Government contribution by a Local Authority contribution of £300,000, giving a total budget in respect of 2015/2016 of £1,036,570.

The present level of spend is not reflective of a realistic position as the service area is currently dealing with a backlog of work items, including applications for Discretionary Housing Payment. The strain on the available budget remains high and is consistent with that in respect of 2014/2015, meaning that the fund will be fully utilised.

date	Number of awards	current awards	committed awards up to 31/03/2016	% spent (committed) of Govt cont
08/04/2015		£4,687.23	£40,158.74	4%
05/05/2015	864	£40,421.27	£70,031.94	7%
01/06/2015	934	£47,148.86	£94,694.10	9%
02/07/2015	1041	£103,253.24	£208,173.93	20%

Local Welfare Assistance

The Local Welfare Assistance Scheme was, up until March 2015, directly funded by Government grant.

The Council Budget 2015/16 includes £900,000 held in a reserve for this fund following the Government's decision to withdraw direct funding from 1 April 2015. The current scheme is in place until 31 July 2015 and a Task & Finish Scrutiny Review Panel have reviewed the position and reported to Cabinet their findings and recommendations on how the scheme should be taken forward from 1 August 2015.

The outcome being that the Council continues to administer and maintain the Local Welfare Assistance Scheme with the remaining budget available in line with the current scheme to 31 July 2015 and from August 2015 in line with the amended Scheme.

No. of Awards 2015/16		Total Awarded	Cumulative expenditure
April	673	£38,896.60	£38,896.60
May	564	£26,315.11	£65,211.71
June	754	£42,240.12	£107,451.83

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CABINET

10 SEPTEMBER 2015

51 **CHILDREN AND YOUNG PEOPLE'S DEPARTMENT - NEW CAPITAL SCHEMES 2015-16 TO 2017-18**

Councillor Adrian Jones introduced a report by the Assistant Chief Executive which set out the proposed new capital schemes based on the Department for Education (DfE) funding allocations and sought approval for scheme development.

As part of the Council's five year plan, the proposals in the report supported the following pledges contained in the plan:

- Children are ready for school
- Young people are ready for work and adulthood
- Vulnerable children reach their potential
- Council making better use of its assets.

Councillor Ann McLachlan informed that she was delighted that the proposals were linked to pledges and considered it to be a prime example of how the Council was investing in the young people of Wirral for the future. She thanked the Officers involved for all their hard work.

Appended to the Assistant Chief Executive's report as Appendix A was the Children and Young Persons Department's New Capital Schemes 2015/16, 2016/17, 2017/18.

The Cabinet considered what had already been achieved and highlighted: That

- Foxfield Special School had been successfully completed in March 2015 and the outcomes of this new facility were looking impressive in terms of future attainment, behaviour and general well-being.
- Bedford Drive Primary School construction programme had started on site this summer with anticipated completion of August 2016.
- Works would commence at Ridgeway High School for its new facility in summer 2016.
- Somerville Primary School – completion of the 6 mobile classroom replacement project had been achieved in March 2015.
- Fender Primary School – completion of a 2 classroom and resource extension was due to be completed in October 2015.
- Elleray Park Special School – works were due to be completed in October 2015 on the four new classroom extension and welfare facilities which would replace undersized rooms and detached buildings, and would provide enhanced medical/hygiene facilities for pupils with severe disabilities.
- Great Meols Primary – the completion of a one court sports hall had been completed in Spring 2015 and allowed greater access to sporting facilities for pupils throughout the day.
- Devonshire Park – a range of projects had been undertaken to support the increase in pupil numbers at this school whilst maintaining specialist

communication bases. The project to redevelop the school dining facilities was well underway and due for completion in October 2015.

RESOLVED:

That the new capital schemes identified in Appendix A to the report be approved and referred to the Council for inclusion within the overall Capital Programme.

WIRRAL COUNCIL

CABINET

10 SEPTEMBER 2015

SUBJECT	CHILDREN AND YOUNG PEOPLES DEPARTMENT - NEW CAPITAL SCHEMES 2015-16 TO 2017-18
WARD/S AFFECTED	ALL
REPORT OF	ASSISTANT CHIEF EXECUTIVE
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR ADRIAN JONES
KEY DECISION	YES

1 EXECUTIVE SUMMARY

- 1.1 This report details the proposed new capital schemes based on the Department for Education (DfE) funding allocations and seeks approval for scheme development.
- 1.2 As part of the Council's five year plan, the proposals in this report support the following pledges contained in the plan:
- Children are ready for school
 - Young people are ready for work and adulthood
 - Vulnerable children reach their full potential
 - Council making better use of its assets

2 BACKGROUND AND KEY ISSUES

2.1 The Department for Education (DfE) announced in February 2015, indicative allocations for school condition funding for a three year period covering financial years 2015-18. Allocations were made in recognition of existing premises defects as well as providing ongoing maintenance to keep all buildings in good condition over their lifecycle.

2.2 School Condition Allocations

These grant allocations are made to those bodies responsible for the maintenance of buildings, some of the allocation takes into account the information gathered through the Property Data Survey Programme about the condition of schools.

Whilst the DfE are not prescriptive in how this allocation is spent, Asset Management have continued to follow similar strategies in previous years for enhancing premises, improving student learning environments, community accessibility, safety and security compliance.

- (i) to undertake projects identified in the Asset Management Plan to enhance the Suitability and Condition of schools and enable a full range of curriculum activities.

- (ii) to enable inclusion within mainstream schools for pupils with physical and mental disabilities and to ensure that Special Schools are able to provide the care required for a range of disabilities

The School Condition Allocation for 2015/16 is £2,794,047 with the same amount indicated for 2016/17 and 2017/18 these amounts could change due to variations in school status i.e. Academy, the number of pupils and the high condition needs threshold.

2.3 Basic Need Allocation

Allocations for Basic Need for 2015/16 and 2016/17 had been made in previous years by the DfE. In February 2015 allocations were made to local authorities to support capital requirement for providing new pupil places by expanding existing maintained schools, free schools or academies for 2017/18. The allocations were based upon a projected need for new places. Asset Management in consultation with education colleagues have identified projects which support the changing pupil demographics within the Borough.

Basic Need Allocation is:	2015/16	£1,346,676
	2016/17	£1,414,010
	2017/18	£ 830,975

2.4 Devolved Formula Capital (DFC)

This is a grant which is devolved to schools for smaller capital works generally in excess of £2,000. A total of £646,025 will be shared between Wirral's Maintained Schools and £229,445 between Aided Schools.

A typical Primary School with 300 pupils will receive in the region of £7,400 and a Secondary School with 1,000 pupils receives £21,000.

Academies will receive Capital Maintenance and Devolved Formula Capital directly from the DfE via the Education Funding Agency.

2.5 Progress of 2014/15 Capital Schemes

Priority School Building Programme

Wirral was successful in three bids to the DfE Priority School Building Programme (phase 1) which is managed on a day to day basis by the Education Funding Agency but with input from the Local Authority.

Foxfield Special School was successfully completed in March 2015 and the outcomes of this new facility are looking impressive in terms of future attainment, behaviour and general well-being. Whilst this scheme was substantially funded directly by the Education Funding Agency, there was a large Council contribution of £1m to ensure the continuing high care standards via hydrotherapy and to ensure the schools' capacity going forward.

Bedford Drive Primary School construction programme has started on site this summer with anticipated completion of August 2016. Again additional funding has been required from local resources to ensure the high quality learning environment and for furniture and fittings.

Works will commence at Ridgeway High School for its new facility in summer 2016, additional Capital funding is required to sever the City Learning Centre and library from the main school building which will be demolished.

Larger CYPD Schemes

- (i) Somerville Primary School – completion of the 6 mobile classroom replacement project was achieved in March 2015, this large scheme has made significant enhancements to the overall school environment both internally and externally.
- (ii) Fender Primary School – completion of a 2 classroom and resource extension is due to be completed in October 2015 following a rise in pupil numbers in the area.
- (iii) Elleray Park Special School – works are due to be completed in October 2015 on the four new classroom extension and welfare facilities which replace undersized rooms and detached buildings, and will provide enhanced medical/hygiene facilities for pupils with severe disabilities.
- (iv) Great Meols Primary – the completion of a one court sports hall was completed in Spring 2015 and will allow greater access to sporting facilities for pupils throughout the day.
- (v) Devonshire Park – a range of projects have been undertaken to support the increase in pupil numbers at this school whilst maintaining specialist communication bases. The project to redevelop the school dining facilities is well underway and due for completion in October 2015.

2.6 Three Year programme

In recent years grant funding from the Department for Education has been allocated on an annual basis, this has caused restrictions in longer term planning of larger schemes and has led to delays in programme delivery. This year a three year allocation was announced by the DfE and as such the Capital programme has been drawn up with this in mind. This has enabled Asset Management to plan over a longer period and enabled a more accurate financial profiling of anticipated spend particularly in 2015/16.

There are three funding streams to take into consideration (i) DfE grant - School Condition Allocation (ii) DfE grant – Basic Need to meet demands in providing pupil places and (iii) Council Capital (borrowing) – to support pupil place projects.

Appendix A shows schemes which have been assessed as requiring condition and suitability investment as part of the expenditure against School Condition Allocations (as described in 2.2 above). Whilst the list of school projects for 2015/16 does not commit the total available grant for this year by £532,000, this unallocated amount will be rolled forward to next year. This is primarily due to the realistic completion of these projects prior to the end of the 2015/16 financial year therefore, representing a much more accurate indication of expenditure. This methodology applies to all three funding streams i.e. School Capital Allocation, Basic Need and Pupil Place Planning.

Good progress has already been made in identifying needs for the Capital programme in 2016/17 and 2017/18 across all three main funding streams, these will be further developed when building data becomes available and when pupil place demands are better known. Further reports will be submitted as schemes are identified.

2.7 The Hive (Youth Zone)

There has been a requirement to have the option to increase the Council's commitment to the Capital costs of the new facility, which currently stands at £2m for this £6m facility. This is due to the shortfall in private sponsorship at the point of

tender and an amount of £500,000 DfE grant funding has been identified from 2016/17 DfE allocations should this shortfall not be realised from other sources.

The new capital schemes for CYPD for 2015-18 are shown in the attached Appendix A.

3 RELEVANT RISKS

- 3.1 The possible failure to deliver the new schemes is a risk which will be mitigated by a number of actions including regular review and reporting and use of the established “Gateway” system to monitor progress of schemes. The possible failure to deliver the Capital Programme will be mitigated by the regular review by a group of officers, charged with improving performance.
- 3.2 Failure to undertake required condition improvements in schools could lead to unplanned closure and possible health and safety risks. Failure to continuously assess the suitability of school premises would have significant risk to the attainment of pupils as improvements are required to enable schools to deliver the curriculum, facilitate best practice teaching methods and promote safe guarding.
- 3.3 Failure to adequately plan additional pupil places to reflect changes in pupil numbers will lead to unacceptable numbers in classrooms (particularly in infant classes).

4 OTHER OPTIONS CONSIDERED

- 4.1 No other options were considered.

5 CONSULTATION

- 5.1 No consultation has been undertaken relating to this report.

6 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 6.1 There is an on-going requirement to identify during the financial year necessary actions to mitigate any forecast overspends.

7 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 There are none arising directly from this report. These would be considered when planning and implementing specific schemes or projects

8 RESOURCE IMPLICATIONS: FINANCIAL, IT, STAFFING AND ASSETS

- 8.1 This report provides details of how DfE grant allocations and existing agreed Capital Programme resources are to be expended. This relates primarily to grant funding, which will have no adverse impact on the Council’s revenue budget. Further reports

will be submitted as schemes are identified from the remaining DfE allocations for School Condition, Basic Need grant allocations are identified and those contributions for school place planning from Council resources.

8.2 Details of the proposed scheme costs are contained within detailed within Appendix A.

8.3 There is no direct staffing or IT implications arising directly from this report. The assets affected are detailed in Appendix A.

9 LEGAL IMPLICATIONS

9.1 There are no legal implications arising from this report.

10 EQUALITIES IMPLICATIONS

10.1 There are no equality implications arising from this report.

11 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

11.1 There are no implications arising directly from this report. These are included in reports to Cabinet on individual schemes and in the Carbon Budget report.

12 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no implications arising directly from this report. Planning Applications will be made for those larger schemes following generic guidelines.

13 RECOMMENDATIONS

13.1 That Cabinet is asked to approve the new capital schemes identified in Appendix A and refer to them to Council for inclusion within the overall Capital Programme.

14 REASONS FOR RECOMMENDATIONS

14.1 To ensure that the Capital Programme reflects schemes based on the grant resources available.

14.2 To ensure the continued improvement of school premises and those of other educational establishments to enable good quality teaching and learning within suitable and inspiring environments.

14.3 As part of the Council's five year plan, the proposals in this report support the following pledges contained in the plan:

- Children are ready for school
- Young people are ready for work and adulthood
- Vulnerable children reach their full potential
- Council making better use of its assets

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APPENDICES

Appendix A - CYPD New Capital Schemes 2015/16, 2016/17, 2017/18

APPENDIX A

CYPD NEW CAPITAL SCHEMES 2015/16, 2016/17, 2017/18

Funding	Carry Forward	2015/16	2016/17	2017/18
DfE School Condition Allocation	409,027	2,794,047	2,794,047	2,794,047
DfE Basic Need	0	1,346,676	1,414,010	830,975
School Place Planning	853,024	750,000	750,000	750,000

DfE SCHOOL CONDITION ALLOCATION

Non-Specific School Locations			
	2015/16	2016/17	2017/18
School Access/DDA	150,000	150,000	150,000
Boiler Renewal Programme	250,000	250,000	250,000
School Electrical Testing Programme	150,000	150,000	150,000
Legionella Programme – remedial work	50,000	50,000	50,000
Energy Solar Panels		50,000	
Kitchen Extraction		60,000	60,000
Sub-Total	600,000	710,000	660,000
Feasibility & Design Development			
	2015/16	2016/17	2017/18
Kilgarth Special	10,000		
Riverside Primary	10,000		
Well Lane Primary: phase 2 - main reception/entrance/safeguarding	10,000		
Observatory School: suitability and sufficiency	10,000		
Other feasibilities	20,000	50,000	50,000
Sub-Total	60,000	50,000	50,000
Larger Schemes - 200k plus			
	2015/16	2016/17	2017/18
Liscard Primary – Sports barn development, one court facility.	10,000	300,000	
New Brighton Primary – 1. Sports barn development, one court facility. 2. Main entrance remodel/DDA	10,000	300,000 100,000	
St Georges Primary – Pupil entrance/toilets/DDA [130K 14/15]	210,000		
Devonshire Park Primary – Dining/kitchen facility [200k 14/15]	200,000		

Meadowside Special School – suitability and condition in pool/changing area	150,000	400,000	
Sub-Total	580,000	1,100,000	
Medium/Lower Value Schemes			
	2015/16	2016/17	2017/18
Brackenwood Junior – Fire alarm/smoke detector system		40,000	
Christchurch C of E Birkenhead – contribution boiler/heating	60,000		
Gayton Primary – 1. Re-design one set of boys and girls toilets to west wing 2. Renew hall windows to outer quad area	30,000	70,000	
Ganneys Meadow/Fender Primary – fire alarm/smoke detector system	50,000		
Greenleas Primary – re-model classrooms and toilet provision	100,000		
Hayfield Special School – re-modelling and mobile replacement [suitability 14/15 £10k]		TBC	
Heygarth Primary – partial re-wire and installation of distribution boards and containment of cables and refresh decorations.	100,000		
Liscard Primary – 1. [phase 1] Pitched roof installation in Decra system, estimate inc fee's. 2. [phase 2] including flat roofs & fee's.	175,000	225,000	
Overchurch Infants – 1. [phase 1] pitched roof renewal in Decra system, estimate inc fee's. 2. [phase 2] flat roof renewal inc fee's.	136,000	40,000	
Prenton Primary – heating pipework installation.	25,000		
Raeburn Primary – flat roof renewal to F2 & Year 1 area.	11,000		
Sandbrook Primary – Refurbish various rooms after heating installation.	50,000		
Woodslee Primary – entrance, toilets	50,000	100,000	
Sub Total	787,000	475,000	

Non-School Projects:			
	2015/16	2016/17	2017/18
Children Centres	100,000	100,000	
Youth Zone – roadway & construction	15,000	500,000	
City Learning Centres	120,000	120,000	120,000
Sub-Total	235,000	720,000	120,000
Priority School Building Programme:			
Bedford Drive Primary – CYPD contribution IT & FF&E		75,000	
Ridgeway High School CLC separation & internal remodelling		250,000 (tbc)	
Sub-Total	0	325,000	0
TOTAL	2,262,000	3,380,000	830,000

BASIC NEED ALLOCATION:			
	2015/16	2016/17	2017/18
Barnston Primary – bulge class	10,000	200,000	
Birkenhead Academy - contribution	50,000		
Fender Primary – additional classrooms, internal remodelling	200,000		
Heygarth Primary - remodelling	5,000	150,000	
Higher Bebington Junior - sufficiency		10,000	400,000
Ladymount Primary – additional classroom, hall	100,000	200,000	
New Brighton Primary – bulge class	80,000		
Our Lady & St Edwards		200,000	
Rock Ferry Primary - remodelling		200,000	
Town Lane Infants - sufficiency		500,000	
TOTAL	445,000	1,460,000	400,000

	2015/16	2016/17	2017/18
SCHOOL PLACE PLANNING – NEW SCHEMES	750,000	750,000	750,000
Church Drive Primary - remodelling	50,000	50,000	
Merseypark Primary – extending classrooms and resource/small group rooms. [£60k 2014/15]	75,000	75,000	
Pensby High School - rationalisation	450,000		
St Bridget’s-mobile replacement	10,000	200,000	
The Observatory School – replacement of	75,000	TBC	

mobiles, internal re-configuration of class-bases.			
Woodchurch Road Primary – remodelling of mezzanine level		200,000	
TOTAL	660,000	525,000	
Other DfE ALLOCATIONS			
Devolved Formula Capital	646,025 Community		
	229,445 (Aided)		
LCVAP – Aided Schools Capital Maintenance	1,097,112		

- All allocations are indicative prior to tender acceptance
- Full commitments of grant funding are not yet developed for 2016/17 and 2017/18, these will be subject to decisions made during the year dependant on pupil place demands and on-going Condition and Suitability assessments.

TRANSFORMATION AND RESOURCES POLICY AND PERFORMANCE COMMITTEE

21 SEPTEMBER 2015

15 ATTENDANCE MANAGEMENT POLICY

The Acting Head of Human Resources and Organisational Development introduced a report which set out proposed changes to the Council's Attendance Management Policy and Procedure following a review.

The Council's absence performance had been regularly reported to Policy and Performance Committee. In 2014/15, the average number of days lost per employee was 10.37 days against a target of 9.75 days.

Absence data provided by North West Employers showed that Wirral Council's performance in comparison to that of other North West authorities had improved. The average level of absence amongst 20 Authorities was 11.05 (up from 10.61 in 2013/14) with Wirral ranked seventh highest. This demonstrated that absence was an issue for other Councils and the work Wirral were doing was achieving some success in containing absence levels in the context of significant change affecting Local Authorities. Quarter 1 in 2015/16 had seen an increase in absence levels although this had adjusted slightly in July. The average absence level in the public sector was around 8 days per year and Wirral was committed to improving performance.

The report gave details of a number of measures undertaken during the past couple of years and went on to recommend a number of changes to the Council's Attendance Management policy, including:

- A policy requirement that employees are referred to Occupational Health immediately (day 1) for stress related absence (this is currently practice but not a policy requirement).
- Adoption of the following triggers in relation to short-term absence:
 - Any period of unauthorised absence OR
 - 3 separate periods of absence of up to 3 working days within any 6 calendar month period OR
 - 2 separate periods of absence of over 3 working days within any 6 calendar month period OR
 - 20 days continuous absence OR
 - Concerns over patterns of absence

The recommended changes to first stage of absence to specify a number of days rather than just occasions of absence would strengthen the operation of the policy and add clarity. It remained a fundamental principle of managing absence that an employee was made aware informally that their absence was a concern before formal action was taken and the policy retained this.

Responding to comments from Members, the Acting Head of Human Resources and Organisational Development stated that Directors did receive a monthly report by directorate and the reporting system was sufficiently advanced to highlight any trends. He acknowledged more work was needed around working with people to identify potential areas of stress and to be able to take preventative measures. Although some changes were proposed to the triggers in relation to short-term absence, the proposed policy did retain an informal stage to the process. It was not felt appropriate to reward those with good attendance but he would look into possible initiatives that could be implemented such as a 'thank you' letter for those with exemplary attendance. Some training had taken place with line managers particularly within social work teams. Training would be across the board to the top of the Council structure although he couldn't answer as to who monitored the Chief Executive's sickness record. A Member suggested that the Committee should have sight of the training programme.

Members further commented that with regard to triggers, there should be some exemptions such as for bereavements. There was a need to look at the proposed policy in comparison with other authorities' policies. The proposals were not vastly different to what existed in the private sector but that officers did need to look at all the available tools to improve sickness absence without being too draconian. As funding cuts continued to hit Local Authorities there were less staff to run services and this did then put pressure on staff to make up for the shortfall in staff resources. The option of staff being able to work from home rather than have to take sick leave should be explored for instances such as staff suffering from colds, whereby they didn't want to spread it on to other colleagues.

Resolved - That this Committee recommends to Council, approval of the revised Attendance Management Policy and Procedure.

WIRRAL COUNCIL

TRANSFORMATION & RESOURCES POLICY & PERFORMANCE COMMITTEE

21 SEPTEMBER 2015

SUBJECT:	ATTENDANCE MANAGEMENT POLICY
WARD/S AFFECTED	ALL
REPORT OF:	ACTING HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT
RESPONSIBLE PORFOLIO HOLDER	CLLR A JONES
KEY DECISION	NO

1.0 EXECUTIVE SUMMARY

This report sets out proposed changes to the Council's Attendance Management Policy and Procedure following a review.

2.0 BACKGROUND AND KEY ISSUES

The Council's Human Resources policies are subject to an ongoing review to ensure that they remain fit for purpose, legally compliant and provide a valuable and workable resource for employees and managers on employment related issues in the workplace.

The Council's absence performance has been regularly reported to Policy and Performance Committee. In 2014/15, the average number of days lost per employee was 10.37 days against a target of 9.75 days.

Absence data provided by North West Employers shows that Wirral Council's performance in comparison to that of other North West authorities has improved. The average level of absence amongst 20 Authorities was 11.05 (up from 10.61 in 2013/14) with Wirral ranked seventh highest.

This demonstrates that absence is an issue for other Councils and the work we are doing is achieving some success in containing absence levels in context of significant change affecting Local Authorities. Quarter 1 in 2015/16 has seen an increase in absence levels although this has adjusted slightly in July. The average absence level in the public sector is around 8 days per year and we are committed to improving performance.

There has to be a holistic approach to managing absence. We must ensure that there are a range of support initiatives to assist employees to stay in work but also ensure our attendance management policy is fit for purpose and allows for management action to address concerning levels of absence both informally and formally when appropriate.

We have implemented a range of measures over past couple of years to manage absence in the workplace.

Training

Training	Employees who have undertaken this training
Attendance management e-learning	976
Stress awareness E-learning for staff and managers	3,574
Attendance Management Course	309
30 days to Fantastic management	26
Stress awareness and personal resilience	120
Resilient leadership (Managing Stress and Staying Resilient)	97
Working through change	281
Leading people through change	258
Coaching	153
WRAP training	187
Mental Health Awareness	105
Demystifying Mental Health	140

The Council has introduced a range of other interventions around stress to assist employees in returning to work as soon as possible.

Occupational Health contract/Employee Assistance Programme

The Council has a contract in place with an external provider and the Employee Assistance Programme also offers 6 'free' sessions of counselling for any employee without charge. We have the facility to refer employee to Occupational Health for medical advice.

Enhanced Management Information

We have also significantly increased the information available to managers via their desktop which can be broken down by Directorate, service area, team and individual level. This allows identification of employees who have met triggers or have concerning patterns of absence.

Case Management

HR Business Partners attend Departmental Management Teams on a monthly basis to discuss sickness absence cases, highlight trends and concerns and ensure there is a plan in place next to each long term case.

Chief Officer Briefings

In July 2015 Strategic Directors and Chief Officers, supported by HR, met line managers to discuss the Council's performance and make clear the line manager's role and responsibilities in managing absence. Feedback from those sessions has also helped inform proposed policy and procedure changes.

3.0 FURTHER ACTION

We have a number of initiatives in progress to continue to manage absence;

Refresh of training

We will be refreshing mandatory training (including e-learning) for line managers and developing the tools and guidance available to managers.

Health and Wellbeing Strategy

We are developing a Health and Wellbeing strategy which will bring together all the actions we intend to take to address issues of health, wellbeing and absence in the workplace. We are working with colleagues in public health to access national and local health initiatives and events and ensure there is proactive support in place for employees. We are exploring bespoke mental health and stress interventions which can be targeted to employees in specific areas.

Proposed Policy and Procedure changes

Most large organisations have a policy and procedure in place to manage absence in the workplace. Under the policy and procedure managers are required to:

- record absence
- maintain contact with employee during absence
- make referrals to Occupational Health for long term sickness
- hold a back to work meeting with employees
- advise employees informally if attendance is a concern
- take formal action (issue warnings) where appropriate

Within the Council's policy, as is common in most policies, there are a series of 'triggers' which may result in formal action being taken.

Following a review, we are recommending a number of changes to the Council Attendance Management policy. The key changes are:

- A policy requirement that employees are referred to Occupational Health immediately (day 1) for stress related absence (this is currently practice but not a policy requirement).
- Adoption of the following triggers in relation to short-term absence.
 - Any period of unauthorised absence **OR**
 - 3 periods of absence up to 3 days within a 6 calendar month period **OR**
 - 2 periods of absence over 4 days within a 6 calendar month period **OR**
 - 2 periods of absence over 7 days within a 12 calendar month period **OR**
 - Unacceptable patterns of absence

Appendix One (a) and (b) sets out current and proposed triggers. The recommended changes to first stage of absence to specify a number of days rather than just occasions of absence will strengthen the operation of the policy and add clarity. It remains a fundamental principle of managing absence that an employee is made aware informally that their absence is a concern before formal action is taken and the policy retains this.

These 'triggers' are already in the policy in place for schools based employees. The policy changes would ensure consistency of application between the Council and schools in application of the attendance management policy.

4.0 RELEVANT RISKS

4.1 There are no specific risks arising out of this report.

5.0 OTHER OPTIONS CONSIDERED

5.1 There are no other specific options to consider arising out of this report. There are a wide range of absence triggers that could be considered but adopting those already agreed for schools based staff is consistent.

6.0 CONSULTATION

6.1 In developing the Attendance Management Policy feedback has been received from managers across the Council to identify how policy and practice may be improved.

6.2 Trade Unions were formally consulted on the revised Policy and Procedure. Unison has not agreed to proposed changes. Unite and GMB did not respond to consultation.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 There are no specific implications arising out of this report.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 There are no specific financial implications arising out of this report. All expenditure involved has been contained within existing budgets or funded from other specific budgets or has been funded by external organisations. There are no specific staffing implications arising out of this report.

9.0 LEGAL IMPLICATIONS

9.1 There are no specific legal implications arising out of this report.

10.0 EQUALITIES IMPLICATIONS

10.1. Equality Impact Assessment (EIA)

(a) Is an EIA required? Yes

11.0 CARBON REDUCTION IMPLICATIONS

11.1 There are no specific implications arising out of this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no specific implications arising out of this report.

13.0 RECOMMENDATION/S

That Policy and Performance Committee recommends to Council;

- a) Approval of the revised Absence Policy and Procedure

14.0 REASON/S FOR RECOMMENDATION/S

14.1 To ensure that Council's HR policies are up to date, legally complaint and relevant to the organisations requirements.

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APPENDICES

Appendix 1 (a) Stages of Managing Absence - current
Appendix 1 (b) Stages of Managing Absence - proposed
Appendix 2 Attendance Policy
Appendix 3 Attendance Procedure

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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Absence Trigger	Stage	Further Information	Sanction
Trigger of 3 occasions in 6 months is met. or 20 days continuous absence or Concerns over patterns of absence	Review Meeting	<ul style="list-style-type: none"> To discuss the employee's attendance. Provide appropriate support Agree Attendance Improvement Plan (AIP). Set review period (up to 3 months). 	Review Period 3 Months
Trigger of 4 occasions in 12 months is met. or Absence remains a cause for concern. or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Absence exceeds 3 months continuous absence.	Stage 1	<ul style="list-style-type: none"> Would normally follow a review period. To make employee aware that attendance is below standard expected by Council. To encourage improvement in Attendance. 	Verbal Warning 6 months
Further episodes of absence Or Absence remains a cause for concern Or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Absence exceeds 6 months continuous absence.	Stage 2	<ul style="list-style-type: none"> To make employee aware that attendance is below standard expected by Council. To encourage improvement in Attendance. 	First Written Warning 12 months
Further episodes of absence Or Absence remains a cause for concern. Or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Absence exceeds 9 months continuous absence (Previously Serious Incapability Stage 1).	Stage 3	<ul style="list-style-type: none"> To make employee aware that attendance is below standard expected by Council. To encourage improvement in Attendance. 	Final Written Warning 12 Months
Further episodes of absence Or Absence remains a cause for concern. or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Twelve months continuous absence. (Previously Serious Incapability Stage 2).	Stage 4	<ul style="list-style-type: none"> Manager must evidence that all options to improve and sustain the employee's attendance have been explored and the employer has acted reasonably. Management case presented to justify dismissal recommendation 	Final Written Warning (Re-issued) Dismissal

NB: It is not within the spirit of the policy or in the Council's or employees' interest for formal action to be taken repeatedly taken to address an employees' level of attendance, only for further absence to occur once warnings have elapsed. In such cases, it may be reasonable to consider formal action at the next stage of the procedure.

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Absence Trigger	Stage	Further Information	Sanction
Trigger of 3 separate periods of absence of up to 3 working days within any 6 calendar month period or 2 separate periods of absence over 3 working days within any 6 calendar month period or 20 days continuous absence or Concerns over patterns of absence	Stage 1	<ul style="list-style-type: none"> • To make employee aware that attendance is below standard expected by Council. • To discuss the employee's attendance. • Provide appropriate support • Agree Attendance Improvement Plan (AIP). 	Verbal Warning 6 months
Further episode(s) of absence Or Absence remains a cause for concern Or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Absence exceeds 6 months continuous absence.	Stage 2	<ul style="list-style-type: none"> • To make employee aware that attendance is below standard expected by Council. • To encourage improvement in Attendance. 	First Written Warning 12 months
Further episode(s) of absence Or Absence remains a cause for concern. Or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Absence exceeds 9 months continuous absence (Previously Serious Incapability Stage 1).	Stage 3	<ul style="list-style-type: none"> • To make employee aware that attendance is below standard expected by Council. • To encourage improvement in Attendance. 	Final Written Warning 12 Months
Further episode(s) of absence Or Absence remains a cause for concern. or Employee's attendance does not improve in accordance with requirements of Attendance Improvement Plan. or Twelve months continuous absence. (Previously Serious Incapability Stage 2).	Stage 4	<ul style="list-style-type: none"> • Manager must evidence that all options to improve and sustain the employee's attendance have been explored and the employer has acted reasonably. • Management case presented to justify dismissal recommendation 	Final Written Warning (Re-issued) Dismissal

NB: It is not within the sprit of the policy or in the Council's or employees' interest for formal action to be taken repeatedly taken to address an employees' level of attendance, only for further absence to occur once warnings have elapsed. In such cases, it may be reasonable to consider formal action at the next stage of the procedure.

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Attendance Management Policy

1. Policy Statement

The Council is committed to ensuring that we have employees who have good physical and mental health with maximum levels of attendance so that they are more resilient and engaged to deliver excellent services and outcomes for the people of Wirral.

This policy and supporting procedure sets out Wirral Council's approach to the Management of Attendance within the workplace.

2. Background

The Council recognises the value that good health and well being can have in developing positive working environments.

The Council is committed to effectively managing and reducing sickness absence as high levels of absence seriously impacts on the ability of the Council to provide appropriate levels of service to the people of Wirral and will impact on contracts and jobs.

When employees are ill or there are concerns about their health, managers should provide and arrange assistance, support and guidance that is sensitive, fair and appropriate.

High levels of sickness absence can significantly affect how teams and service areas perform. This in turn affects the level and quality of service we give the public and our partners. Most employees have very low levels of sickness absence and only take time off work through ill health when they are genuinely ill. The Council does not expect employees to work when they are unfit.

The Policy is underpinned by a commitment to the following principles:

- Give guidance and support to all employees on the arrangements that are in place to prevent occupational ill health and the arrangements in place to manage sickness absence.
- Provide a fair and consistent method of dealing with the absence of employees due to either repeated periods of short-term sickness or long-term sickness.

- Ensure employees are aware of the attendance standards that are required, are given the opportunity to improve where absence falls below these standards and aware of the consequences if they fail to meet standards.
- Ensure that every attempt is made to investigate the employee's ability to perform adequately in their, involving the Occupational Health Service fully, as appropriate.
- Ensure workplace absence is managed effectively and managers are clear about their role and responsibilities in doing so.
- Ensure that managers have appropriate support and guidance from the policy and related documents to make reasonable, justifiable and robust decisions in absence management cases.
- Automatic first day referrals to occupational health for stress and stress related illnesses.

Fit4Wirral

Fit4Wirral is a Council framework for the delivery of the health and well being agenda within the Council which aims to ensure our workforce is effective and resilient to deliver services to the people of Wirral now and in the future.

Legislation

The Council's attendance management practices comply with the following statutory duties:

- Human Rights Act 1998
- Data Protection Act 1998
- Equality Act 2010

3. Commitment to Equality

Please identify which, if any, of the following Equality Duties this policy addresses:

Eliminate unlawful discrimination, harassment and victimisation <input checked="" type="checkbox"/>	To advance equality of opportunity <input checked="" type="checkbox"/>	To foster good relations between different groups of people <input checked="" type="checkbox"/>
--	---	--

One of the main purposes of the policy and procedure is to ensure that all absence management decisions follow a standard process which affords a fair, rigorous, consistent, transparent and legitimate assessment of an employee's level of attendance.

It aims to ensure that employees who work for the Council are not discriminated against in their work.

4. Procedures

The Attendance Management Policy and Procedure are designed to provide clear guidance and support for managers and employees to ensure that an employee's long-term absence is managed well and, where possible, employees can rehabilitate quickly and return to work.

Occasionally employees have a long-term absence or illness. Inevitably, there may be a small number of employees whose health or physical condition means that they are no longer capable of carrying out their contracted duties because of their high levels of absence.

The policy and accompanying procedure also provide a framework for managing employees with frequent short-term absences to ensure that any problems are identified and resolved at an early stage. It is recognised that very few employees experience this pattern of attendance. Formal action should be a final resort once all reasonable steps to support the employee to improve their attendance have been taken.

5. Supporting Documentation

- Attendance Management Procedure and Appendices
- Attendance Management Flowcharts
- Standard Formal Action Letters
- Attendance Management - Managers Guidance
- Frequently Asked Questions
- Fit Note Guidance
- Attendance Improvement Action Plan (M100)
- Keeping in Touch Form

6. Related Policies

- Occupational Health Policy
- Occupational Health - Appointments Cancellation and Notification of Charges Policy
- Annual Leave
- Special Leave
- Reasonable Adjustments
- Health and Safety Policy
- Health and Safety Management Arrangements for Risk Assessments
- Disciplinary Policy and Procedure
- Capability (Performance)

- Work-Life Balance

7. Consultation

Trade Unions were consulted on this policy.

8. Communication and Awareness

This policy is considered:

Internal

[For Members, Officers and Contractors]

External

[For our Residents, Customers and Service Users]

All employees must be made aware of, and understand the need for this policy. The Council will send out a clear message about its commitment to the well being of its employees and effectively managing sickness absence levels.

All employees and managers are expected to comply with the terms of this policy and the Council's attendance standards as outlined in the Attendance Management Procedure. Roles and responsibilities are outlined within the procedure.

9. Monitoring and Review

The Attendance Management policy will be reviewed every three years as part of the Human Resources and Organisational Development policy review programme. However, the policy may be reviewed as and when required, for example, due to legislative changes or if an issue arises around its effectiveness.

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Attendance Management Procedure

Attendance Management Procedure

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Attendance Management Procedure

1. Introduction

The Attendance Management procedure provides a framework for Managers to proactively manage sickness absence – both short and long-term.

The aim of the procedure is to encourage improvement, support employees to improve their health and well being and facilitate the employee's return to work.

There is an informal element to the procedure which allows concerns about attendance to be raised and provides employees with the opportunity to improve.

It also sets out the formal steps that should be taken if an employee's level of attendance continues to fall below the standard expected of the Council.

2. Roles and Responsibilities

Managers may on occasions need to seek advice and work closely with Human Resources, Occupational Health and Trade Unions to attempt to reach a successful outcome for the Council and the employee.

Health, Safety & Resilience representatives will provide legislative and practical advice and guidance to managers and Human Resources to support the management of sickness absence cases.

The Occupational Health Service will provide independent medical advice and support to employees and managers to facilitate effective attendance management, in accordance with the service contract in place with the Council.

Trade Unions have an important part to play in providing advice and support to an employee and to facilitate a way forward, working in partnership with managers in minimising sickness absence in the Council. At all stages of the formal procedure employees are entitled to be accompanied by either a Trade Union representative, or a colleague.

Managers have a responsibility to:

- Ensure employees are aware of the Attendance Management policy and procedure.
- Promote a positive attendance culture and exercise a duty of care towards employees in providing a healthy and safe environment in which to work.
- Manage sickness absence issues and maintain contact with an employee who is absent from work.
- Be proactive and explore prevention and intervention measures that could assist employees to attend work through the Fit4Wirral framework.
- Ensure that employees are capable to undertake the duties and demands assigned to them to aid the prevention of stress related sickness absence.

- Record all periods of sickness absence and ensure that all associated documents/evidence are documented and stored appropriately.
- Monitor sickness absence levels in their teams, deal promptly and appropriately with concerns about attendance levels and seek to find solutions in consultation with the employee.
- Consider the circumstances of each sickness absence case and make fair and reasonable decisions.

Human Resources & Organisational Development are responsible for:

- Monitoring and reviewing the Attendance Management policy and procedure.
- Providing advice and guidance to managers to ensure that the Attendance Management policy and procedures are applied fairly and consistently.
- Supporting managers in respect of individual cases and identifying options and solutions for ensuring the maximum attendance of employees.
- Advising Managers on appropriate employee support interventions to prevent sickness absence and/or enable employees to return to work as soon as possible.
- Providing sickness statistics to Departmental Management Teams.
- Advising, briefing and training employees, managers, and trade union representatives, where appropriate, on all aspects of improving attendance, and to ensure compliance with this procedure.

Employees have a responsibility to:

- Comply with the Council's attendance standards as outlined in the Attendance Management Procedure.
- Report any sickness absence promptly in line with the reporting procedure.
- Keep in touch throughout any period of sickness absence.

3. Reporting Sickness Absence

It is fundamental to the relationship between an employee and the Council for an employee to make their line manager aware if they are unable to attend work. All employees are responsible for notifying their line manager on their first day of absence.

If an employee fails to follow the procedure for reporting absence without good reason this may be dealt with under the Council's disciplinary procedure.

Day One

Employees must notify their immediate line manager or designated person on the first day of their absence at the earliest opportunity, but no later than one hour after they would normally start work. This should be by a telephone call from the employee personally unless there are exceptional circumstances that prevent this. Notification by text or e-mail is not acceptable.

Service areas that operate outside normal working hours may put in place different reporting arrangements so that there is sufficient time for a line manager to arrange cover. This will be communicated to all employees within these service areas.

It is imperative that the employee speaks directly to the line manager on the first day of absence. If the line manager is not available, a message must be left, with a contact number so that the line manager can make contact if this is required.

Alternative arrangements for reporting

If the employee does not have access to a telephone they must agree an alternative method of notifying the line manager of their absence as part of induction and supervision, which should be documented by the line manager and recorded on the employee's personal file.

In some cases an employee may request that alternative arrangements are made for notification e.g. a female member of staff may feel more comfortable speaking to another female.

The notification call

When making or receiving a notification call a line manager will ask the employee the following so that they can understand the cause of sickness and provide appropriate support:

- The nature of the illness.
- When the illness started (day and time).
- What the employee has done to alleviate symptoms.
- Whether the employee is seeking medical advice.
- Whether the employee requires access to any of the Council's support mechanisms such as the Employee Assistance Programme.
- The probable date of return (date, day and time).
- What work is outstanding/to be covered and any scheduled meetings that need to be covered or cancelled.
- Arrangements for next contact if no return to duty.

Self Certification (Absences up to 7 days)

An employee can self certify their absence up to 7 days.

During the first 7 days of the sickness absence the employee should contact their line manager regularly, unless alternative arrangements are made between the line manager and the employee, so that managers are able to manage operations in the employee's absence.

MED3 - Fit Note (Absence greater than 7 days)

If the period of absence continues beyond seven calendar days the employee must submit a MED3 (Fit Note), which should be received no later than three working days after the period of self certification has expired. Where an employee submits

successive MED3 notes, they must send the new note within three working days of the expiry date of the previous MED3.

Employees who require a medical certificate should ensure that they have a medical certificate covering the entire period of their absence. Where the employee remains off work, they should ensure that the medical certificate is sent to their line manager. The employee must ensure that their line manager is in receipt of an up-to-date medical certificate throughout their period of absence.

The MED 3 (Fit Note) advises if the employee is either:

1. 'Not fit for work'
2. 'May be fit for work' (taking account of advice from the doctor)

The purpose of the Fit Note is to potentially remove any challenges that may be preventing the employee from returning to work, if adjustments can be made to accommodate this. Managers and employees must work together to find an arrangement that suits both parties as there are mutual benefits in doing so.

Please refer to the 'People' area on the Intranet for guidance on implementing recommendations from a Fit Note. Training is also available from the Organisational Development team.

Compliance with the Reporting Procedure

Failure to comply with any of the above conditions without previous agreement or good reason may be considered as an unauthorised absence and will be dealt with immediately. In some circumstances it may result in the loss of pay or action under the Council's Disciplinary procedure.

4. Recording Sickness Absence

The manager is responsible for recording every absence on Selfserve. This is important for payroll and performance reporting requirements. For further information please refer to the Manager's Guidance.

5. Keeping in Touch

Both employees and managers have a responsibility to maintain regular and appropriate dialogue throughout a period of absence. Managers should record all contact, receipt of associated documents and decisions made in relation to the sickness absence on the 'Keeping in touch form' (appendix ?)

For both short-term and long-term absences, employees must inform the line manager when:

- **They are fit to return to work** - this may be different from when they will return to duty if, for example, the employee is on a rest day, it is the weekend or they are due to take annual leave.

- **When they intend to return to work** – this should be at the earliest possible opportunity but as a minimum must be the day before they are returning to work so that their line manager does not arrange unnecessary cover.

During the first 7 days of the sickness absence the employee should contact their line manager regularly.

In cases of long-term absence it is particularly important that regular contact is maintained between the line manager and the employee through welfare visits and telephone contact. Employees may become isolated from the workplace unless there is regular contact and support.

The level of contact should be appropriate to the circumstances and not intrusive but it's expected that, as a minimum, contact should be fortnightly, unless alternative arrangements are agreed between the line manager and the employee.

Line managers should ensure that any in-house news information, employee newsletters etc are sent to the employee as part of this contact. However, it is acknowledged that this may not be appropriate in some circumstances.

All contact with the employee should be recorded on the Keeping in Touch Form.

Welfare Visits

Line managers should normally make arrangements for a welfare visit to an employee after 4 weeks continuous absence. The welfare visit can take place at an employee's home or a mutually agreeable location. The purpose of the visit is for the line manager to establish what progress the employee is making and any further assistance to facilitate their return to work.

After the first visit, Welfare Visits should be undertaken every 6 weeks.

Welfare Visits must be recorded on the Keeping in Touch Form

In exceptional circumstances, the employee and the line manager may agree that welfare visits are not appropriate and agree alternative methods of maintaining contact.

If required or requested by employee or manager, it may be appropriate for another person to be present during a home visit.

Line managers should refer to Appendix 1 for the procedure for conducting a welfare/home visit.

6. Referral to Occupational Health

The Council's Occupational Health Service may be used to help line managers establish whether there are any underlying problems that are contributing to an

employee's intermittent absence, or in cases of long-term absence, likely prognosis of absence and support that should be provided to assist the employee.

Referrals may be made even if an employee is not absent from work but there are concerns over their health and well-being.

If an employee is absent from work due to any mental health absence, including stress, the manager must make a referral to Occupational Health on the first day of absence.

The line manager has a responsibility to ensure that an employee is made aware that a referral has been made and the reasons for it. This is important as an employee should not receive an appointment from Occupational Health without any prior indication.

Before referring an employee to Occupational Health, the line manager should be clear about what information they wish to gain from the referral and include this in the Occupational Health Referral form (M31). Line managers may discuss a referral with Human Resources.

Through the referral the line manager may seek advice on:

- If the employee is fit to undertake duties of their current post (s).
- If any treatment is required and expected time period for recovery.
- Likely return to work date.
- If a period of phased return is advised.
- Whether the employee has a disability within the meaning of the Equality Act and if any reasonable adjustments or redeployment should be considered.
- What support or management intervention may assist an earlier return to work.
- Whether the employee meets the criteria for Ill Health Retirement as set out in the Local Government Pension Scheme.

7. Return to Work Interview

A Return to Work Interview is required for all absences. The purpose of the Return to Work Interview is to welcome the employee back to work, discuss the reasons for the sickness absence and consider what support may be appropriate.

It is also the first stage in managing an employee's short-term absence. One of the aims of the Return to Work Interview is to establish whether there are any underlying problems that are causing the absence, and discuss whether the employee requires further support to improve their attendance level. In longer-term absence, the Return to Work Interview is critical in assisting the employee to return to work as smoothly as possible and to discuss any relevant issues that may support that transition. Returning to work after a long-term absence can be difficult and line managers should commit time to ensuring the employee feels supported. Depending on the nature of the absence managers should consider whether a risk assessment is required and/or if

any reasonable adjustments are necessary. These should be discussed with the employee as appropriate.

In long-term sickness cases, an employee is likely to have accrued annual leave during the absence. As part of the Return to Work Interview, line managers should ensure that the employee is aware of this and there should be a discussion as to how the outstanding leave may be managed in accordance with the Council's policy. See Section 13 - Annual Leave and Sickness

After every absence, irrespective of the duration, a Return to Work Interview will be conducted when an employee returns to duty and should normally be no later than three days after the return to work and recorded on the Return to Work Interview form and logged on Selfserve. Line managers should also consider whether a Risk Assessment (form M34) should be undertaken. Please refer to the 'People' area of the Intranet for guidance.

It is a Line manager's responsibility to undertake the Return to Work Interview. This will be monitored by Human Resources.

The Return to Work Interview Form and Guidance are available on Council's intranet (See also Appendix 2)

8. Addressing Concerns about Absence

This section provides guidelines for line managers who have concerns about an employee's level of absence.

Informal Action

It is a principle of the Council's policy that an employee is advised that their attendance is a concern before formal action is taken.

As part of the Return to Work Interview, or in a separate meeting if required, a manager must inform an employee if they have concerns about their levels of attendance and/or if further absence within a specified period will mean they will breach one of the triggers in the Council's policy (see below).

The Manager should:-

- Point out the impact of the individual's absence on their work and their colleagues and encourage improvement.
- Explore any work, disability, welfare or domestic problems underlying the absence.
- Explore different working patterns (if appropriate).
- Ensure the employee clearly understands what improvement is required, how their performance will be reviewed and over what time period.

- Advise the employee that if their attendance does not sufficiently improve, or if any improvement is not maintained, they would move to the formal procedure and ultimately they could be dismissed on grounds of sickness absence capability.

As part of the informal action, the line manager may consider the following:

- **Referral to Occupational Health**

In cases of short-term (intermittent) absence Occupational Health could be used to help the line manager establish whether there are any underlying problems that are contributing to an employee's intermittent absence. This would be appropriate in cases where the cause of absence is reoccurring.

- **Reasonable Adjustments**

If an employee has a medical condition that may fall within the definition of disability under the Equality Act, the line manager should complete a risk assessment (form M34) with the employee to identify whether any reasonable adjustments can be made to assist in improved attendance. Line managers may seek advice from Occupational Health and/or Human Resources on these issues. Information on reasonable adjustments is available on the intranet.

- **Alternative Working Patterns**

The line manager and employee should consider if the employee's level of attendance may be improved through a change in working pattern (if this can be achieved).

The employee should be advised what the next stages of the procedure is should there be no improvement in their attendance levels.

Absence Triggers

The Council has absence triggers which indicate when levels of absence may be a concern and line managers may need to review an employee's absence levels.

The absence triggers are as follows:

- 3 separate periods of absence of up to 3 working days within any 6 calendar month period

Or

2 separate periods of absence over 3 working days within any 6 calendar month period **Or**

- Long term sickness (20 continuous working days or more)

Or

- Concerning patterns of absence

It is a line manager's responsibility to monitor an employee's level of absence and if the above triggers are met to take appropriate action to ensure that the employee is aware of concerns and is clear about the standards required.

Unauthorised Absence

The Council may consider taking formal action under the Council's Disciplinary Policy for any period of unauthorised absence. These include:

- When an employee has been absent and not submitted a medical certificate
- Failure to report an absence from work
- Failure to follow sickness absence reporting procedures

Under these circumstances the Council may consider suspending occupational sick pay and /or take disciplinary action for failure to comply with the sickness absence reporting procedures.

9. Formal Action

The Council may take formal action against an employee who has an unacceptable attendance record. This may be for short-term, intermittent absence or long-term absence.

An employee will be invited to attend a formal hearing with a manager (at the appropriate level) to discuss their absence record.

Employees should be given a minimum of five days' notice of this hearing. Employees are entitled to be represented at all stages of the formal procedure.

Appendix 3 sets out a summary of the potential formal sanctions that may be applied in the case of sickness absence and at what stage they may be applied.

This procedure and the potential sanctions set out above apply to both short-term and long-term sickness absence cases.

Sequence of warnings

Warnings will normally follow a period of review and should be issued in sequence.

However, in cases of long-term sickness absence, particularly when the employee remains absent from work, it may be appropriate to move to a higher stage of the procedure, without issuing a warning at a lower stage. **As outlined in Appendix 3 a formal hearing must however be held after three months continuous absence.**

It is not within the spirit of the policy or in the Council's or employees' interest for formal action to be taken repeatedly to address an employees' level of attendance, only for further absence once warnings have elapsed.

In such cases, it may be reasonable to consider formal action at the next stage of the procedure.

A line manager must be able to produce a Management Case to evidence that the employee has been given reasonable targets, sufficient opportunity and support to improve their attendance.

Normally warnings on an employee's personal file will be disregarded for the purposes of future warnings. However, in cases where there are concerns about persistent absence following the expiry of warnings they may form part of the management case. This allows an attendance record to be put in context and may allow a line manager to justify a higher stage of the procedure to be applied where appropriate.

The Management Case

At every stage of the process, line managers are required to produce a management case setting out the reasons why formal action under the Attendance Management Procedure is required.

This case should include the following information:

- Employees sickness absence record
- Log of contact during sickness absence
- Dates of Return to Work Interviews
- Dates, notes and outcomes from previous Review Meetings/formal hearings
- Attendance Improvement Plan
- Associated documentation such as occupational health reports, doctors notes

In addition, the line manager should indicate the impact that the absence has had on the workplace for example;

- Impact on Workloads
- Cover arrangements
- Effect on service delivery

This report will be used as part of the formal hearing and should be shared with the employee and/or their representative.

Line managers must ensure the case sets out the clear justification for formal action and contains accurate and up to date information.

In short-term (intermittent) absence, formal action should be taken at the earliest opportunity following the episode of absence that has resulted in the Formal Case being brought forward. It is not reasonable for there to be a delay in a case being brought.

Please refer to Appendix 4 for guidance on Producing a Management Case.

Formal Hearing

There are a number of stages to the Formal Process.

Line managers should refer to Appendix 5 for Guidance on Undertaking a Formal Hearing.

Stage 1

If following the Informal Stage of the procedure, the employee's attendance does not improve or the employee's absence exceeds three months of continuous absence, a formal hearing should take place at which the employee should be informed that their level of absence is not acceptable.

The line manager should explore the reason for the absence and should invite the employee to give their view as to the problem and how such issues might be resolved at the formal hearing.

The line manager will follow the process outlined in the Formal Action Stage 1 Flowchart.

At the end of the hearing, the options open to the line manager are:

- Issue a Verbal Warning which will be live for six months.
- Further period of review.

The line manager will continue monitoring the employee's attendance at work. If the employee improves their attendance but this is not maintained after the expiry of the warning, the line manager will extend the review period for a further three months and may proceed to take formal action in line with the Formal Action Flowchart.

Stage 2

If, following Stage 1 of the procedure, the employee's attendance does not improve or the employee's absence exceeds six months of continuous absence, then a Stage 2 formal hearing should take place at which the employee should be informed that their level of absence is not acceptable.

The line manager should explore the reason for the absence and should invite the employee to give their views as to the problem and how such issues might be resolved at the hearing.

The line manager will follow the process outlined in the Formal Action Stage 2 Flowchart.

At the end of the hearing, the options open to the line manager are:

- Issue a First Written Warning which will be live for twelve months.
- In exceptional circumstances re-issue Verbal Warning.

The line manager will continue monitoring the employee's attendance at work. If the employee improves their attendance but this is not maintained after the expiry of the warning, the line manager will extend the review period for a further three months and may proceed to take formal action in line with the Formal Action Flowcharts.

Stage 3

At this stage the hearing must be undertaken by a Senior Manager (Manager who reports to Head of Service)

If, following Stage 2 of the procedure, the employee's attendance does not improve or if the employee's absence exceeds nine months of continuous absence, a Stage 3 formal hearing should take place at which the employee should be informed that their level of absence is not acceptable.

The line manager should explore the reason for the absence and should invite the employee to give their views as to the problem and how such issues might be resolved at the hearing.

The line manager will consult with Human Resources and follow the process outlined in the Formal Action Stage 3 Flowchart.

At the end of the hearing, the options open to the line manager are:

- Issue a Final Written Warning which will be live for twelve months.
- In exceptional circumstances re-issue First Written Warning.

The line manager will continue monitoring the employee's attendance at work. If the employee improves their attendance but this is not maintained after the expiry of the warning, the line manager will extend the review period for a further three months and may proceed to take formal action in line with the Formal Action Flowcharts.

Stage 4 Consideration of Dismissal

At this stage the hearing must be undertaken by a Director or their Nominated Officer

If, following Stage 3 of the procedure, the employee's attendance does not improve or if the employee's absence exceeds twelve months of continuous absence, a Stage 4 formal hearing should take place at which the employee should be informed that their level of absence is not acceptable.

The line manager will consult with Human Resources and follow the process outlined in the Formal Action Stage 4 Flowchart.

The employee should be informed in advance in writing of the purpose of the meeting and advised that it could result in their termination of contract of employment.

Occupational Health advice should be obtained and considered before any decision is taken to dismiss. This is particularly important in long-term sickness absence cases.

Advice should be sought from Human Resources on the provisions of the Equality Act if the employee's inability to attend work is attributable to a disability.

At the end of the hearing, the options open to the Nominated Officer are:

- Dismissal.
- In exceptional circumstances re-issue Final Written Warning which would be live for a further twelve months.

An employee may be fairly dismissed for persistent short-term (intermittent) sickness absence. A dismissal in these circumstances should be for capability, the reason being the Council's inability to cope with the employee's overall level of sickness absence.

For long-term sickness, the reason for dismissal would normally be on the grounds of capability.

Please refer to Appendix 6 for a Dismissal checklist to assist Managers in the decision making process.

Employee rights

During the formal process, an employee will also be entitled to the following:

- Advance notice of the time and date of the hearing (not less than five working days prior to the hearing).
- A copy of the Council's Attendance Management policy and procedure.
- A copy of the sickness absence case report no later than five days before the hearing, unless a shorter period is agreed with the employee or their representative
- An opportunity to present their case at a hearing.
- A right to appeal appropriate to the action taken.

Right to be accompanied

An employee has a right to be accompanied at a formal hearing; the employee can choose one of the following:

- A workplace colleague.
- A recognised workplace trade union representative.

An observer can be present as part of training/development, but only with the permission of both sides. An observer cannot take an active part in the hearing.

The employee may require reasonable adjustments due to a disability and it may be necessary for a companion or support advocate to attend. However, they will usually play a role similar to the observer.

The employee does not normally have the right to be accompanied to Review Meetings or Occupational Health sessions.

Managers should also be aware of any potentially personal or sensitive issues relating to the employee's absence that may be discussed at the hearing and there may be occasions where it may be appropriate for a manager or representative of the same gender to be present or to deal with the case.

Alternative Representation

In exceptional circumstances, consideration will be given to allowing an alternative representative to attend the hearing. In such circumstances, the employee must submit a written request to the Appropriate/Nominated Officer, giving at least five days notice. If an employee attends a hearing with an alternative representative without gaining permission, the hearing may be adjourned and an alternative hearing will be arranged within five working days.

Attendance at Formal Interviews

If the employee is not available to attend the hearing or does not attend when requested without good reason, a decision may be taken in their absence, based on the information available, which may result in a formal warning/dismissal. The Council may also review the employees' continued entitlement to pay if an employee does not comply with this policy.

Appeals Procedure

The employee has the right of appeal at every stage of the formal process. The appeal is to the next level of management.

Where an employee is dismissed they should be advised of the reasons for the termination of contract of employment in writing and that if they wish to appeal against the decision they should do so in writing to the Chief Executive within 10 working days.

Please refer to the Council's Officer Appeals Procedure.

10. Managing Long Term Sickness

Long-term sickness absence is defined as a period of 20 continuous working days.

There may be times when employees suffer from illnesses which cause them to be absent from work for longer periods of time. These cases can be difficult to manage and it is important that cases are handled sensitively and appropriately, ensuring that the line manager and employee maintain regular contact throughout a period of sickness.

The Long-Term Sickness Absence procedure has been designed to provide line managers with a framework to proactively manage long-term absence and provide appropriate support to the employee, and in some cases, their family.

The procedure includes a number of review points to ensure that long-term absence is dealt with in an effective and timely manner.

This procedure has been designed to enable line managers to take reasonable steps to address any issues which may be causing absence, in order to seek improvement in attendance.

The cause of the sickness on the Doctor's certificate can give an indication of the seriousness of the illness, and it may help to inform how long the employee may continue to be absent and therefore assist in managing their sickness absence.

Key Principles (Managing Long-Term Absence)

There are a number of key principles that line managers should observe when managing long-term sickness

- Line managers must maintain contact and ensure employees who are absent are supported and do not become isolated.
- There should be regular and timely referrals to Occupational Health to ensure management are updated as to an employee's condition and prognosis.
- Case Conferences should be arranged where appropriate to discuss complex cases.
- Line managers must take formal action at the appropriate time.

The long-term management procedure is outlined in the Managing Long Term Absence Flowchart. It has the following stages:

- Review Points
- Formal Action

Review Points

The purpose of having a number of Review Points is to ensure that line managers proactively manage long term absence and absences do not 'drift'.

They should be used as an opportunity to meet with the employee (where possible), or discuss over the telephone to establish;

- The progress the employee is making.
- Determine any additional support that may be required.
- Consider appropriate action required to manage the sickness absence.

There are four review points within this framework:

20 days of continuous absence

No later than 20 days after an absence commences, line managers will normally refer the employee to Occupational Health to ascertain an independent opinion on an employee's fitness for work.

If it is known that an employee is likely to be absent for more than 20 days then a referral should be completed as soon as this is known and not wait for the four week period to lapse.

Line managers must have maintained contact throughout the four week absence period and where appropriate, a welfare visit should be arranged.

Managers are responsible for ensuring that employees are aware that an Occupational Health Referral is to be arranged.

A summary of the action taken and any decisions made should be recorded on the Keeping in Touch Form.

6 weeks absence

It is important that line managers consider any recommendations from Occupational Health and the employee's MED3 (Fit Note) and discuss these with the employee, either personally at a welfare visit or over the telephone, to determine appropriate action.

A summary of the action taken and any decisions made should be recorded on the Keeping in Touch Form.

After 3 months absence

At this point the line manager will have gained a better understanding of the likely longer-term prognosis of an employee's cause of absence or an idea of a likely return to work date.

At this stage, at least two welfare visits should have been conducted and at least one Occupational Health report should have been received.

The line manager will have arranged a Stage 1 hearing as outlined in the Stage 1 Flowchart and informed the employee, either personally at a welfare visit or over the telephone. The contents of the Occupational Health Report, and any recommendations arising should also be discussed with the employee.

A summary of the action taken and any decisions made should be recorded on the Keeping in Touch Form.

After 6 months absence

At this stage three welfare visits will have taken place and a line manager should have obtained at least two reports from Occupational Health and also be seeking regular advice from Human Resources.

If there are concerns, based on advice from Occupational Health, that there is no prognosis for a return to work or the case is complex, the line manager may wish to arrange a case conference to review an employee's case.

In all cases of long-term absence, a decision on the appropriate options and potential action should be made, in conjunction with a Senior Manager and Human Resources, by the 6th month of absence.

Line managers will have arranged a Stage 2 hearing as outlined in the Stage 2 Flowchart and discussed the action to be taken with the employee, either personally at a welfare visit or over the telephone.

A summary of the action taken and any decisions made should be recorded on the Keeping in Touch Form.

Case Conferences

A case conference may be arranged by the line manager for dealing with cases of long-term absence at any stage but **no later than the 6 months**.

The purpose of the case conference will be for the line manager to seek guidance and advice to inform their decision. The case conference may include a range of professionals to provide advice and guidance, for example, Senior Managers, Human Resources, Health and Safety and trade union representatives.

Occupational Health case conferences could be arranged in exceptional circumstances where further clarification is required about how the sickness case may be managed.

Phased Return

The Council aims to support employees to return to work as soon as possible.

On the basis of GP or Occupational Health advice, employees who have been absent from work for a long period may have their return to work assisted through a phased return.

A phased return would not normally exceed two weeks in duration and may include:

- Shorter working days
- Flexible working hours
- Shorter working week
- Alternative duties
- Working from home

The employee would normally be paid their full pay for the duration of the phased return.

If after a phased return an employee requires a further period of reduced hours working, they should seek advice from Human Resources.

Redeployment

In disability related absences, it may become clear that the employee is unable to return to their substantive post but may be able to undertake alternative duties.

In such circumstances, the line manager must obtain specific advice from Occupational Health as to the nature of work that the employee may be able to undertake.

This issue should then be managed under the Council's Redeployment Policy.

This must be fully discussed with the employee and it must also be made clear that as they are unable to undertake their substantive role, should the Council be unable to find a suitable alternative, their employment is at risk.

Consideration of suitable alternative roles can also be vital in ensuring that any possible termination of the employee's contract of employment is handled fairly.

Please refer to the Council Redeployment Policy for further information.

Ill-health Retirement

In cases of long term sickness or if an employee is unable to maintain an acceptable level of attendance due to health issues, at the appropriate time, line managers must ensure that as part of the Occupational Health referral, the employee is assessed as to whether they meet the criteria for ill-health retirement under the Local Government Pension Scheme.

In the case of termination of employment being recommended on the grounds of ill health, the termination date will be agreed following consultation with Human Resources and consideration on the basis of the best interests of the employee and the Council in accordance with the pension regulations.

An Application for Early/Ill-health Retirement (M37) must be completed in all such cases.

Ill health retirement is a dismissal and therefore a dismissal hearing will then take place before employment from the Council is terminated.

See Appendix 7 for further information about Ill-health Retirement

Proceeding to Formal Action

Long-term sickness cases can be difficult and often raise emotional issues for line managers and employees. However, the level of absence from work may reach a point where it is unsustainable and the employee's job may no longer be held open

Given the nature of long-term sickness and the varied forms it may take and differing circumstances surrounding each case, flexibility and sensitivity is required in implementing the procedure.

11. Managing Absence for Employees with Disabilities

The Equality Act 2010 specifically identifies the provision of leave as a reasonable adjustment where a disabled person needs to be absent from work for "rehabilitation, assessment or treatment", (for example the routine assessment of hearing aids, hospital or specialist check-ups including monitoring of related equipment or treatment).

This form of approved absence is not sickness absence and it could be inappropriate and potentially discriminatory to manage it as such. In practice, this form of disability leave can be more appropriately managed along parallel lines with other relevant leave requirements e.g. requirements that pregnant women routinely attend ante-natal appointments, or in terms of relevant flexible working arrangements or special leave arrangements.

It is important to realise that disability is not synonymous with sickness. Confusion can cause offence to many disabled persons who quite rightly do not consider being disabled a 'sickness'. It is recognised that some employees with a disability often have far better attendance records than non-disabled employees.

However, in some instances a person's disability may in practice be associated with some level of sickness absence due to incapacity. For example, an employee with severe asthma or epilepsy who is unable to attend work, due to an attack or seizure, may be absent due to disability-related sickness. However, the period of absence is still recorded as sickness.

In some cases the failure of an employer to provide a reasonable adjustment for an employee may lead to deterioration in the employee's condition requiring absence from work.

The key issue in relation to sickness absence management is that where the effects of a person's disability results in a need to be absent from work due to illness or where a disabled person requires leave which is directly associated with their disability this may need to be accommodated within the terms of the Equality Act.

If disability related absence has caused an employee to breach the Council's triggers, managers must consider carefully whether it is appropriate for a warning to be issued and are advised to seek advice from Human Resources.

It is always appropriate to consider whether it is possible to reduce the extent of disability-related absences through reasonable adjustments. Often a reasonable

adjustment – providing the appropriate equipment, or allowing an individual to work from home or on flexible hours – can resolve the need for absence. Further information about reasonable adjustments is available on the intranet.

It may be that it is not possible to adjust the particular post to enable the absence problem to be resolved. In this case consideration should be given to redeployment. This may be particularly appropriate when dealing with long-term absences.

If the employee is disabled within the meaning of the Equality Act 2010 i.e. they have a physical or mental impairment which has a substantial long-term adverse effect on their ability to carry out normal day-to-day activities, reasonable adjustments must be considered before any recommendation to terminate the employee's contract is contemplated.

If an employee makes a line manager aware that they have a disability or a line manager becomes aware that an employee has a disability it is the line manager's responsibility to undertake a Risk Assessment as soon as practically possible of the employee's job role and work environment. The line manager may need to make reasonable adjustments following the risk assessment. This should be recorded on the Risk Assessment form (M34) and the Record of Reasonable Adjustments form (M34.1), available on the intranet.

Further guidance on Reasonable Adjustments is available on the intranet.

12. Employee Assistance Programme

It is recognised that from time to time employees may struggle with issues either at home or at work.

Sometimes those pressures can have serious consequences on our health and we can become unwell as a consequence.

In order to help employees cope with situations or stresses in their lives, which are affecting their well-being, the Council has introduced an Employee Assistance Programme which allows all employees confidential access to a professional telephone counselling service and to a number of face to face counselling services where this is deemed appropriate by the counsellor.

The service is established as a confidential one and therefore permission need not be sought to make use of it.

Employees who wish to make use of the service may find the details and contact numbers on the 'People' area of the Intranet or through their Manager.

If an employee wishes to attend face-to-face counselling sessions during work time, they should notify their line manager in order that cover can be provided where necessary. If the employee wishes complete confidentiality, counselling sessions should be arranged in their own time.

Line managers should maintain a high level of confidentiality if they have been informed by the employees that counselling sessions are being attended.

The Council will undertake a confidential review of usage at yearly intervals to analyse the number of occasions of use (telephone and face to face) in order to ensure that the service provided continues to meet the needs of the organisation and the needs of the employee).

The review should not involve any personal details of those who have accessed the service, which should be a strictly confidential matter between the employee and the counsellor.

13. Annual Leave and Sickness

The House of Lords Ruling in June 2009 confirmed that employees have the facility to take annual leave whilst absent from work due to sickness. Within the ruling there are particular provisions for situations where employees are unable to take all, or part of their statutory annual leave entitlement for reasons relating to sickness.

All employee requests to take annual leave whilst absent from work due to sickness should be processed through Selfserve as usual. Carry over of annual leave due to sickness absence must be submitted on Selfserve for the manager to approve.

Please refer to the Annual Leave policy on the 'People' area of the Intranet for further guidance. Guidance is also available on Selfserve.

14. Other Absence related Matters

Failure to attend Medical Appointments

Employees have a duty to co-operate in all medical examinations as part of this procedure.

The employee may be charged for the cost of not attending the medical examination where there is not a good reason for doing so.

If the employee needs to cancel an appointment for any reason, they should seek agreement with the line manager to cancel the appointment at least 48 hours in advance of the appointed date and time, unless in exceptional circumstances.

If the employee is more than 15 minutes late for the appointment then this will be classed as non-attendance at the appointment.

If the employee fails to attend an appointment and does not notify the line manager in advance the line manager should contact the employee to find out the reason for non-attendance.

Under National Terms and Condition of service employees must attend a medical appointment when requested. Failure to do so may result in disciplinary action and/or

the Council may review the employees' continued entitlement to pay if the employee consistently refuses to attend occupational health appointments.

If an employee fails to attend an Occupational Health appointment without good reason, a line manager may need to make a decision about the application of the policy, including issuing of warnings, on the basis of the information that is available.

Please refer to the Occupational Health Appointments Cancellation and Notification of Charges Policy on the 'People' area of the Intranet for further guidance.

Pregnancy Related Absence

In some cases an employee's absence could be related to pregnancy. Line managers must ensure that in these instances they are dealt with in the appropriate manner, referring to the Council's Maternity policy and New and Expectant Mothers Health and Safety Arrangements available on the 'People' area of the Intranet.

Advice and guidance should be sought from Human Resources.

Mental Health Related Absence

As a Mindful Employer the Council is committed to the following aims:

- Show a positive and enabling attitude to employees and job applicants with mental health issues.
- Not make assumptions that a person with mental health issues will be more vulnerable to workplace stress or take more time off than any other employee or job applicant.
- Provide non-judgmental and proactive support to individual staff that experience mental health issues.
- Ensure all managers have information and training about managing mental health in the workplace.
- Make it clear in any recruitment or occupational health check that people who have experienced mental health issues will not be discriminated against and that disclosure of a mental health problem will enable both the employee and employer to assess and provide the right level of support or adjustment.

For more information visit www.mindfulemployer.net/charter.

Absence relating to mental health must be dealt with promptly and sensitively. Advice and guidance should be sought from Human Resources.

Industrial Injury

If Industrial Injury has been given as the reason for absence this must be fully investigated. Line managers should seek advice from Human Resources in such cases.

Line managers must also refer to the Health & Safety Management Arrangements for Accident and Incident Reporting and Investigation (Including Industrial Injury/Illness) procedure available on the 'People' area of the Intranet.

Domestic Abuse

Line Managers may be the first to become aware that an employee is experiencing domestic abuse because they have the role of monitoring and investigating sickness, attendance and work performance. In this instance line managers should refer to the Domestic Abuse policy on the 'People' area of the Intranet.

Terminal Illness

Cases relating to terminal illness should be handled sensitively and with compassion. The line manager must maintain regular contact with the employee and ensure adequate support is available to the employee and their family.

The line manager must contact Human Resources when dealing with terminal illness so that arrangements can be made for the appropriate advice to be obtained for the employee in respect of ill-health and pension benefits.

Death in Service

In the event that an employee dies whilst in service the line manager must inform Human Resources at the earliest possible opportunity. Line managers should consider referring employees affected by the death of a colleague to the Employee Assistance Programme to access support and counselling.

Medical Appointments

Employees may be required to attend medical appointments.

For employees who are on flexi-time, all non-urgent appointments, check ups etc. for the doctor, dentist, hospital out-patients or any other special appointments should be taken outside core time and employees should at all times return to work as soon as possible or take flexi-leave where it can be planned.

Where the flexi-time scheme does not apply or where it has not been possible to make an appointment outside core time, employees will be required to produce an appointment card and reasonable time off will be given where appropriate. This should be discussed and agreed with the line manager prior to attending the appointment. Employees on flexi-time must sign in at the time that they arrive at the workplace, they will be credited for the hours actually worked on that day and must ensure that time is

recouped within the normal flexi-time limits. Employees will not be credited with a standard working day.

Where the line manager is satisfied that the time and duration of the appointment is outside the control of the employee and it would be unreasonable for the employee to recoup the time within the normal flexi-time limits some or all of the time may be credited to the employee. This would usually apply to non-routine or specialist appointments. Time off in these circumstances should be granted on an occasional basis only.

Medical appointments and procedures which render the employee unfit for work should be recorded as sickness absence.

Please refer to the Flexi-Time Policy on the 'People' area of the Intranet.

Appointments for Elective Treatment

Annual leave should be used by employees undertaking elective (non essential) treatment, for example, cosmetic surgery and this must be agreed in advance with the line manager.

Appointments for IVF Treatment

The Council will wherever possible make reasonable time off arrangements for employees undergoing fertility treatment. There is no requirement to provide paid leave and such occurrences do not meet the requirements of the Special Leave policy. Line managers are advised to consider authorised unpaid leave, annual leave, accrued time/TOIL or flexible working.

Sickness following Treatment

If an employee becomes ill as a result of an appointment (Elective or Non-Elective) this must be recorded as sickness absence and employees must ensure they comply with the Attendance Management absence reporting procedure.

Medical Certificates

Occasionally, an employee may be required or asked to produce a medical certificate for all absences for a specified future period. The cost of the medical note will be reimbursed to the employee concerned by the department upon the provision of a receipt.

Sick Pay Scheme

For details of the Sick Pay Scheme please refer to the 'People' area of the Intranet.

Abuse of the Sick Pay Scheme

Abuse of the Sick Pay Scheme will be dealt with under the Disciplinary procedure.

Abuse of the Council's Sick Pay Scheme could include:

- Sickness attributable to deliberate conduct.
- Falsification of sick notes.
- The employee undertaking conduct that could hinder their early recovery.
- Employees own misconduct or neglect.
- Active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer.
- The employee has been undertaking other work whilst declaring they were incapable of work due to sickness.

This is not an exhaustive list but an indicative guide for line managers. For further advice and guidance the line manager should contact Human Resources.

15. Further Guidance

Further guidance on the application of this policy and procedure is available from Human Resources.

Supporting Appendices

These are available on the 'People' area of the Intranet.

Document Ownership	
Policy owned by:	Head of Human Resources and Organisational Development
Policy written by:	Tony Williams, Human Resources Manager
Date policy written:	23 rd March 2011
Policy reviewed:	August 2015
Policy due for next review:	August 2018

Version Control Table			
All changes to this document are recorded in this table.			
Date	Notes/Amendments	Officer	Next Scheduled Review Date
November 2013	<ul style="list-style-type: none"> • Policy reviewed and reformatted • Flowcharts for the supporting Procedure developed • Procedure and appendices reviewed and amended • Formal Action letters reviewed and amended 	Angels Santaeularia/Andrea Morrell- Foulkes/Susie Warwick	November 2016

August 2015	<ul style="list-style-type: none">• Policy and procedure reviewed and amended• Appendices, flowcharts and supporting documentation reviewed and amended	Jenny Woods	August 2018
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CABINET

13 JULY 2015

25 FINANCIAL MONITORING OUT-TURN REPORTS FOR 2014/15

Councillor Phil Davies introduced a report by the Section 151 Officer, detailing the out-turn for 2014/15 and concluding the reporting for 2014/15. There were separate Appendices for Revenue (including details of the Reserves), Capital (including resources used to fund the Programme), and the Collection Summary (including Council Business Rates and Sundry Debts).

Councillor Phil Davies informed that it was pleasing to see that the revenue outturn had produced an underspend of £0.5m and he congratulated all concerned. He also was pleased with the capital spend of £32.5m that compared to a predicted spend at Month 10 of £39.5 million.

Councillor Phil Davies also made reference to the excellent projects that had been funded over the last year as follows:

- Major works at Somerville School and classrooms at Holy Trinity and Woodchurch Road Schools.
- Health and wellbeing through the new 3G football pitches and fitness suite at Guinea Gap and the Arrowe Park Sports Pavilion.
- Economic regeneration through Regional Growth Fund grants to support businesses and also further investment into New Brighton.
- Investing into highways and road safety and also works to Cleveland Street Depot and the new Salt Barn.
- Support for the vulnerable through the completion of the new Foxfield School and Disabled Facilities Grants/aids and adaptations.

RESOLVED: That

Revenue

- (1) the Revenue Out-turn for 2014/15 which showed an underspend of £0.5 million be noted;**
- (2) the transfer of the underspend to General Fund Balances be confirmed;**
- (3) the Reserves as detailed in the Annex to the report be confirmed;**

Capital

- (4) the additional re-profiling of £9.9 million from 2014/15 to 2015/16 be noted;**
- (5) the financing of the Programme for 2014/15 be noted;**

- (6) the Programme for 2015/16 and beyond be kept under review to ensure it is realistic and deliverable;**

Collection Summary

- (7) the Council Tax in-year collection rate of 95.5% being an improvement upon the 95.4% rate in 2013/14 be noted;**
- (8) the Business Rates collection rate increased from 98.2% in 2014/15 from 96.9% in 2013/14 be noted;**
- (9) the Sundry Debtors arrears at 31 March 2015 stood at £30.9 million which was an increase on the position at 31 March 2014 for the reasons set out be noted; and**
- (10) the sundry debts for Adult Social Services and Other Directorates detailed in the report be written-off against the Provision for Bad Debts.**

REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

15 SEPTEMBER 2015

13 NOTICE OF MOTION - WIRRAL'S ECONOMIC SUCCESS

Members of the Policy and Performance Regeneration and Environment Committee considered a motion to Council (6 July 2015) as proposed by Councillor Jeff Green and seconded by Councillor Lesley Rennie, that:

“Council notes that:

- (1) Latest information reports that Wirral has 7,400 total enterprises; an 11.1% improvement in the business base since 2011 and the number of total jobs in Wirral currently stands at 113,000 which is the highest figure for 8 years.
- (2) Wirral currently has 3,118 Jobseekers Allowance claimants, a reduction of nearly 3,000 since April 2014. 530 of these Jobseekers are aged 18-24, a reduction of nearly 1,300 since April 2014; this is a reduction in rate of 5.2% which is nearly triple the national average.

Council expresses its relief that the British Electorate has returned a Conservative Government and given it a mandate to continue its support to businesses and the long term economic plan.

Council wishes to congratulate all those local Wirral entrepreneurs, workers and businesses who are contributing to the economic success of Wirral and the country as a whole.

Council therefore instructs the Chief Executive to write to the Chair of the Wirral Chamber of Commerce and invites him to share his thoughts on what the Council can do to further support our local businesses in continuing the Government's vision of more people with the security of a regular wage and the chance to get on.”

In the absence of the proposer and seconder, the item was introduced by Councillor S. Williams.

A Member commented on Wirral's success in terms of Jobs and reduction in Jobseeker Allowance claims, and importance of partnership working.

A short discussion took place regarding the statistical element and political statement of the motion as presented.

Resolved: That the motion be noted.

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DRAFT MINUTE

FAMILIES AND WELLBEING POLICY AND PERFORMANCE COMMITTEE

8 SEPTEMBER 2015

17 **NOTICE OF MOTION - MENTAL HEALTH CHALLENGE**

The Chair advised that at the meeting of the Council held on 6 July 2015 (minute 64 refers), the following Notice of Motion proposed by Councillor T Anderson and seconded by Councillor L Rennie was referred by the Mayor to this Committee for consideration.

In accordance with Standing Order 7 (6), Councillor Anderson had been invited to attend the meeting in order for him to be given an opportunity to explain the Motion. In accordance with Standing Order 7 (5), any recommendation from the Committee in relation to the Notice of Motion would be referred to the Council. Any debate at Council should take place upon the recommendation of the Committee and there should be no separate debate upon the motion itself.

Councillor Anderson asked the Committee to support the Motion in relation to the Mental Health Challenge and appoint an elected member as 'mental health champion' across the Council.

Members gave their full support to the Motion and indicated that this Motion would help in bringing services together to support Mental Health.

The Director of Adult Services commented that at a recent stakeholder event, partners looked at the Mental Health Strategy as part of the whole health and wellbeing agenda and indicated that this was a strong challenge and that the 10 key challenges needed to happen in a broader approach not just mental health.

A Member asked for clarification as to who would be responsible for appointing an appropriate 'champion'.

"MENTAL HEALTH CHALLENGE

Council notes that:

- (1) mental health is becoming an increasing concern, with one in five people having a mental health condition at any one time.
- (2) only a quarter of people with a mental health condition receive any treatment for it.
- (3) mental ill-health has economic and social cost of £105bn a year, accounting for 28% of the total burden of disease but only 13% of NHS spending.

- (4) mental health provision is not just about supporting those with the most severe conditions but providing an integrated and holistic support to the community.

Furthermore, Council notes the excellent initiative of several leading mental health charities in developing the “Mental Health Challenge” and the resources they are giving to local authorities.

Council therefore resolves to take on the mental health organisations challenge by:

- (a) Appoint an elected member as ‘mental health champion’ across the Council.
- (b) Identify a lead officer for mental health to link in with colleagues across the Council.
- (c) Follow the implementation framework for the mental health strategy where it is relevant to the Council’s work and local needs.
- (d) Work to reduce inequalities in mental health in our community.
- (e) Work with the NHS to integrate health and social care support.
- (f) Promote wellbeing and initiate and support action on public mental health for example through our joint health and wellbeing strategy.
- (g) Tackle discrimination on the grounds of mental health in our community.
- (h) Encourage positive mental health in our schools, colleges and workplaces.
- (i) Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health.
- (j) Sign up to the Time to Change pledge.”

RESOLVED: That the Council be advised that the Families and Wellbeing Policy and Performance Committee fully supports the Notice of Motion in relation to the Mental Health Challenge.

Council – 12 October, 2015

Motions

The following motions have been submitted in accordance with the notice required by Standing Order 7(1) and are listed in the order received.

1. OPEN GOVERNMENT *(the Civic Mayor to refer to the Transformation and Resources Policy and Performance Committee)*

Proposed by Councillor Phil Gilchrist
Seconded by Councillor Chris Carubia

This Council recognises that the Information Commissioner's Office, as the independent authority set up to uphold information rights in the public interest and to promote openness by public bodies, upheld 13 complaints against Wirral Council in the past year.

Of the 18 notices issued between 29 September 2014 and 24 August 2015, the majority (72%) of complaints were upheld.

Council believes that this is a matter for concern, requiring an explanation to its Members. Council requests that lessons should be learned and applied from these decisions and questions whether Officers have been excessively cautious or defensive in their interpretation of the legislation.

Council, therefore, requests that the legislation is approached with greater regard to the 'public interest test' so that the risk of further reputational damage to Wirral can be reduced.

2. BETTER PLANNING TO FACILITATE CYCLING *(the Civic Mayor to refer to the Planning Committee)*

Proposed by Councillor Pat Cleary
Seconded by Councillor Phil Gilchrist

This Council supports the development of facilities for cycling in the interests of improved health, reduced air pollution, less congestion, and more economical travel. In particular, Council recognises that secure cycle parking/storage facilities are fundamental in facilitating the bicycle as a practical mode of transport for Wirral residents.

Council recognises that efforts to update Wirral's cycle parking standards have been ongoing for some time and looks forward to their implementation.

In the meantime, Council requests that officers reporting to the Head of Regeneration and Planning and the Strategic Director of Regeneration and Environment adopt a robust approach in requiring all relevant planning applications to identify, on submitted plans, the provision of cycle-parking facilities at homes and

destinations which comply with the approved Council Cycle-Parking standards contained in Supplementary Planning Guidance 42 (Cycle Parking), and supplementary Planning Guidance Document 2 (Designing for Self-contained Flat Development and Conversions).

3. DEVOLUTION *(to be debated)*

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

Council welcomes the submission to the Comprehensive Spending Review 2015 of the Potential Devolution of Powers for the City Region following the Combined Authority meeting held on 2nd September 2015.

Council is therefore somewhat perplexed that the Leader of the Council and 40 of his Labour colleagues voted against the Conservative Notice of Motion 'The Northern Powerhouse' at the Council meeting held on 6th July 2015.

Council notes within The Northern Powerhouse Notice of Motion it was recommended that "the Leader of the Council advises the next meeting of the Combined Authority to engage enthusiastically in the development of the Northern Powerhouse; provide clarity to this Council about the details of any devolution of power and budget it is seeking from the Government and confirm its support for a directly elected Metro Mayor."

Council is unsure what caused such a rapid turnaround by the Leader of the Council and his Labour colleagues but expresses its support for this change of direction and endorsement of Conservative Government Policy.

4. FLOODING IN MORETON *(to be debated)*

Proposed by Councillor Chris Blakeley

Seconded by Councillor Steve Williams

This Council:

- Recognises the seriousness of the recent flooding to many homes of residents in Moreton and Saughall Massie and to a lesser extent other areas of Wirral.
- Recognises that homes have been damaged due to these flood waters and debris.
- Recognises that people look to this council to work with other agencies to minimise the risk from flood waters and accumulation of debris.
- Thanks those agencies that worked to mitigate the effect of the floods for residents.

Council resolves:

- To establish a Working Group including all relevant agencies, including the Environment Agency, United Utilities, Meteorological Office, Merseyside Fire and Rescue Service, Registered Social Landlords, Merseyside Police and Senior Officers to bring forward a co-ordinated approach to flood risk, flood defence, flood conveyance and flood prevention.
- To task the Working Group to review current plans, procedures and strategies to ensure that is future proofed and aligned with existing and planned regeneration, flood defence and flood conveyance measures.
- To ensure a clear and transparent plan, accessible to all, for dealing with floods.

5. SUPPORTING WIRRAL'S PART IN OUR NUCLEAR INDUSTRIES *(the Civic Mayor to refer to the Regeneration and Environment Policy and Performance Committee)*

Proposed by Councillor Steve Williams

Seconded by Councillor Wendy Clements

Council notes many Wirral residents work in our major nuclear power and defence industries, both directly (in companies such as Urenco, Cammell Laird and CNS) and indirectly, in the supply chain.

Council believes these highly-skilled, well paid advanced engineering jobs offer opportunities for residents and welcomes the skills and apprenticeship training at Wirral Metropolitan College for young people entering the industry.

Council agrees with the Leader of the Council that Wirral has a strong track record in manufacturing for the nuclear industry and calls on the Administration to play an even greater part in providing students with the skills required to play a full part in future manufacturing and production.

6. WIRRAL'S SUCCESSFUL BUSINESSES *(to be debated)*

Proposed by Councillor Jeff Green

Seconded by Councillor Lesley Rennie

Council notes the following key national growth statistics:

- GDP growth: 0.7 per cent in Quarter 2 2015. Growth in Q1 2015 was 0.4 per cent.
- Employment up 354,000 on the year. There are now 31.03 million people in work.

Council realises that a growing economy means more businesses, creating more good jobs – which means more families with the security of a regular pay packet.

With Britain growing faster than any other major advanced economy, and wages rising at the fastest rate since 2007, it's clear that the Government's economic plan is delivering security for families across Britain.

Council further notes that many Wirral businesses are benefitting from the improving economic outlook and reporting growth and expansion. These include:

- Apollo Care, a care company set up by a former Council employee who took early voluntary redundancy in 2011. With initial guidance from Invest Wirral in just 4 years Apollo Care has franchised and employs over 50 people.
- Sovex, the Prenton-based materials handling specialist is the fastest growing company on Merseyside and was listed number 82 in the 2014 Virgin Sunday Times Fast Track Top 100. It recently announced it was expanding into the American market.
- Recruit Right, an industrial and commercial recruitment agency, who have seen their highest ever numbers of temp placements rise from 260 to 409 per week in September. The company started in 2012 and has recently announced a further 4 permanent employees have joined their team.
- Daisy and Jake Nurseries who will be opening their fifth nursery at a new site in Woodchurch shortly following the successes of their operations in Spital, Moreton, Irby and Prenton.
- Park Group plc announced at its AGM in September that sales are 15% ahead of the same period last year.
- Progress to Excellence, who recently moved its HQ operation into the newly refurbished Pacific Road Business Hub, has acquired Education and Youth Services Ltd to extend their training offer across the spectrum of lifelong learning.
- The Contact Company who will be expanding their operation into the Tower Wharf building, a development made possible by Homes and Communities Agency funding.
- Elegant Steps, which has grown from operating from the owner's house, to a small village shop in Oxtan, to an international company with a large warehouse shipping all over the world.

Council acknowledges that this is just a small snapshot of the commercial successes in Wirral and wishes to place on record its thanks and admiration for all Wirral's workers, entrepreneurs and business owners for their contribution to growing the British economy,

Furthermore the whole Council welcomes the success of the Government's economic plan and calls on the Leader of the Council to ensure effective co-operation with Her Majesty's Government to lock in and increase Wirral residents' prosperity.

7. SYRIAN REFUGEE CRISIS *(to be debated)*

Proposed by Councillor Phil Davies

Seconded by Councillor Ann McLachlan

Whilst Council welcomes a national response to the placement of Syrian refugees and will work with authorities across the Liverpool City Region to respond to this humanitarian crisis, we call on the Government to fully fund the costs of resettlement in the long term and not just for one year. Further, that the necessary infrastructure is put in place to ensure that already over-stretched and under-funded Council services can deliver a proper resettlement programme to ensure that refugees and their families can integrate into our Communities with the enabling support they will require.

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