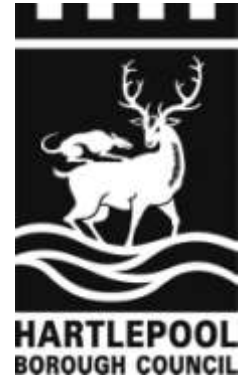


FINANCE AND POLICY COMMITTEE

AGENDA



Monday 15 February 2016

at 2.30 pm

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS: FINANCE AND POLICY COMMITTEE

Councillors C Akers-Belcher, Barclay, Cranney, James, Loynes, Richardson, Riddle, Simmons, Sirs, Springer and Thompson.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the minutes of the meeting of the Finance and Policy Committee held on 11 January, 2016 (*Previously published and circulated*).
- 3.2 To receive the minutes of the meeting of the Health and Wellbeing Board held on 30 November, 2015.
- 3.3 To receive the minutes of the meeting of the Safer Hartlepool Partnership held on 20 November, 2015.

4. BUDGET AND POLICY FRAMEWORK ITEMS

- 4.1 Council Plan 2016/17 – Proposals for Consideration – *Chief Executive, Director of Neighbourhoods and Regeneration and the Director of Public Health*
- 4.2 Community Safety Plan 2014-17 (Year 3) – *Director of Regeneration and Neighbourhoods*

5. KEY DECISIONS

None.



6. OTHER ITEMS REQUIRING DECISION

- 6.1 Pay Policy 2016/17 – *Chief Executive*
- 6.2 Contract for the Provision of Benefit Advice and Financial Support Services – *Director of Regeneration and Neighbourhoods and Director of Child and Adults*
- 6.3 Corporate Procurement Strategy and Policy Document and Supporting Revisions to the Contract Procedure Rules – *Director of Regeneration and Neighbourhoods*
- 6.4 Workers Memorial Day – *Assistant Chief Executive*

7. ITEMS FOR INFORMATION

- 7.1 Corporate Procurement Quarterly Report on Contracts – *Director of Regeneration and Neighbourhoods*

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION:

Date of next meeting – Monday 14 March 2016 at 9.30 am in the Civic Centre, Hartlepool.

Members are reminded that the meeting scheduled for Monday 22 February, 2016 at 9.30 am has been cancelled.



FINANCE AND POLICY COMMITTEE

MINUTES AND DECISION RECORD

11 JANUARY 2016

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

Present:

Councillor Christopher Akers Belcher (In the Chair)

Councillors: Kevin Cranney, Marjorie James, Brenda Loynes, Carl Richardson, Chris Simmons, Kayleigh Sirs, George Springer and Paul Thompson.

Also Present: Councillor Jim Lindridge as substitute for Councillor Allan Barclay in accordance with Council Procedure Rule 5.2.

Councillor Jim Ainslie.

Officers: Gill Alexander, Chief Executive
Andrew Atkin, Assistant Chief Executive
Chris Little, Chief Finance Officer
Sandra Shears, Head of Finance (Corporate and Schools)
Peter Devlin, Chief Solicitor
Louise Wallace, Director of Public Health
Sally Robinson, Director of Child and Adult Services
Denise Ogden, Director of Regeneration and Neighbourhoods
Alastair Rae, Public Relations Manager
David Cosgrove, Democratic Services Team

137. Apologies for Absence

Councillors Allan Barclay and David Riddle.

138. Declarations of Interest

None.

139. Minutes of the meeting held on 7 December 2015

Confirmed.

140. Minutes of the meeting of the Health and Wellbeing Board held on 5 October 2015

Received.

141. Medium Term Financial Strategy (MTFS) 2016/17 to 2018/19 *(Corporate Management Team)***Type of decision**

Budget and Policy Framework.

Purpose of report

The purposes of the report were to:-

- (i) Inform Members of the impact of the 2016/17 Local Government Finance Settlement announcement on the Council;
- (ii) To enable Members to determine the final 2016/17 budget and Council Tax proposals to be referred to Council on 18th February 2016; and
- (iii) To enable Members to approve a strategy to begin addressing the significant budget deficits facing the Council in 2017/18 and 2018/19.

Issue(s) for consideration

The Chief Finance Officer reported that a comprehensive report on the forecast financial position for the period 2016/17 to 2018/19 had been considered by the Committee on 23rd November 2015 and detailed proposals referred to Council on 10th December 2015. The previous report indicated that the financial forecasts were based on information available at the time and would need to be updated to reflect the outcome of the 2015 Government Spending Review and the 2016/17 Local Government Finance Settlement announcement. The 2015 Government Spending Review was presented to Parliament on 25th November 2015 and included a number of significant headline announcements affecting Local Government. The Chief Finance Officer outlined the principle aspects of the Local Government Funding (LGF) settlement including the ending of the Government funded council tax freeze regime and the introduction by the Government of an additional 2% Social Care precept.

The LGF settlement announcement and the assumptions underpinning it assumed that local councils, with Social Care responsibilities would increase the level of council tax by 3.9% per annum. Not doing so would require councils to find this level of additional savings each year over and above the savings levels already factored in.

The Government had recognised that the amount raised from implementing a 2% Social Care precept would vary for individual Authorities, with more affluent areas gaining most and less affluent areas gaining least financially. As demand for Adult Social Care services tends to be the opposite way round (i.e. lower in affluent areas and higher in more deprived areas) the Government would seek to equalise this position via the Better Care Fund allocations. The Government has stated that in the most affluent areas no additional Better Care Funding would be provided.

The Government's 2016/17 Settlement announcement confirmed that funding cuts would continue until 2019/20. This would mean that Local Authorities would have faced nine consecutive years of funding cuts (i.e. 2011/12 to 2019/20) – which was unprecedented. This would mean in 2019/20 the core Government funding for Hartlepool would have been cut by two-thirds since 2010/11 – a reduction of £38m. The cuts in Government funding over the next three years for Hartlepool were higher than forecast and by 2018/19 this increases the forecast deficit by £4.140m, from £14.192m to £18.332m

The Chief Finance Officer went on to set out in the report the changes in the government's announcement that would have a negative financial impact on the authority during the term of the government; these included -

- Revenue Support Grant continuing cuts and 100% Business Rates Retention
- Reform of New Homes Bonus system
- Public Health Funding
- Education Services Grant (ESG)
- Apprenticeships Payroll Levy
- National Schools Funding Formula from 2017/18

One positive change included in the spending review related to the Better Care Fund where additional funding would be provided from 2019/20 of £1.5 billion, consisting of £800 million reallocated from the New Homes Bonus grant and £700 million of new funding. Use of this funding would be tied into the development of an integrated Better Care Plan with the NHS and the development of a Government audit regime to monitor spending and take account of reduction in the New Homes Bonus grant.

Whilst, this funding would begin to be paid from 2017/18 (£105m) the main additional funding would not be received until 2018/19 (£825m) and the full amount until 2019/20 (£1.5 billion). The back loading of this funding was not helpful as Councils would face increased inflationary pressures, including phased increases in the National Living Wage, and demand pressures in relation to Care Services in 2016/17, 2017/18, 2018/19 and 2019/20. Therefore, in 2016/17 and 2017/18 the Government's financial strategy was effectively assuming Councils would fund these pressures from the 2% Social Care precept on Council Tax.

The Chief Finance Officer highlighted to Members that the MTFS strategy

approved on the 23 November 2015 provided financial flexibility to manage the impact of the actual 2016/17 Government grant cut being higher than forecast as it provided one-off resources of between £1.058m and £1.278m, from the 2015/16 forecast outturn and review of reserves. Based on the latest assessment the outturn forecast of £1.278m could now be taken into account and relied upon when setting the 2016/17 budget.

As the grant cuts for the next three years were higher than forecast the Council faced an additional budget shortfall for 2016/17 of £2.1m. In view of the limited time available to address the additional deficit it was recommended by officers that the following measures were implemented to manage the additional deficit and to protect services in 2016/17 as far as is possible:

	£'000
Additional Deficit – impact of higher grant cut	2,100
Less – Use of Uncommitted 2015/16 Outturn resources	(1,278)
Less – Increase in 2016/17 Council Tax Base	(252)
Net Deficit	570

In line with the approach recommended in the previous MTFS report the strategy for managing the increased budget deficit relied upon the use of additional one-off resources. The use of these resources did not provide a permanent solution and was designed to provide a longer lead time to enable permanent savings to be developed and then put forward for consultation as part of the 2017/18 budget proposals.

The MTFS forecasts for 2016/17 were based on the previous Council Tax referendum threshold and Council Tax freeze regime continuing. As reported the Government had confirmed that the Council Tax freeze regime would not apply in 2016/17 or future years. More significantly the Government had confirmed that Councils with responsibility for Social Care would be able to levy a 2% Social Care precept on top of the existing Council Tax referendum threshold – a total increase of 3.9%.

The implementation of the Social Care precept potentially provided increased recurring resources to fund Social Care costs at a time of reducing Revenue Support Grant. The Council could raise £655,000 from implementing the Social Care precept in 2016/17. To put this amount into context 2016/17 Social Care contract costs were forecast to increase by £500,000 as a result of the implementation of the National Living Wage and inflationary pressures would amount to an additional £740,000.

As a result of the introduction of the Social Care precept Local Authorities effectively now needed to consider two options in relation to the level of Council Tax for 2016/17 as part of a sustainable financial strategy, as follows:

- Option 1 - Council Tax freeze, plus 2% Social Care precept which requires additional saving of £536,000 to be identified;
- Option 2 – 1.9% Council Tax increase, plus 2% Social Care precept – which does not require additional savings to be identified.

The following table summarises the impact on the 2016/17 budget of two options:

	Option 1 £'000	Option 2 £'000
Forecast Council Tax income increase built into MTFS (as detailed in paragraph 5.1)	621	621
Add Net additional 2016/17 Budget deficit (as detailed in paragraph 4.36)	570	570
Sub Total – income required	1,191	1,191
Less - 1.9% Council Tax increase	0	(621)
Less - 2% Social Care Precept	(655)	(655)
Additional budget cuts required for 2016/17/(Value of 2015/16 Outturn which can be released to support the 2017/18 budget)	536	(85)

It is recommended that Option 2 is implemented for the following reasons:

- This option maximises the Council Tax base for 2016/17 and future years. In the current financial climate this provided the most robust financial foundations for future years;
- It avoided the need to make additional budget cuts for 2016/17;
- It enabled the Council to demonstrate the case that additional funding for Adult Social Care was needed to offset external cost pressures arising from the National Living Wage, inflation and demographic pressures;
- It avoided the potential risk that the Government may set a lower Council Tax referendum trigger point in 2017/18 for Authorities which did not implement the Social Care precept in 2016/17, as the Secretary of State had indicated the Government would take account of actions taken by authorities in 2016/17 when setting referendum principles in future years.

Option 1 would not achieve the above objectives and would leave the Council in a much weaker financial position to manage the budget in future years. In 2016/17 this option would require the implementation of additional budget cuts of £536,000 over and above the cuts and changes already included in the previously agreed budget reports. This would mean that these cuts could not be implemented in 2017/18 and therefore result in even more difficult cuts being required in 2017/18.

The Chief Finance Officer specifically highlighted the following tables which summarised the additional weekly Council Tax payments for the recommended option (i.e. option 2):-

Full Council Tax Households

National Percentage of Households	Property Band	Percentage of Hartlepool Households	Option 2 – increase per week
24.1%	A	55.8%	71p
19.7%	B	16.6%	83p
21.8%	C	14.0%	95p
15.4%	D	7.0%	£1.06
9.7%	E	4.0%	£1.30
5.2%	F	1.4%	£1.54
3.5%	G	1.0%	£1.77
0.6%	H	0.2%	£2.12

Local Council Tax Support Scheme Households

Property Band	Percentage of Households	Option 2 – increase per week
A	88%	9p
B	8%	10p
C	3%	11p

The Council would face higher actual grant cuts in each of the next three years than forecast and by 2018/19 this would increase the budget deficit from £14.192m to £18.332m (both forecasts were based on annual Council Tax increases of 1.9%).

In terms of addressing the increased budget deficit it was recommended that this was reduced by implementing the 2% Social Care Precept for 2016/17, 2017/18 and 2018/19. Implementation of future Social Care precepts would help mitigate the impact of phased increases in Social Care costs arising from annual increases in the National Living Wage, which would increase recurring costs by £1.5m by 2018/19 and £2.5m by 2020/21. As these cost pressures had already been included in the MTFS forecasts this income would help reduce the forecast budget deficits in 2017/18 and 2018/19 and therefore help reduce the cuts required and the impact on services.

The Chief Finance Officer stated that the Council had come to the point where the nature and effect of the government's policy changes had required a reconsideration of the approach taken to date. This approach has worked well for the authority and has been effectively managed in very difficult circumstances. The revised approach was based on the consideration of a range of related factors and a composite approach which has a number of potential work streams.

Even through times of sustained austerity it is important to retain an ambitious outlook and drive for what will be in the best interests of the town.

The proposed programme encompasses the following workstreams, each of which were linked but also provided for discrete packages of delivery;

- Growing Hartlepool
- Reducing Demand
- Improving Education, Employability and Skills
- Maximising Income through Enterprise and Innovation
- Strategic Asset and Investment Planning
- Service Review

In concluding his presentation of the report to Members the Chief Finance Officer highlighted the section of the report outlining his professional advice on the robustness of the budget forecasts as set out in the report. The Chief Finance Officer reiterated the Government's implementation of the 2% Social Care precept and the assumption in Government budget figures that Social Care Authorities will increase Council Tax by 3.9%, including the Social Care precept. On this basis the recommendation for a Council Tax increase in 2016/17 which would avoid the necessity of having to identify additional budget cuts to balance the budget which would be difficult to achieve at this stage as additional potential savings had not been identified. The Chief Finance Officer also stated that the proposals in the report increased the use of one-off funding to £6.765m. The additional use of one-off resources helps protect services in 2016/17 and provided a longer lead time to address the impact of higher actual Government grant cuts than forecast.

On the basis of Members approving the increased use of one-off resources in 2016/17, implementation of a 1.9% Council Tax increase and 2% Social Care precept the Chief Finance Officer considered that the budget proposal were robust.

The Chief Finance Officer also highlighted the comparison table set out in the conclusions of the report which showed that when the average Council Tax paid per household in Hartlepool was calculated, the tax paid by Hartlepool residents was in the lower quartile of local authorities. The often used national comparator of Band D Council Tax was not a fair reflection of Council Tax paid by residents when 72.4% of all properties in Hartlepool are in Bands A and B, compared to only 43.8% nationally and only 7% are Band D – compared to 15.4% nationally.

A Member sought clarification on the comments made by the Chief Finance Officer that authorities that failed to implement the Social Care precept and increase in council tax could find their future Better Care Fund allocations reduced. The Chief Finance Officer stated that there were two specific risks in the changes announced by the government; firstly that the Better Care Fund allocations did not offset reductions in the New Homes Bonus grant levels. Secondly, that the Government formula used for calculating future Better Care Fund allocations may include council tax levels raised locally. There was no certainty to this as specific guidance had not been issued by government but the inference of the announcement was that if a local

authority didn't implement the 2% Social Care precept, the Government may determine it didn't need a larger Better Care Fund allocation.

A Member sought clarification as to when the projected income from the new homes planned for construction in the town was included in the budget. The Chief Finance Officer indicated that the income forecast had been revised to include an additional £250,000 of income from new homes in 2015/16 and annual growth over the next three years, but with the caveat that if this was not achieved, then the funding would need to come from elsewhere. Further clarification was sought on the figures quoted in the report on the rise of Council Tax rates per week and the Chief Finance Officer stated that the figures had been calculated over 52 weeks.

A Member referred to the reference in the report to the future workstreams for the council, specifically in stimulating conditions for growth, and sought further detail on this from the Chief Executive. The Chief Executive commented that the local government funding settlement was one of the greatest challenges that local authorities had ever faced. The move towards self sufficiency involved huge challenges and many serious concerns, the most significant of those being a continued growth of business rate income and dealing with the impacts of the power station on that income stream. The authority was not only focused on cuts but also on creating income through working with developers to bring forward new developments – both housing and commercial – and through looking to bring new business and jobs into not only Hartlepool but the Tees Valley as well. The Council had to work with partners on building these growth conditions.

The Chief Executive continued by stating that the Council would still be faced with some very difficult decisions on what services it could afford to continue to provide in the coming years.

A Member commented that a lot was based on the new homes to be built in the town with no clear picture as to who was going to buy them or, indeed, who was going to build them. Hard working families were being asked to pay high levels of council tax already; it was wrong to ask those that already contributed to pay even more.

The Chair commented that this was the prime reason behind the council having accepted the government's grant for the past five years rather than increasing council tax. The government had now stated that the council tax freeze regime would no longer apply and Councils needed to become self sufficient. The approach being taken, even when assuming the increases in Council Tax, only reduced the budget deficit from £18m to £16m over the next four years. It was questionable as to whether the social care precept would cover all the increased costs that the government's living wage rises would create.

The Member acknowledged the comments but still considered that the council had too many extravagancies, such as Ward Member Budgets, that

it could ill afford.

A Member of the public questioned the 2% social care precept and how that compared against the actual costs of social care provided by the Council and how the council proposed to ensure that if the social care precept was applied, that it was ring-fenced for social care costs only.. The Chief Finance Officer stated that he would be required to sign an appropriate declaration after the budget was set assuring the Government that the social care precept funded only social care services. The Chief Finance Officer stated that he did not have the actual spend on social care services to hand but could provide it to the member of the public.

The Member of the public sought clarification on the comments made by a Member in relation to the government potentially reducing grant support if the Council didn't increase Council Tax and questioned if the social care fund precept would cover all the increased costs incurred due to the living wage increases. The Chief Finance Officer stated that this was the inference from the government's change in policy. There was, however, no clear guidance available to clarify the issue at this time.

Another member of the public questioned if the Council had confirmed investment packages with developers in place to deliver some of the Masterplan visions particularly Church Street. The Director of Regeneration and Neighbourhoods stated that the Council had received approval for £5.4m of Local Growth Fund for Church Street and a number of confirmed interested parties in the Jackson's Landing site.

The Chair formally moved the recommendations as set out in the report. The recommendations were subsequently approved on a majority of 8 votes for to 2 against.

Decision

That the following detailed recommendations of the Corporate Management Team be approved for submission to Council:

1. That Council be recommended to note the Government Grant cuts for 2016/17 to 2018/19 are higher than forecast and this increases the forecast deficit for the next three years to £18.332m;
2. That Council be recommended to note the significant change in Government policy to end the Council Tax freeze regime and introduce a Social Care precept of 2% in addition to the existing 1.9% Council Tax threshold for 2016/17;
3. That Council be recommended to note that the Government will implement regulations requiring Authorities which implement the 2% Social Care precept to identify this amount separately on the Council Tax bill. This approach underlines the Government's commitment that the Social Care precept is part of the arrangement for

addressing Social Care pressures and will help Councils explain the increase to the public;

4. That Council be recommended to note that as a result of the actual 2016/17 grant cut being higher than forecast, the Council faces an additional budget deficit of £2.1m;
5. That Council be recommended to approve the following proposal to reduce the additional budget deficit from £2.1m to £570,000:

	£'m
Additional Deficit – impact of higher grant cut	2.100
Less – Use of Uncommitted 2015/16 Outturn resources	(1.278)
Less – Increase in 2016/17 Council Tax Base	(0.252)
Net Deficit	0.570

6. That Council be recommended to approve a 2016/17 Council Tax rise of 1.9%, plus a 2% Social Care precept and that Council notes that that this will enable £85,000 of the 2015/16 uncommitted Outturn resources to be allocated to support the 2017/18 budget;
7. That Council be recommended to note that that as detailed in paragraph 5.10 of the report submitted to this Committee, recommendation 6 will mean that the majority of Hartlepool households (i.e. the 72% of households living in a Band A or B property) will have to pay no more than an additional 83p per week. For 96% of Local Council Tax Support scheme households the weekly increase will be no more than 10p per week.
8. That Council be recommended to approve a one-off budget allocation of £0.3m to fund one-off costs of implementing the 2017/18 and 2018/19 Savings Programme and authorises the Chief Executive, in consultation with the Chair of Finance and Policy Committee to determine and procure the support required to deliver the change and savings programme, up to a total limit of £0.3m.
9. That Council be recommended to approve the proposal that the one-off savings programme cost of £0.3m will be funded from an increase in the 2016/17 Capital receipts target.
10. That Council be recommended to note that the additional advice provided by the Chief Finance Officer on the robustness of the budget proposals provided in section 12 of the report to this Committee, including advice that the recommended 2016/17 Council Tax increase (including the 2% Social Care precept), provides the most sustainable basis for the 2016/17 budget and the Council's longer term financial position as this is the only option to increase resources on a recurring basis.

11. That Council be recommended to note that at this stage it is not clear what advantages or disadvantages may arise from applying for a formal four year settlement from the Government. It is recommended, therefore, that a further report is submitted on this issue once more information is available to enable a final decision to be made.

142. Acquisition of Land at Tofts Farm (*Director of Regeneration and Neighbourhoods*)

Type of decision

Non-key Decision.

Purpose of report

To seek approval for the acquisition of two areas of land extending to 1.4 acres at Tofts Farm industrial estate to incorporate within the boundary of the Council's depot to improve operational functionality.

Issue(s) for consideration

The Director of Regeneration and Neighbourhoods reported that in November 2014 Members approved the transfer of Lynn Street Depot to Cleveland College of Art and Design and the purchase of a replacement property at Tofts Farm. The transfer to the college and the purchase of the Tofts Farm property were completed earlier this year.

The alterations and improvements required at Tofts Farm for the new depot facility are ongoing but the final design, layout and operational arrangements continue to be developed in response to increased understanding of the site and depot requirements.

As part of this work it was recognised that the acquisition of two pieces of adjoining vacant undeveloped land to the northern and eastern sides of the depot site would greatly assist in providing enough space to accommodate all the vehicles that need to be parked and assist with the general layout and configuration of the site.

The two areas of land, were detailed on the plan appended to the report. Details of the current ownership and planning status of the land were also set out in the report. Terms for the purchase of the properties had been provisionally agreed and were set out in a confidential appendix which contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

Decision

1. That the proposed purchases of the two areas of land be approved on the terms outlined in the confidential appendix to the report which contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).
2. That the Director of Regeneration and Neighbourhoods, Chief Finance Officer and Chief Solicitor be authorized to complete the necessary legal agreements.

143. Variation of Restrictive Covenant, Seaton Lane, Hartlepool *(Director of Regeneration and Neighbourhoods)***Type of decision**

Non-key Decision.

Purpose of report

To seek approval for the variation of a restrictive covenant to enable the redevelopment of land for residential purposes.

Issue(s) for consideration

The Director of Regeneration and Neighbourhoods reported that the land, which extends to 0.40 acres and is currently used as a hand car wash facility, is currently in the process of being sold to a developer and an outline planning application had recently been approved for the erection of seven dwellings consisting of two pairs of semi detached houses and one block of three townhouses.

In a Conveyance dated 14 January, 1980 a restrictive covenant was imposed by the Council “not to use the property or any building constructed thereon for any purpose other than a petrol filling station or for the sale of motor vehicles”. This Conveyance superseded an earlier Conveyance dated June 1960 between the former West Hartlepool Corporation and Shell UK Limited. A request had been received by the new purchasers for consideration to be given to a variation of the restrictive covenant to permit the residential development to proceed. As the existing beneficiary, the Council was entitled to a financial sum for the discharge of the covenant.

Following negotiations provisional terms had been agreed for the variation of the covenant. The Council’s legal and surveyors’ fees would be borne by the purchaser. The terms agreed were set out in a confidential appendix to the report which contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to

Information) (Variation) Order 2006) namely, (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

Decision

That approval is granted for the variation of the restrictive covenant on terms agreed as set out in the confidential appendix to the report which contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

144. Falls Prevention Service (*Director of Public Health*)

Type of decision

Non-key Decision.

Purpose of report

To seek approval from the Finance and Policy Committee to develop and introduce an in house model for delivery of a Falls Prevention Service. It was proposed the service would be funded through the ring fenced Public Health Grant and commence on 1st April 2016.

Issue(s) for consideration

The Director of Public Health reported that in 2013, Public Health Service reforms introduced statutory changes to health commissioning and transferred commissioning responsibility for falls prevention to Public Health within Local Authorities, whilst commissioning treatment for those who had fallen became the responsibility of Clinical Commissioning Groups (CCGs). As a result of the reforms, contractual responsibility for Community Integrated Assessment Team (CIAT) was inherited by Hartlepool and Stockton on Tees Clinical Commissioning Group (HaSTCCG) with contractual responsibility for fall prevention inherited by Public Health within Hartlepool Borough Council (HBC).

The Falls Service is currently jointly commissioned by Public Health within HBC and Stockton Borough Councils (SBC) with North Tees and Hartlepool Foundation Trust (NTHFT) as the current service provider. The current contract value was set out in a confidential appendix to the report which contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

In November 2013, a report was considered by the Committee in relation to the Public Health Commissioning Programme for 2014/15. (Item 154 of Finance and Policy Committee Minutes and Decision Record dated 29th November 2013 and Associated Report). The report outlined HBC Public Health's Commissioning Programme for 2014/15 which included but was not limited to; a contract for a Falls Service. A request was made that an exemption to the Council's Contracting and Procurement Rules be sought, to place a 1 year contract with NTHFT, for provision of such a service, from 1st April 2014. This was to allow time for a comprehensive service review. Further extensions to the contract have been subsequently agreed.

In order to fulfil commissioning and procurement responsibilities a full review of service was concluded in 2015. The review highlighted issues with the current configuration of the commissioned service. The review concluded that current service provision and activity with regard to supply and demand were not congruent with the current needs.

Following the review, HBC and SBC had worked together to model a potential pilot where Public Health funding would continue to be used by NTHFT within their CIAT service to provide a Falls Prevention Service. In the proposed model, funding would not have been used to fund a generic CIAT service but would be used to provide an education role and lower level triaging of new referrals. This model was proposed to NTHFT, who stated they would be unable to deliver it within the proposed available financial resources.

In view of the findings from the review and rejection of an alternative pilot model by NTHFT, HBC Public Health proposed to develop and deliver an in-house Falls Prevention service which would be situated within the existing structures of the Adult Social Care teams that sit alongside health colleagues in the SPA. The service would operate much as the pilot would have done, with a Falls Educator role, and a Falls Triage and Support role. NTHFT have already indicated that they would be willing to consider supporting this new model through the provision of suitably trained staff, on secondment.

The Director commented that there was under the current service, a relatively large waiting list which officers would work with the current providers to reduce before the end of the contract on 31 March 2016.

The Chair of the Adult Services Committee welcomed the proposal commenting that the service aimed to reduce the numbers of falls and subsequent hospital admissions thus saving money in the longer term.

Decision

1. That the proposal to deliver a Falls Prevention Service as an in-house provision be approved as reported.
2. That £72,000 be allocated from the ring fenced Public Health grant in

2016/17 to fund the in-house service.

145. Proposed Merger of the Teesside and Hartlepool Coroner Services – Further Update (*Chief Executive and Chief Solicitor*)

Type of decision

Non-key Decision.

Purpose of report

The report provided a further update to the Committee on the present position as to the proposed amalgamation of the Teesside and Hartlepool Coroner areas. The Committee received a report initially on the 21st July, 2014 where it was agreed 'in principle' to support a proposed merger, subject to the approval of a Business Case.

Issue(s) for consideration

The Chief Solicitor reported that the Business Case had been endorsed by the Committee at its meeting on the 18th August, 2014. Since that time there had been various discussions which had entailed a proposed addendum to that Business Case which either had, or was in the process of being, submitted for consideration by the four Local Authorities comprising the two coronial areas. The addendum to the Business Case as supplied through Middlesbrough Borough Council was submitted as an appendix to the report.

The Chief Solicitor reported that there was a unified view that any amalgamated coronial area should have a Senior Coroner appointed as a one full time equivalent (FTE) as opposed to the initial recommendation of a 0.8 FTE position. As was previously the case, there was a recommendation that the Assistant Coroner (acting as a designated deputy) would be 0.8 FTE. However, there is a divergence of opinion on the proposal to 'slot-in' the existing Senior Coroner for Hartlepool into any amalgamated jurisdiction as supported by Members at the meeting on 28 August 2015.

On the 4th December, 2015 a report was considered by the appropriate Executive member at Middlesbrough Borough Council which approved the 1 FTE Senior Coroner recommendation but also recommended the external advertisement through 'open competition' of that role subject to the Ministry of Justice providing an indemnity, should there be any challenge to that appointment process. If no indemnity was forthcoming then any proposed merger should be postponed 'until there was legal certainty regarding the position of a Senior Coroner who loses office'. Similar reports to that now submitted were pending at Redcar and Cleveland and Stockton Borough Councils. The outcome of the deliberations of those Councils would be notified to members when they were known.

The Chief Solicitor indicated that since the original Business Case had been submitted, over 12 months ago, there had been several key changes which meant that the recommendations contained in the original Business Case should be reconsidered. The outcome of this was contained in the 'Addendum to the Business Case' which was submitted as an appendix to the report.

The improved outcomes identified in the original Business Case had already been delivered without a formal merger of the two areas:

- the timeliness of inquests had improved substantially and this improvement had been maintained throughout 2015;
- a streamlined service was now offered by both coroner services to partners; and
- the savings predicted in the original Business Case had been delivered by streamlining processes within the Teesside Coroner's Service and the commissioning of services.

Since the Business Case had been drafted in July 2014 there had been several key changes, as follows, which were also set out in detail in the report:

- a. a better understanding of the impact on the Coroner's Service of the deprivation of liberty ('Cheshire West') judgement;
- b. the opportunity to see the coroner support model proposed in the Business Case in operation (albeit in a slightly different format); and
- c. the Chief Coroner's response to the consultation on the original Business Case and additional guidance issued to Middlesbrough Borough Council (as the relevant authority) in respect of the merger.

The Chief Coroner raised three concerns in response to the MoJ consultation on the Business Case, as follows:

- a. the role of Senior Coroner should be full-time
- b. support to the Senior Coroner should be provided by five ad-hoc Assistant Coroners; and
- c. Teesside and Hartlepool should consider whether the appointment to the role in the merged area should be by external competition rather than by 'slot-in'.

The original business case proposed that the Senior Coroner for Hartlepool, would be 'slotted in' to the Senior Coroner role in the new area. The basis for this view was to comply with the Chief Coroner's then guidance and acceptance of the Ministry of Justice's position that any compensation would be a matter for the relevant authority and an (incorrect) view that the new rules governing appointments would apply to the new role, in a slot-in scenario, thus the Senior Coroner would be required to retire at age 70.

The Chief Coroner in his amended guidance raises some valid points in

relation to the relative size of the current Teesside and Hartlepool Coroner areas, the institutions contained within them (Teesside contains two substantial hospitals and two prisons; Hartlepool does not have these facilities) and the likelihood of attracting the best candidate for the role through open competition.

The opportunities and risks associated with each option (slotting in and open advertisement of the position) were detailed in the report. Additional consultation had been undertaken on Middlesbrough Borough Council's proposed Addendum to the Business Case with the other local authorities, Cleveland Police, the Acting Senior Coroner for Teesside and the Senior Coroner for Hartlepool and details of the responses were set out in the report.

Regardless of whether or not a merger proceeds, back office functions and support from the two services can be further aligned in the interests of both efficiency and effectiveness. Consequently, if a merger does not go ahead partners would continue to be offered one streamline service. Middlesbrough Borough Council were the 'relevant authority' for the present Teesside Coronal Area and have through their Executive Member made a recommendation that the appointment of a Senior Coroner should proceed through open competition as opposed to 'slotting in' of the existing Senior Coroner for Hartlepool in any amalgamation. This is subject to the Ministry of Justice providing an indemnity. It is most probably the case that the Ministry of Justice will not provide an indemnity and therefore the resulting position from the Local Authorities perspective would be to postpone any merger/ amalgamation until there was certainty over the legal position should the existing Senior Coroner lose his office through any merger/ amalgamation being enforced through the Ministry. Hartlepool Borough Council has previously affirmed its position that it would support the 'slotting in' of the existing Senior Coroner. That position is contrary to the decision made recently through Middlesbrough Borough Council's Executive and may also run contrary to the position of Redcar and Cleveland and Stockton Borough Councils. The Committee were, therefore, requested whether they wished to reaffirm their previous position, or not.

A Member of the public questioned if Hartlepool would have any veto over the final decision or if the matter would be resolved by 'consensus' by the other local authorities. The Chief Solicitor stated that the appointment of a Senior Coroner required the consent of the Lord Chancellor in consultation with the Chief Coroner and conceivably a merger could be 'forced' by the Ministry of Justice. In relation to a further question on the age of retirement of coroners, the Chief Solicitor indicated that there was now legislation which specifically required coroners to retire at 70, though this did not apply to existing office holders appointed under earlier provisions. This automatic retirement age would not apply if there was a 'slotting-in' process of an existing Senior Coroner in any subsequent amalgamation.

Members commented that they had supported the slotting in process as there was an existing and experienced coroner in Hartlepool. The Chief Solicitor commented that the Ministry of Justice had favoured the slotting in

process but wanted to see local agreement. This had, however, been affected by the recent guidance issued by the Chief Coroner which changed his previous position.

The Committee re-affirmed its previous decision in support of slotting in the current Senior Coroner from Hartlepool and requested that an appropriate report be submitted for the information of Council.

Decision

1. That the report be noted.
2. That the Committee re-affirms the decision taken on the 28th August, 2015 which recommended the proposed 'slotting in' of the Hartlepool Senior Coroner in any amalgamated coroner area, as opposed to appointment through 'open competition'.
3. That subject to 2 above, the principle that a Senior Coroner position should be 1 FTE and that the model of coroner support is that of a 0.8 FTE Assistant Coroner (as a designated deputy) and that any additional support is decided by the relevant local authority in conjunction with the other local authorities.

146. Council Tax Base 2016/17 *(Chief Finance Officer)*

Type of decision

Non-key decision.

Purpose of report

The report sought member approval as required by statutory regulations to a calculated Council Tax Base for 2016/17 which would be used for Council Tax billing purposes.

Issue(s) for consideration

The Chief Finance Officer reported that the Council was required by law to calculate its Council Tax Base for the forthcoming year, and inform the major precepting authorities Cleveland Police Authority and Cleveland Fire Authority and local precepting authorities (Parish Councils), before 31st January 2016. The Council Tax Base is expressed as the number of Band D equivalent properties.

The amount of Council Tax levied on each Band D property located in the Borough of Hartlepool is calculated by dividing the total amount of the precepts determined by this Council, the Police and Crime Commissioner and Cleveland Fire Authority on the Collection Fund in 2016/17, by the Council Tax Base. The amount of Council Tax payable for other bands is determined by applying a fixed proportion of the Band D amount. A

separate report on the calculation of the amount of Council Tax payable for each band for 2016/17 will be submitted to Council as part of the budget process.

As part of the Government's welfare reforms, Councils were required to determine and operate their own local schemes for providing support with Council Tax. Under these arrangements, there was a requirement to adjust the Council Tax Base to reflect the impact of the Local Council Tax Support scheme. Members had approved a 2016/17 LCTS scheme involving a cut of 12%, the same as for 2015/16. The LCTS adjustment is expressed in terms of an equivalent number of Band D's within each Appendix.

In setting the Tax Base the Council was required to consider the effectiveness of its arrangements for collecting Council Tax and factor in an adjustment to avoid a deficit on the statutory Collection Fund.

The level of in year collection of Council Tax for 2014/15 was 95.4%, the average of the 12 North East Councils was 95.9% (range 93.6% to 97.7%). More fundamentally long term collection levels continue to be high with 99.2% of Council Tax due being collected within 5 years, maintaining historical performance levels.

Recovery of Council Tax from Local Council Tax Support working age households is challenging and there can be delays in securing recovery. However, a positive pattern is emerging of ultimately high Council Tax collection rates from LCTS claimants of 93%. This level of collection reflects member decisions to minimise the level of LCTS cut and thereby minimise the amount of Council Tax due from affected households.

Decision

1. That a Hartlepool Borough Council, Council Tax Base for 2016/17 of 23,265.7 be approved.
2. That a Council Tax Base for 2016/17 for Parishes who intend to levy a precept upon the Council's Collection Fund be approved as follows:

Dalton Piercy	103.1	Elwick	468.2
Greatham	573.3	Hart	291.4
Newton Bewley	29.8	Headland	702.2
Brierton	12.7	Claxton	15.6

147. Any Other Items which the Chairman Considers are Urgent

There were no items the Chair considered urgent.

The Committee noted that the next meeting would be held on Monday 15 February, 2016 commencing at 2.30 pm in the Civic Centre, Hartlepool.

The meeting concluded at 10.47 am.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 21 JANUARY 2016

HEALTH AND WELLBEING BOARD

MINUTES AND DECISION RECORD

30 November 2015

The meeting commenced at 10 am in the Civic Centre, Hartlepool

Present:

Councillor C Akers-Belcher, Leader of Council (In the Chair)

Prescribed Members:

Elected Members, Hartlepool Borough Council – Councillors Carl Richardson, and Chris Simmons

Representatives of Hartlepool and Stockton-on-Tees Clinical Commissioning Group (2) – Dr Schock and Karen Hawkins (as substitute for Ali Wilson)

Director of Public Health, Hartlepool Borough Council - Louise Wallace

Representative of Healthwatch – Ruby Marshall

Other Members:

Chief Executive, Hartlepool Borough Council – Gill Alexander

Representative of Hartlepool Voluntary and Community Sector – Tracy Woodhall

Representative of Tees Esk and Wear Valley NHS Trust – David Brown (as substitute for Martin Barkley)

Representative of North Tees and Hartlepool NHS Foundation Trust – Alan Foster

Also in attendance:-

Ian Hayton, Chief Fire Officer, Cleveland Fire Authority

Phillipa Walters, Pharmaceutical Advisor, Tees Valley Public Health Shared Service

Donna Owens, Joint Commissioning Manager, North of England Commissioning Support

Hartlepool Borough Council Officers:

Jill Harrison, Assistant Director (Adult Services)

N Harrison, Head of Service

Simon Howard, Public Health Registrar

Lesley Huitson, Technical Officer (Health and Safety)

Linda Igoe, Principal Housing Advice Officer

Karen Kelly, Principal Housing Strategy Officer

Sylvia Pinkney, Head of Public Protection

Amanda Whitaker, Democratic Services Team

Also present:- Healthwatch – L Allison, J Gray, G and S Johnson,

37. Apologies for Absence

Director of Child and Adult Services, Hartlepool Borough Council – Sally Robinson

Representative of Healthwatch – Margaret Wrenn

Director of Regeneration and Neighbourhoods, Hartlepool Borough Council – Denise Ogden

Representative of Cleveland Police – Simon Nickless

38. Declarations of interest by Members

None

39. Minutes

The minutes of the meeting held on 5 October 2015 were confirmed.

40. Transforming Care – North East and Cumbria Fast Track Programme *(Director of Child and Adult Services and Chief Officer of Hartlepool and Stockton-on-Tees Clinical Commissioning Group)*

The Board received a report and presentation on the Regional Plan, with particular reference to the Tees Locality Plan and the North East and Cumbria Fast Track Plan. The Board was advised that North East and Cumbria was one of five fast track sites which had been selected because of high numbers of people with learning disabilities in in-patient settings. An overarching North East & Cumbria plan had been submitted with each of the 13 Local Authority areas also presenting their own plans which outlined local initiatives that reduced the need for admission to hospital. The Board was advised that notification had been received from NHS England on 5 October that the North East and Cumbria had been successful in securing £1,432M from an available pot of £8.2 million. A further £623,000 had been allocated following review of patient level business cases to assist in the double running/ transition where required to ensure safe transition of service from in-patient care to community based provision and to maintain patient safety. The report provided comprehensive background details to the Plan together with details of the areas which had been identified to build upon the progress already achieved locally. It was proposed that through the delivery of the specific areas of the Tees Fast Track Locality Plan, there would be a stronger prevention and intervention response to people who could require high levels of care and support.

The aspirations included in the report were supported by Board Members. Clarification was sought regarding future bed requirements as an important prerequisite to ensuring infrastructure was in place. The Chair requested that the issue be addressed in next update report to be submitted to the Board.

Decision

- (i) The Board supported and approved the National and Regional Plans, in particular the appended Tees Locality Plan
- (ii) The Board agreed to receive regular updates on local progress in relation to Fast Track implementation.
- (iii) The Board noted the need to reflect the Transforming Care agenda in any wider strategic plans that are developed locally.

41. Pharmaceutical Needs Assessment 2015: Maintenance as Statutory Duty (*Tees Valley Public Health Service*)

The report provided assurance on statutory maintenance of the Hartlepool Pharmaceutical Needs Assessment (PNA) 2015. The Board had published its first Pharmaceutical Needs Assessment on 26 March 2015, in accordance with the statutory duty to do so by 1st April 2015. The report provided an update on required maintenance of the Board's PNA 6 months post-publication.

The Pharmaceutical Advisor, Tees Valley Public Health Shared Service, advised the Board of changes to Pharmaceutical services. NHS England had notified a change to the supplementary opening hours of Victoria Pharmacy located in the H3 PNA locality of Hartlepool such that from 31st March 2015 they would now close at 6 pm (previously 6.30 pm) on the weekdays that they open. This change was used to illustrate the decision-making required to maintain the PNA within the context of the 2013 Regulations. The Health and Wellbeing Board was advised that it did not need to publish a revised assessment and it would be a disproportionate response to do so. Having regard to Part 2 (3), any change to pharmaceutical services could, in some future circumstance be relevant to the granting of applications referred to in section 129(2)(c)(i) or (ii) of the 2006 Act. However, it was not considered that this change alone, at this location in Hartlepool, would be relevant at this time. Nevertheless, a supplementary statement to the PNA could be published to notify this change. The Health and Wellbeing Board would again be satisfied that making a revised assessment would be a disproportionate response.

Decision

- (i) The report was received for information and assurance regarding the responsibility of the Board for maintenance of the PNA, including the need to assess on-going changes which might impact on pharmaceutical need and the assessment thereof and respond by initiating early review or publishing a Supplementary Statement to the 2015 PNA as required.
- (ii) Member organisations were encouraged to actively contribute

intelligence on changes which might impact on the local needs for pharmaceutical services

- (iii) It was agreed to continue delegation of authority to the Director of Public Health and Chair to make routine initial assessment with respect to the potential for Supplementary Statement or need for full review.

42. Health and Homelessness *(Director of Public Health)*

The Director of Public Health introduced a presentation regarding health and homelessness. It was highlighted that people who were homeless tended to experience worse health than people who had secure and stable accommodation. The presentation considered the issues relating to health as a result of being homeless and highlighted the following:-

- Importance of housing and health
- Health needs of homeless people.
- Homelessness in Hartlepool
- What actions are being taken to address the solution
- Partnerships

Board Members recognised the complexity of the issue. It was suggested that a copy of the presentation be circulated in order that the issues raised could be considered further. The Chair proposed that the issue of homelessness be considered as part of the refresh of the Health and Wellbeing Strategy. Discussion took place on the number of homeless persons in the town. The Chair referred to national campaigns which had been undertaken and highlighted the need to liaise with the Council's press team to communicate the correct course of action if the public observe any homeless person. It was highlighted that there had been some publicity but a strategy for wider coverage was considered beneficial.

Decision

The content of the presentation was noted.

43. Presentation – Fire as a Health Asset

The Board received a detailed presentation by the Chief Fire Officer, Cleveland Fire Authority, which highlighted that the successful fire prevention approach delivered via 30,000 targeted Home Fire Safety Visits had the potential to be expanded to complement and support the health and social care sector. The Board was advised that Professor Sir Michael Marmot, in the Marmot Review 2010, had recognised “the agenda of preventing ill-health and preventing fires are closely linked. Fires and ill-health occur in the more deprived areas; to people at the bottom of the socio-economic gradient; to those in poor quality housing and those whose circumstances have led them to take up unhealthy life styles.” The presentation highlighted the tangible

opportunities for intervention and included the following opportunities to work together:-

- demand for health and social care is increasing as a result of an increase in people with long term conditions alongside an ageing population
- the number of fires has decreased due to preventative work by Fire and Rescue Services alongside regulatory measures
- The NHS Five year forward view highlights calls for an increased focus on service integration and getting serious about prevention to reduce demand increase capacity and save time, money and resources
- There is a significant overlap with risk factors and both the NHS and Fire Service recognise the potential to synergise their preventative needs recognising the importance of making every contact count
- This has resulted in an opportunity for Fire and Rescue Services and the health and social care sector to work together to make the difference needed

Mr Hayton concluded the presentation with an offer from the Fire and Rescue Service to Strategic Health Partners to work together with health partners to use collective capabilities and resources more effectively to enhance intelligence-led early intervention and prevention; ensuring people with complex needs get the personalised, integrated care and support they need to live full lives, sustain their independence for longer and in doing so reduce preventable hospital admissions and avoidable winter pressures/deaths.

Board Members recognised the potential opportunities which had been highlighted by the presentation including the connection to the health and homelessness issues discussed earlier in the meeting. A copy of the presentation was requested by the Chief Executive, North Tees and Hartlepool NHS Foundation Trust.

Decision

- (i) The Board agreed that a Task and Finish Group comprising members of the Board would be appropriate to progress the opportunities highlighted in the presentation
- (ii) The Board agreed to include reference to the contribution the Fire Service can make to Health and Wellbeing in JSNA.

44. Skin Cancer Prevention – Saving our Skins Initiative (*Director of Public Health*)

The report provided the Board with information regarding the Public Protection Section's Save Our Skins Initiative. The report emphasised the second phase of the initiative which was being delivered in pre-school nurseries and after-school clubs. The Board was advised that the aim of the Save our Skins

Initiative was to raise awareness of the risk of skin cancer due to overexposure of ultraviolet radiation and promote sun safe behaviour in Hartlepool. In order to effectively deliver the Sun Safe message to a broad cross section of the community, the Sun Safe Initiative had been delivered in phases. The initial phase, which was completed during 2014-15, involved Public Protection staff visiting sun bed salons to assess the level of compliance with the Health and Safety Executive (HSE) Guidance. The second phase was being delivered during 2015-16 in pre-school nurseries and after-school Clubs. The Public Protection Section had enforcement responsibilities in these establishments under the Health & Safety at Work etc. Act 1974 with regard to employees, service users and any others affected by their undertaking. A number of additional visits had been carried out to after-school clubs as the Public Protection Section had established links with these establishments in relation to Food Hygiene visits.

It was proposed that Public Protection officers continue to work with pre-school nurseries and after school clubs in Hartlepool to raise awareness of the risk of skin cancer resulting from overexposure to UVR. Further visits would be carried out to provide support and assistance to nurseries and after school clubs to encourage them to register as Sun Safe Nurseries and encourage children to enjoy the sun safely. All information would be made available to all educational establishments on the Hartlepool Borough Council website and would link to the communications and engagement strategy. The next phase would be to roll out the initiative to other sectors for which the Public Protection Section had enforcement responsibilities under the Health & Safety at Work etc. Act 1974.

Decision

The Board noted the report.

45. Better Care Fund 2015/16 Q2 Return *(Director of Child and Adult Services)*

Further to minute 34 of the meeting of the Board held on 5 October 2015, a report presented by the Director of Child and Adult Services provided the Board with an update on implementation of the Better Care Fund Plan and presented the 2015/16 Quarter 2 return which had been submitted on 27 November. As the documentation had only recently been submitted, the appendix referred to in the report had not been circulated. Copies of the Quarter 2 return were available at the meeting and could be circulated electronically following the meeting. It was highlighted that there continued to be some slippage against the BCF Plan although it was anticipated that all funding would be fully spent in accordance with the Plan by the end of the financial year.

Decision

The report was noted.

Meeting concluded at 11.35 a.m.

CHAIR

SAFER HARTLEPOOL PARTNERSHIP MINUTES AND DECISION RECORD

20 November 2015

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool

Present:

Councillor: Christopher Akers-Belcher (In the Chair)
Councillor Marjorie James, Hartlepool Borough Council
Clare Clark, Head of Community Safety and Engagement
Denise Ogden, Director of Regeneration and Neighbourhoods
Louise Wallace, Director of Public Health
Chief Superintendent Gordon Lang, Cleveland Police
Chief Inspector Lynn Beeston, Chair of Youth Offending Board
Steve Johnson, Cleveland Fire and Rescue Authority
John Bentley, Safe In Tees Valley
Stewart Tagg, Housing Hartlepool
Karen Hawkins, Hartlepool and Stockton on Tees Clinical
Commissioning Group

In accordance with Council Procedure Rule 5.2 (ii) Danielle Swainston was in attendance as substitute for Sally Robinson and Neville Cameron was in attendance as substitute for Barry Coppinger

Also present:

Councillors Allan Clark and Jim Lindridge, HBC
Charlotte Jenkinson, National Probation Service
Lauren Howells, Youth Parliament

Officers: Ian Harrison, Trading Standards and Licensing Manager
Denise Wimpenny, Principal Democratic Services Officer

Prior to opening the meeting the Chair welcomed Lauren Howells, a representative from the Youth Parliament, who was shadowing the Chair at today's meeting.

33. Apologies for Absence

Apologies for absence were submitted on behalf of Barry Coppinger, Police and Crime Commissioner, Sally Robinson, Director of Child and Adult Services and Julie Allan and Rosana Roy, National Probation Service.

34. Declarations of Interest

None

35. Minutes of the meeting held on 16 October 2015

Confirmed.

36. Matters Arising from the Minutes

The Chair reported that an update had been provided by the British Transport Police, following their attendance at the last meeting, a copy of which was tabled at the meeting for information purposes. It was noted that a day of action was taking place on Saturday 21 November, to which a Member present, who was planning to travel that day, agreed to provide feedback at the next meeting.

Decision

That the information given be noted.

37. Taxi Marshalling Scheme *(Director of Public Health)*

Purpose of report

To inform the Partnership about proposed changes to funding arrangements that are likely to result in the cessation of the Taxi Marshalling Scheme that has been in operation for a number of years.

Issue(s) for consideration

The Director of Public Health reported on the background to the Taxi Marshalling Scheme and the discussions that had taken place at a meeting of the Finance and Policy Committee on 28 August 2015 in relation to the significant reductions made to the Public Health grant and, as a consequence, a range of options, including the removal of funding for the Taxi Marshalling Scheme, were being considered in order to meet the level of savings required.

In light of the significant in year Public Health national grant cut, it was proposed to withdraw the non-recurring funding of the Taxi Marshalling Scheme as of April 2016. With a view to continuing the service beyond April 2016 a number of options had been considered, details of which were included in the report. Given that it had not been possible to identify any sources of funding it was likely that the service would cease in July 2016. The Partnership was therefore requested to consider jointly funding the scheme.

The Partnership discussed the benefits of the Taxi Marshalling Scheme and various options to enable the service to continue. A number of suggestions were debated including the option to increase taxi fares between midnight and 6.00 am and the option to introduce a levy on licensed premises or taxi companies. In terms of introducing a levy on licensed premises, the Trading Standards and Licensing Manager advised that this had previously been explored and it was determined that a levy of this type would be too costly to administer.

The Trading Standards and Licensing Manager responded to further queries raised by Members. Clarification was provided in relation to the feasibility and legality of the options available to the Council. A number of concerns were raised regarding the potential health and safety impact should this service be lost. Given the Partnership's agreement that this scheme could no longer be funded through the Public Health grant but through partner organisations, the Chair requested that all funding stream options be explored to include partner organisations, licensed premises and food outlets, the outcome of which to be reported to a future meeting of the Partnership. A representative from the Police and Crime Commissioner's Office agreed to explore whether any funding was available in the Police and Crime Commissioner's budget to support this scheme.

Later in the meeting the representative from the Police and Crime Commissioner's Office stated that following discussions with the PCC's Chief Finance Officer, information on how much funding would be available would not be clarified until the New Year. Feedback would therefore be reported to the next meeting of the Partnership.

Decision

- (i) That the contents of the report and request for partner funding to sustain the scheme be noted.
- (ii) The Partnership supported the continued efforts to secure funding for the continuation of the Taxi Marshalling Scheme.
- (iii) That all funding stream options be pursued, the outcome of which to be reported to a future meeting of the Partnership.

38. Think Family, Think Communities (TFTC) Progress Update *(Director of Child and Adult Services)*

Purpose of report

To update Members of the Partnership on the results of Phase 1 of the Think Family, Think Communities (TFTC) Programme and the implementation and progress of Phase 2 of the programme.

Issue(s) for consideration

The Assistant Director, presented the report which provided background information in relation to the Troubled Families Programme. An update on phase 1 of the programme was provided. Hartlepool had been successful in 'turning around' all 290 families by February 2015. A breakdown of what was claimed on a payment by results basis was provided, as detailed in the report. An analysis had been carried out to establish what impact the Think Family Programme had made on families' lives, the findings of which were attached at Appendix A.

The Partnership was provided with information on Phase 2 of the Troubled Families Programme, details of which were set out in the report. Hartlepool had been selected to be one of 51 early adopters of Phase 2 and was expected to identify, engage and turn around 950 families during the expected length of Phase 2 April 2015 – March 2020.

The Chief Superintendent referred to a recent Troubled Families Conference he had attended where emphasis had been placed upon the need to bring together multi-agency teams in terms of data sharing in this regard. The Assistant Director advised that it was the intention to develop multi-agency community hubs which was a key element of this intervention. Discussions had commenced with the police in relation to targeting difficult families. The importance of pursuing partnership working and building upon these initial discussions was emphasised by the Partnership. The mechanisms to support partnership working, and the importance of early intervention was also debated by Members. In considering the statistics, as detailed in the report, whilst the Partnership was pleased to note the positive outcomes that the programme had had on families' lives, it was highlighted that more work was needed in relation to employment statistics. The Chair highlighted the potential opportunity to introduce a referral system between this piece of work and the youth employment initiative.

The Assistant Director provided clarification in response to queries raised in relation to the programme, early intervention arrangements and benchmarking arrangements as well as the challenges associated with worklessness issues.

Decision

- (i) That the contents of the report be noted and the suggestions of Partnership Members, as outlined above, be explored with a view to improving outcomes for children, young people and their families.
- (ii) That partnership working between the police and the Council in terms of sharing information to target difficult families be pursued and feedback be reported to future meetings of the Partnership.

39. Serious and Organised Crime Update (*Director of Regeneration and Neighbourhoods*)

Purpose of report

To provide the Partnership with an overview of activity being undertaken to tackle Serious and Organised Crime across Cleveland.

Issue(s) for consideration

The Director of Regeneration and Neighbourhoods presented the report which provided background information in relation to the Serious and Organised Crime Strategy together with the aims and key elements of the Strategy. Details of developments to date locally in terms of tackling organised crime in Cleveland were provided. Following discussion at the Partnership in November 2014, a number of staff from a broad range of organisations (including 56 front line Council staff) had participated in training to raise awareness of human trafficking, the signs to look out for, and how to respond where it was suspected that trafficking had occurred in the local area. More recently it had been acknowledged that whilst there was some work being undertaken in partnership to tackle serious and organised crime, there was currently no co-ordinated response to the Prevent strand of the Serious and Organised Crime Strategy across Cleveland.

Members were advised that following discussion with Community Safety Partnership leads across the Cleveland force area and the police it was intended to form a small working group that would take forward the Prevent element of the Serious and Organised Crime Strategy, which would report to the Strategic CONTEST Group of which the Council's Director of Regeneration and Neighbourhoods was the Vice-Chair.

In the discussion that followed presentation of the report, concerns were raised regarding the impact that the loss of PCSO's was having on intelligence gathering and the need to ensure that neighbourhood policing was not lost on estates was emphasised. The importance of maintaining a link between the public and services was highlighted. The Director of Regeneration and Neighbourhoods provided assurances that this issue was currently being considered jointly with the police.

Decision

That developments to date locally in relation to tackling organised crime in Cleveland and comments of Members be noted.

40. Safer Hartlepool Partnership Performance *(Director of Regeneration and Neighbourhoods)*

Purpose of report

To provide an overview of Safer Hartlepool Partnership performance for Quarter 2 – July 2015 to September 2015 (inclusive)

Issue(s) for consideration

The report provided an overview of the Partnership's performance during 2015 comparing the current performance to the previous year. In presenting the report, the Head of Community Safety and Engagement highlighted salient positive and negative data and responded to a number of queries raised in relation to crime figures by type.

Some concerns were raised regarding the ongoing increase in deliberate fires and the impact on the Fire Service as a result.

The Chair thanked the representative from the Youth Parliament for her attendance and was of the view that links should be established with the Youth Parliament with a view to encouraging participation by young people. The benefits of including young people in future Face the Public events was also highlighted.

The Youth Parliament Representative thanked the Chair for the opportunity to attend which had assisted in her understanding of the Council's democratic processes and operations. The Partnership was advised that the Youth Parliament would welcome any guest speakers from the Partnership to assist in their understanding of community safety issues. The Chief Superintendent and Chair of Neighbourhood Services indicated that input from the Youth Parliament would be welcomed. The Chief Superintendent indicated a willingness to attend the Youth Parliament to discuss the most appropriate methods of engagement between the police and young people.

Decision

- (i) That Quarter 2 performance and comments of Members be noted.
- (ii) That links be established with the Youth Parliament with a view to encouraging participation by young people in future Face the Public events.

41. Date and Time of Next Meeting

It was reported that the next meeting would be held on Friday 22 January 2016 at 10.00 am.

The meeting concluded at 11.20 am.

CHAIR

FINANCE AND POLICY COMMITTEE

15th February 2016



Report of: Chief Executive, Director of Neighbourhoods and Regeneration and the Director of Public Health

Subject: COUNCIL PLAN 2016/17 – PROPOSALS FOR CONSIDERATION

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Budget and Policy Framework

2. PURPOSE OF REPORT

2.1 To provide the opportunity for the Finance and Policy Committee to consider the proposals that fall under the remit of the Committee for inclusion in the 2016/17 Council Plan.

3. BACKGROUND

3.1 The service planning process commenced during the summer of 2015 with a review of the Outcome Framework with some minor changes being made for the Framework for 2016/17. The changes were reported to and agreed by Finance and Policy Committee on the 21st September 2015.

3.2 As in previous years detailed proposals are being considered by each of the Policy Committees throughout January and February in respect of their areas of responsibility. A further report will be prepared for Finance and Policy Committee on the 14th of March detailing the comments/observations of each of the Committees along with Departmental responses and a full draft of the 2016/17 Council Plan.

3.3 The Council Plan will then be presented to Council for consideration and agreement on the 17th March. It is proposed that any additional updates or changes agreed by the Finance and Policy Committee on the 14th of March will be noted when the report is presented to Full Council.

4. PROPOSALS

4.1 The Outcomes that include activities that fall under the remit of the Finance and Policy Committee are:

- Reduction in the prevalence of family and child poverty
- Health Improvement - people are helped to live healthy lifestyles, make healthy choices and reduce health inequalities
- Health Protection - Health Protection: the populations health is protected from major incidents and other threats, whilst reducing health inequalities
- Healthcare public health and preventing premature mortality - reduce the number of people living with preventable ill health and people dying prematurely, whilst reducing the gap between communities
- Hartlepool has reduced crime and repeat victimisation
- There is reduced harm caused by drugs and alcohol misuse
- Communities have improved confidence and feel more cohesive and safe
- Offending and re-offending has reduced
- Local people have a greater voice and influence over local decision making and the delivery of services
- Improve the efficiency and effectiveness of the organisation
- Deliver effective customer focused services, meeting the needs of diverse groups and maintaining customer satisfaction
- Maintain effective governance arrangements for core business and key partnerships
- Maintain the profile and reputation of the Council
- Deliver effective Member and Workforce arrangements, maximising the efficiency of the Council's Democratic function
- Ensure the effective implementation of significant government policy changes

4.2 **Appendix A** provides detail on the proposed actions, performance indicators and risks identified to deliver the outcomes. The Committee is requested to consider the proposals and provide any comments or observations to feed

into the consideration of the overall Plan by Finance & Policy Committee on 14th March.

5. NEXT STEPS

- 5.1 The remainder of the Council Plan proposals will be discussed at the relevant Committees during January and February. Comments and observations from those Committees will be added to those received at today's meeting and included in the overall presentation of the final draft of the Council Plan to Finance and Policy Committee on 14th March 2016, before being taken for consideration and formal agreement by Council at the meeting on 17th March 2016.
- 5.2 Progress towards achieving the actions and targets included in the Council Plan will be monitored throughout 2016/17 by officers across the Council and progress reported quarterly to Elected Members.

6. RISK IMPLICATIONS

- 6.1 The Council needs appropriate planning and performance management arrangements in place in order to manage its key strategic risks. The aim of the Council Plan is to provide assurance to Elected Members that these risks are being managed.

7. FINANCIAL CONSIDERATIONS

- 7.1 All proposals have been prepared giving due regard to financial considerations.

8. LEGAL CONSIDERATIONS

- 8.1 There are no legal considerations.

9. CHILD AND FAMILY POVERTY CONSIDERATIONS

- 9.1 This report includes the Council Proposals on the Child and Family Poverty outcome of the Council Plan.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 There are no equality and diversity considerations.

11. STAFF CONSIDERATIONS

11.1 There are no staff considerations.

12. ASSET MANAGEMENT CONSIDERATIONS

12.1 There are no asset management considerations.

13. RECOMMENDATIONS

13.1 It is recommended that the Finance and Policy Committee:

- considers the outcome proposals (Appendix A) for inclusion in the 2016/17 Council Plan;
- formulates any comments and observations to be included in the presentation of the overall Council Plan 2016/17 to Finance and Policy Committee on 14th March 2016.

14. REASONS FOR RECOMMENDATIONS

14.1 Finance and Policy Committee has responsibility for services that are included within the Council Plan.

15. BACKGROUND PAPERS

15.1 There were no background papers used in the preparation of this report.

16. CONTACT OFFICERS

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SECTION 1 OUTCOME DETAILS

Outcome:	Reduction in the prevalence of family and child poverty	Theme:	Jobs & the Economy
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Lead Dept:	CAD	Other Contributors:	CED
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Review Child Poverty Strategy – carry out consultation with partners and rewrite Child and Family Poverty Strategy	March 2017	Assistant Director (Children's Services)
Work with partners to establish volunteer and education pathway for parents which includes volunteer programme and volunteer placements	March 2017	Assistant Director (Children's Services)
Implement Free School Meals take up initiatives	March 2017	Principal Awards Officer

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
NEW	Proportion of children in low income families	Assistant Director (Children's Services)	Monitored	Financial Year	N/A (monitored only)		
NEW	% of children in workless households	Assistant Director (Children's Services)	Monitored	Financial Year	N/A (monitored only)		
NI 117	Proportion of 16-18 year olds not in employment, education or training	Assistant Director (Children's Services)	Targeted	Financial Year	6%	TBC	TBC
NEW	Percentage of those eligible who are awarded Free School Meals - Primary Schools+	TBC	Targeted	Financial Year	N/A	TBC	TBC
NEW	Percentage of those eligible who are awarded Free School Meals – Secondary School+	TBC	Targeted	Financial Year	N/A	TBC	TBC

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
NEW	Failure to deliver Child and Family Poverty Strategy	Assistant Director (Children's Services)

SECTION 1 OUTCOME DETAILS

Outcome:	Health Improvement - people are helped to live healthy lifestyles, make healthy choices and reduce health inequalities	Theme:	Health & Wellbeing
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Lead Dept:	PHD	Other Contributors:	CED
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Deliver and evaluate the Public Health Communications Strategy	March 2017	Public Relations Manager
Lead a feasibility analysis on the development of Community Hubs as part of the Future Hartlepool Programme	June 2016	Director of Public Health
Ensure implementation and delivery of the National Child Measurement Programme	August 2016	Health Improvement Practitioner
Increase uptake of the NHS Health Check programme over a 5 year period – 2013/14 to 2017/18 through the development of a targeted programme of delivery in the community setting as well as GP practice	March 2018	Head of Health Improvement
Introduce a healthier catering commitment scheme & roll out to relevant businesses	March 2018	Head of Public Protection
Increase sport & physical activity participation	March 2017	Sport & Physical Activity Manager
Work with key partners to progress the provision of a replacement facility for Mill House Leisure Centre	March 2017	Strategic Health and Recreation Manager
Work with key partners to progress the provision of a new swimming pool at Brierton Sports Centre	March 2017	Strategic Health and Recreation Manager
Deliver a range of service developments to improve customer offer across the Sport & Recreation service	March 2017	Business Development Manager

SECTION 3 PERFORMANCE INDICATORS & TARGETS							
Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
NEW	Cumulative % of the eligible population aged 40-74 offered an NHS Health Check	Head of Health Improvement	Targeted	Financial	60%	80%	100%
PHD 2.13i	Percentage of physically active adults	Sport & Physical Activity Manager	Monitored	Calendar	N/A (monitored only)		
NEW	Percentage of physically inactive adults	Sport & Physical Activity Manager	Monitored	Calendar	N/A (monitored only)		
ACS PO35	GP Referrals – of those participants completing a 10 week programme of referred activity, the percentage going onto mainstream activity participation	Sport & Physical Activity Manager	Targeted	Financial year	70%	70%	70%
ACS PO59	Overall average attendances at Mill House, Brierton and Headland Leisure Centres	Leisure Operations and Development Manager	Targeted	Financial year	368,750	350,000	365,000
PHD 2.22	Overall attendances at all Sport & Physical Activity Team programmed activity sessions	Sport & Physical Activity Manager	Targeted	Financial year	New	16,000	18,000
NEW	Throughput at all other sport & physical activity, health & exercise & Summerhill programmed sessions (Instructor Coached or staff led)	Sport & Physical Activity Manager	Targeted	Financial year	New	20,000	21,000
PHD 2.23	Primary School Swimming – 25m attainment from HBC Programme	Leisure Operations and Development Manager	Monitored	Academic Year	N/A (monitored only)		
PHD 2.24	Level of external partnership funding attracted to support and develop the services	Strategic Health and Recreation Manager	Monitored	Financial year	N/A (monitored only)		
PHD 2.26	Number of hours spent volunteering within the Sport & Recreation service	Sport & Physical Activity Manager	Targeted	Financial year	New	600	725
NEW	Number of community learn to swim participants	Leisure Operations and Development Manager	Targeted	Financial year	New	650	750
NEW	Footfall at Summerhill Visitors Centre	Strategic Health and Recreation Manager	Targeted	Financial year	New	90,000	95,000
NEW	Number of residents using Carlton	Strategic Health and Recreation Manager	Targeted	Financial year	New	9,000	9,500

4.1 Appendix A

NEW	Number of day visitors using Carlton	Strategic Health and Recreation Manager	Targeted	Financial Year	New	800	900
ACS P108b	Overall attendances at the Borough Hall	Business Development Manager	Targeted	Financial year	New	43,000	45,000

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
PHD R001	Failure of GP practices to offer 100% of eligible population the opportunity for an NHS Health Check over the 5 year period	Head of Health Improvement
CAD R054	Failure to ensure awareness and training of staff regarding safeguarding	Head of Sport and Recreation
CAD R013	Failure to achieve required customer / participation and income levels	Head of Sport and Recreation
CAD R052	Failure to meet the licensing requirements of the Adventurous Activity Licensing Authority	Strategic Health and Recreation Manager
CAD R053	Failure to adhere to the recommended standards regarding pool safety management	Leisure Operations and Development Manager
CAD R055	Failure to establish new partnerships and meet funding conditions of external partners in relation to grant funding, MOU's or SLA's	Head of Sports and Recreation
NEW	Loss of existing external partnerships upon whom there is a reliance for the delivery of key services	Head of Sport and Recreation
CAD R056	Lack of adequate investment in public buildings affecting ability to increase participation and income generate	Head of Sport and Recreation
CAD R057	Impact of recruitment freeze, gaps in staffing caused by length of time taken in process and use of redeployed staff lacking appropriate skills and experience	Head of Sport and Recreation
CAD R058	Failure to adhere to the recommendations of the Playing Pitch Strategy	Strategic Health and Recreation Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Health Protection - Health Protection: the populations health is protected from major incidents and other threats, whilst reducing health inequalities	Theme:	Health & Wellbeing
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Lead Dept:	PHD	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Ensure the implementation and mobilisation of a new integrated sexual health service for Hartlepool	March 2017	Health Improvement Practitioner
Ensure the uptake of childhood vaccinations	March 2017	Health Improvement Practitioner
Ensure the delivery of school based childhood flu programme	March 2017	Health Improvement Practitioner
Extend air quality monitoring to include particulate PM2.5, which has a serious impact on health	March 2018	Environmental Health Manager (Environmental Protection)
Roll out no cold call zones, undertake work on doorstep selling & scams	March 2018	Trading Standards & Licensing Manager

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
NI 113b	Chlamydia detection rate (age 15-24) Male and Female	Health Improvement Practitioner	Targeted	Calendar Year	2300	2300	2300
3.03.xv	Flu vaccination coverage ~ at risk groups (children)	Health Improvement Practitioner	Targeted	October – March	30%	40%	40%
PHD 3.03x	Population vaccination coverage – MMR for two doses (5 years old)	Health Improvement Practitioner	Targeted	Financial Year	95%	95%	95%
PHD 3.1	Fraction of mortality attributable to particulate air pollution	Environmental Health Manager (Environmental Protection)	Monitored	Financial Year	N/A (monitored only)		
NI 184	Percentage of food establishments in area which are broadly compliant with food hygiene law	Head of Public Protection	Targeted	Financial Year	97%	97%	97%

4.1 Appendix A

PHD 1.14	The rate of complaints about noise	Environmental Health Manager (Environmental Protection)	Monitored	Financial Year	N/A (monitored only)
PHD 4.8 i	Mortality from communicable diseases (persons)	Environmental Health Manager (Commercial)	Monitored	Financial Year	N/A (monitored only)

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
PHD R002	Failure of eligible population to take up the offer of vaccinations	Head of Health Improvement
PHD R003	Failure of population to present to sexual health services	Health Improvement Practitioner
NEW	Risk of pandemic flu outbreaks and other infectious diseases if comprehensive plans not in place	Director of Public Health

SECTION 1 OUTCOME DETAILS

Outcome:	Healthcare public health and preventing premature mortality - reduce the number of people living with preventable ill health and people dying prematurely, whilst reducing the gap between communities	Theme:	Health & Wellbeing
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Lead Dept:	PHD	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Ensure the core offer of public health advice is provided to the Clinical Commissioning Group (CCG)	March 2017	Head of Health Improvement
Ensure effective treatment options are available and accessible to all substance misusers in the Community	March 2017	Strategic Manager Drugs and Alcohol
Introduce saving our skins (skin cancer awareness) activities with partners & roll out to relevant businesses.	March 2018	Environmental Health Manager (Commercial)

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
ACS P099	Proportion of substance misusers that successfully complete treatment - Opiates	Strategic Manager Drugs and Alcohol	Targeted	Financial Year	11%	11%	11%
NEW	Proportion of substance misusers that successfully complete treatment - Non Opiates	Strategic Manager Drugs and Alcohol	Targeted	Financial Year	50%	50%	50%
NEW	Proportion of substance misusers that successfully complete treatment - Alcohol	Strategic Manager Drugs and Alcohol	Targeted	Financial Year	35%	35%	35%

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
PHD R004	Failure to engage those with substance misuse problems in effective treatment	Strategic Manager Drugs and Alcohol

SECTION 1 OUTCOME DETAILS

Outcome:	Hartlepool has reduced crime and repeat victimisation	Theme:	Community Safety
Lead Dept:	RND	Other Contributors:	

SECTION 2 ACTIONS

Action	Due Date	Assignee
Undertake a full assessment of the community safety issues and priorities in Hartlepool to inform development of the Community Safety Strategy 2017 - 2020	March 2017	Community Safety Team Leader
Undertake a needs analysis to inform the development of the Safer Hartlepool Partnership Domestic Violence & Abuse Strategy and re-commissioning of the Councils specialist domestic violence service.	March 2017	Community Safety Team Leader

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
CEDLS P011	Number of authorisations for Directed Surveillance and Covert Human Intelligence Sources granted by the Council under the Regulation of Investigatory Powers Act (RIPA)	Constitutional & Administration Solicitor	Monitored	Financial Year	N/A (monitored only)		
RPD P028a	Number of reported crimes in Hartlepool	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
NI 32	Number of repeat incidents of domestic violence	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
NEW	Number of repeat Multi-Agency Risk Assessment Conference cases (MARAC)	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
RND R032	Inability to respond to victims in a timely manner due to increased demand and lack of co-ordination on a Tees wide level	Community Safety & Engagement Manager

SECTION 1 OUTCOME DETAILS

Outcome:	There is reduced harm caused by drugs and alcohol misuse	Theme:	Community Safety
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Lead Dept:	RND	Other Contributors:	PHD
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Address the impact of drug and alcohol misuse on the broader community working in partnership with the police to target hotspot locations	March 2017	Community Safety Team Leader

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
RND P073	Incidents of drug dealing and supply	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
RND R074	Number of young people found in possession of alcohol	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
New	Number of alcohol related incidents on trains	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS

Code	Risk	Assignee
	None identified	

SECTION 1 OUTCOME DETAILS

Outcome:	Communities have improved confidence and feel more cohesive and safe	Theme:	Community Safety
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Lead Dept:	RND	Other Contributors:	CED
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Deliver and evaluate the Safer Hartlepool Partnership Communications Strategy	March 2017	Public Relations Manager
Establish a Community Resolution Service (Restorative Justice and Mediation) to victims of low level crime and anti-social behaviour in Hartlepool	March 2017	Community Safety & Engagement Team Leader
Implement the counter terrorism Prevent Action Plan ensuring Council compliance with the 'Prevent Duty'	March 2017	Community Safety & Engagement Team Leader

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
RND P107	Number of anti-social behaviour incidents	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
RND P108	Percentage of residents who feel the Council and Police are tackling the crime and anti-social behaviour issues that matter in their area	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
New	% of people who think people from different ethnic backgrounds get on well together	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		
New	% of people who feel unsafe after dark	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
RND R032	Failure to maintain effective partnership arrangements following organisational restructuring	Community Safety & Engagement Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Offending and re-offending has reduced	Theme:	Community Safety
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Lead Dept:	RND	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Improve the reintegration of offenders into the community through addressing support and housing/accommodation needs	March 2017	Community Safety Team Leader

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
RND R067	Re-offending rates of the Integrated Offender Management Cohort	Community Safety Research Officer	Monitored	Financial Year	N/A (monitored only)		

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS

Code	Risk	Assignee
New	Relocation of key criminal justice services out of the area that currently have a base in Hartlepool (Court Services and Community Rehabilitation Company)	Community Safety & Engagement Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Local people have a greater voice and influence over local decision making and the delivery of services	Theme:	Strengthening Communities
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Lead Dept:	RND	Other Contributors:	CED
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SECTION 2 ACTIONS

Action	Due Date	Assignee
No Actions for Finance and Policy Committee to consider. Actions for this outcome fall under the remit of Neighbourhood Services Committee		

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
NEW	Number of public surveys undertaken with corporate support	Performance and Partnerships Manager	Monitor	Financial Year	N/A (monitored only)		
NEW	Total number of responses from public surveys undertaken with corporate support	Performance and Partnerships Manager	Monitor	Financial Year	N/A (monitored only)		

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS

Code	Risk	Assignee
CED R096	Lack of data quality of consultation conducted results in poor decision making and worsening performance	Performance & Partnerships Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Improve the efficiency and effectiveness of the organisation	Theme:	Organisational Development
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Lead Dept:	CED	Other Contributors:	RND
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Deliver the programme of IT transformation projects to agreed schedule including the completion of the desktop refresh	March 2017	Strategic ICT Manager
Implement a programme of communication to ensure awareness of Council information security arrangements	March 2017	ICT Support & Development Manager
Review and update the Medium term Financial Strategy (MTFS) including links to Council Tax Support Scheme	March 2017	Chief Finance Officer
Determine and implement a strategic programme to ensure delivery of the savings required in the MTFS and budget settlement for 2017/18 and future years	March 2017	Assistant Chief Executive / Chief Finance Officer
Implement effective treasury management strategy including vehicle replacement programme	June 2016	Chief Finance Officer
Financially model the Local Council Tax Support Scheme costs and underlying assumptions to inform the 2017/18 Local Council Tax Support scheme	Sept 2016	Assistant Chief Finance Officer
Monitor / Evaluate financial and organisational impacts of further roll out of Universal Credit	March 2017	Assistant Chief Finance Officer
Undertake Council insurance's tender exercise and agree policies and excesses for the following 3-5 years	Sept 2016	Shared Services Manager
Review provision of the stores and small plant hire services.	December 2016	Building Design & Construction Manager
Facilitate the relocation of the community monitoring centre	July 2016	Building Design & Construction Manager
Explore opportunities to create an arms-length company which will improve availability of housing stock throughout the borough and generate income for the Council	March 2017	Estates & Regeneration Manager
Achieve capital receipts target in line with programme	March 2017	Estates & Regeneration Manager

SECTION 3 PERFORMANCE INDICATORS & TARGETS							
Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
ICT PI 3	Unavailability of ICT Service to users	Senior ICT Support Officer	Targeted	Financial Year	4.25	4.00	3.75
ICT PI 4	Percentage of incidents resolved within agreed service levels	Senior ICT Support Officer	Targeted	Financial Year	96	96.25	96.5
CEDCS P095	Actual savings from efficiency and savings programme	Assistant Chief Executive / Chief Finance Officer	Targeted	Financial Year	£5.6m	£4.2m	£5.2m
CEDFI P001	Percentage of invoices paid on time	Shared Services Manager	Targeted	Financial Year	95%	95%	95%
CEDFI P030	Percentage of Local Supplier invoices paid in 10 days	Shared Services Manager	Targeted	Financial Year	85%	85%	85%
CEDFI P002	Percentage of Council Tax collected in year	Principal Revenues Officer	Targeted	Financial Year	95%	95%	95%
CEDFI P041	Percentage of Council Tax collected after 5 years	Principal Revenues Officer	Targeted	Financial Year	99%	99%	99%
CEDFI P003	Percentage of Business Rates collected in year	Principal Revenues Officer	Targeted	Financial Year	98%	98%	98%
CEDFI P050	Percentage of Business Rates collected after 5 years	Principal Revenues Officer	Targeted	Financial Year	99%	99%	99%
NEW	PSN Compliance achieved	ICT Support & Development Manager	Targeted	Financial Year	N/A	Yes	Yes

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
Updated CED R073	Employees across the Council do not have appropriate skills and knowledge in relation to PM, risk, consultation, complaints and data quality	Performance & Partnerships Manager
CED R089	Experiencing failure or lack of access to critical ICT systems	Assistant Chief Executive
CED R097	Failure to comply with the requirements of PSN resulting in withdrawal of HBC's 'connected' status	Strategic ICT Manager
CED R099	National or External Agendas necessitate change to departmental priorities which impact upon the corporate ICT strategy	Strategic ICT Manager
CED R091	Failure to have corporately adequate arrangements in place to manage and deliver the budget strategy and savings programme	Assistant Chief Executive / Chief Finance Officer
CED R043	Treasury management decisions on borrowing and investment fail to optimize benefit for Council	Chief Finance Officer
CED R072	The Council becomes a target for fraudulent activities	Head of Audit & Governance
CED R054	A major health and safety accident or incident may occur as a result of employees actions or inactions	Health, Safety & Wellbeing Manager
RND R047	Failure to execute procurement activities within the guidelines leading to challenges to contract award decisions	Strategic Procurement Manager
RND R085	Failure to achieve the Council's capital receipts target because of the difficult economic client and market conditions.	Estates & Regeneration Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Deliver effective customer focused services, meeting the needs of diverse groups and maintaining customer satisfaction	Theme:	Organisational Development
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Lead Dept:	CED	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Replace / upgrade customer service technology (CRM) to facilitate integration with digital channels	March 2017	Customer & Business Manager
Develop and deliver a Roll-in Programme integrating new services into the Customer Service Centre	March 2017	Customer & Business Manager
Identify and implement a programme of change to increase digital availability and take up of services	March 2019	Customer & Business Manager / ICT Support & Development Manager
Analyse and communicate the Welfare Reform and Work Bill 2015 changes to impacted benefit claimants and evaluate the impacts on the Local Council Tax Support scheme.	March 2017	Assistant Chief Finance Officer
Work in partnership with the Valuation Office Agency to communicate the new 2017 Rateable Values to business ratepayers and ensure that local businesses receive the reliefs and reductions available to them	March 2017	Principal Revenues Officer

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
CEDCS P017	Number of unique visitor website hits	ICT Support & Development Manager	Targeted	Financial Year	358,000	375,900	380,000
CEDCS P066	Average wait in seconds for telephone calls to be answered	Customer & Business Manager	Targeted	Financial Year	30 secs	30 secs	30 secs
CEDCS P067	Average wait in minutes for personal visitors without an appointment	Customer & Business Manager	Targeted	Financial Year	15 mins	15 mins	15 mins
CEDCS P068	Percentage of Customer Service emails handled the same day	Customer & Business Manager	Targeted	Financial Year	90%	90%	90%

4.1 Appendix A

CEDCS P069	Percentage of Customer Service enquiries handled at the first point of contact	Customer & Business Manager	Targeted	Financial Year	85%	85%	85%
CEDCS P070	Percentage of customers satisfied with Customer Services	Customer & Business Manager	Targeted	Financial Year	90%	90%	90%
CEDCS P090	Percentage of satisfied customers for Registration Service	Customer & Business Manager	Targeted	Quarterly	95%	95%	95%
NEW	Number of corporate complaints investigated	Strategy & Performance Officer	Monitored	Financial Year	N/A (monitored only)		
CEDCS P093	Number of complaints investigated by the Local Government Ombudsman	Strategy & Performance Officer	Monitored	Financial Year	N/A (monitored only)		
CEDFI P004	Average time to process new Housing Benefit / Council Tax Support claims	Service Development Officer	Targeted	Financial Year	20 days	20 days	20 days
CEDFI P005	Average time to process Housing Benefit / Council Tax Support Changes in Circumstances	Service Development Officer	Targeted	Financial Year	9 days	9 days	9 days

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
CED R059	Failure to integrate equality into all aspects of the Councils work leading to non compliance with legislation and Council aims	Assistant Chief Executive / Performance & Partnerships Manager
CED R028	Failure to provide Statutory Registration duties (including IT system)	Customer & Business Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Maintain effective governance arrangements for core business and key partnerships	Theme:	Organisational Development
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Lead Dept:	CED	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Review performance management reporting to CMT and Elected Members and implement new reporting arrangements	August 2016	Performance & Partnerships Manager
Promote and maintain high standards of conduct by Members, co-opted Members and Officers	March 2017	Chief Solicitor
Monitor and review the operation of the Council's Constitution	March 2017	Chief Solicitor
Develop Mayoral Combined Authority Constitution to enable devolution deal	March 2017	Chief Solicitor

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
None identified							

SECTION 4 RISKS

Code	Risk	Assignee
CED R037	Failure to embed risk management framework leads to service / governance failure resulting in reputation / financial loss	Performance & Partnerships Manager
CED R076	Partnership structures no longer fit for purpose resulting in relationship breakdown between Hartlepool Borough Council and key partners	Performance & Partnerships Manager
CED R031	Performance management arrangement fails to operate as intended resulting in unanticipated service/governance failure within Council / Partnership	Performance & Partnerships Manager
CED R062	Lack of data quality for performance information results in poor decision making and worsening performance	Performance & Partnerships Manager

4.1 Appendix A

CED R080	Statutory deadlines for the production of the Councils accounts may not be met.	Head of Finance (Corporate)
CED R080	Decision making meetings not taking place due to a loss of council facilities or serious problems preventing Councillors/staff attending	Democratic Services Team Manager
CED R060	Failure to deliver an effective legal service	Legal Services Manager
NEW	Statutory deadline for the production of the Annual Governance Statement might not be met	Head of Audit & Governance
NEW	Committee and Partnership support arrangements fail to operate as intended resulting in governance failure within the Council	Democratic Services Team Manager
NEW	Support arrangements fail to operate as intended resulting in break down of statutory scrutiny at a Tees Valley and North East level	Scrutiny Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Maintain the profile and reputation of the Council	Theme:	Organisational Development
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Lead Dept:	CED	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Undertake a review of existing social media platforms to ensure that they are being used to maximum affect	March 2017	Public Relations Manager
Development and implement a communication strategy for the Hartlepool Vision	March 2017	Public Relations Manager
Promote Hartlepool Council and the town on a regional and national level by targeting key regional and national media outlets with Hartlepool related stories, achievements and major developments	March 2017	Public Relations Manager

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
CED P094	The percentage of readers who read some or most of the content of Hartbeat	Public Relations Manager	Monitored	Financial Year	N/A (monitored only)		
CED CSP074	The number of followers on Twitter and facebook.	Public Relations Manager	Monitored	Financial Year	N/A (monitored only)		

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS

Code	Risk	Assignee
CED R005	The failure to maintain a positive reputation	Public Relations Manager
CED R051	Failure to comply with legislation leading to unlawful acts, loss of morale, poor industrial relations and / or accidents to employees resulting in industrial, criminal or civil action against the Council	HR Business Partners / Health, Safety & Wellbeing Manager

4.1 Appendix A

CED R063	The risk of breach of conduct by elected members / co-opted members	Chief Solicitor
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SECTION 1 OUTCOME DETAILS

Outcome:	Deliver effective Member and Workforce arrangements, maximising the efficiency of the Council's Democratic function	Theme:	Organisational Development
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Lead Dept:	CED	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Implement the Workforce Strategy	March 2017	HR Business Partners
Consider and implement the Gender Pay Gap regulations once published by the Government	March 2017	HR Advisor & Job Evaluation Manager
Deliver the Local Government Elections and the Police and Crime Commissioner Election in association with neighbouring local authorities within the Cleveland Force area	May 2016	Principal Registration & Members Services Officer
Ensure that arrangements are in place to successfully deliver the European Union Referendum when announced in conjunction with region-wide authorities	December 2017	Principal Registration & Members Services Officer
Review the arrangements for Member development and identify proposals for future activities	May 2016	Principal Registration & Members Services Officer

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
CEDCS P012	Percentage of draft minutes of Non Policy Committee meetings produced within 10 days of the meeting	Democratic Services Team Manager	Targeted	Financial year	100%	100%	100%
CEDCS P013	Percentage of draft minutes of Policy Committee meetings produced within 4 days of the meeting	Democratic Services Team Manager	Targeted	Financial year	100%	100%	100%
CEDCS P014	Percentage of minutes of Policy Committee meetings published within 5 days of the meeting	Democratic Services Team Manager	Monitored	Financial year	N/A (monitored only)		
HR PI 05A	Average working days per employee (full time equivalent) per year lost through sickness absence – All actual	HR Business Partner	Targeted	Financial Year	7.3	TBC	TBC

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS		
Code	Risk	Assignee
CED R053	Poor workforce planning and development may lead to poor service delivery / behaviour by employees	HR Business Partners
CED R088	Future and current equal pay claims including settlement of, or adverse findings in ET of existing equal pay claims	HR Business Partners
CED R061	Electoral problems/failures/legal challenges lead to Councillors not being elected to Council	Principal Registration & Members Services Officer / Chief Solicitor
CED R098	That a material safety breach of health and safety legislation is identified by the HSE resulting in a significant fee for intervention (FFI) being applied	Health, Safety & Wellbeing Manager
NEW	Failure to provide statutory scrutiny results in governance failure	Scrutiny Manager

SECTION 1 OUTCOME DETAILS

Outcome:	Ensure the effective implementation of significant government policy changes	Theme:	Organisational Development
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Lead Dept:	CED	Other Contributors:	
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SECTION 2 ACTIONS

Action	Due Date	Assignee
Disseminate information to CMT and Members around significant changes to government policy in order to inform decision making.	March 2017	Performance & Partnerships Manager
Implement Changes in Benefits entitlements in line with Welfare Reform and Work Bill 2015	March 2017	Assistant Chief Finance Officer
Implement Pensions Auto Enrolment Phase 2	Sept 2016	Shared Services Manager
Implement Teachers Pay and Conditions amendments	Sept 2016	Shared Services Manager
Implement Universal Credit Phase 2	March 2017	Principal Benefits Officer- Appeals and Security

SECTION 3 PERFORMANCE INDICATORS & TARGETS

Code	Indicator	Assignee	Targeted or Monitor	Collection Period	Target 2015/16	Proposed Target 2016/17	Proposed Target 2017/18*
None identified							

* This longer-term target is based on the current position and may be subject to change.

SECTION 4 RISKS

Code	Risk	Assignee
NEW	Failure to respond adequately to changes in Government policy	Chief Executive / Assistant Chief Executive

FINANCE AND POLICY COMMITTEE

15th February 2016



Report of: Director of Regeneration and Neighbourhoods

Subject: COMMUNITY SAFETY PLAN 2014-17 (YEAR 3)

1. TYPE OF DECISION

1.1 Part of the Budget and Policy Framework.

2 PURPOSE OF REPORT

2.1 To consider the Community Safety Plan 2014-17 (Year 3).

2.2 To consider referral to Council for adoption of the Community Safety Plan (Year 3).

3. BACKGROUND

3.1 The Crime and Disorder Act 1998 established a statutory duty for the Local Authorities, Police, Fire Brigades, Clinical Commissioning Groups, Community Rehabilitation Companies and National Probation Service to work together to address local crime and disorder, substance misuse and re-offending issues. Collectively these six bodies are known as Responsible Authorities and make up the Safer Hartlepool Partnership.

3.2 In accordance with the Crime and Disorder Act 1998 and the Crime and Disorder Regulations 2007, the Safer Hartlepool Partnership is required to produce a three year Community Safety Plan setting out how it intends to tackle crime and disorder, substance misuse and re-offending in Hartlepool.

3.3 The current Community Safety Plan published in 2014 outlines the Safer Hartlepool Partnership's strategic objectives for a three year period, with a requirement to refresh the plan on an annual basis following completion of the annual strategic assessment.

3.4 The Community Safety Plan (Year 3) which is attached at **Appendix A** was agreed by the Safer Hartlepool Partnership at their meeting on 22nd January.

- 3.5 In accordance with the budget and policy framework the Finance and Policy Committee are asked to consider the content of the Community Safety Plan and refer to full Council for adoption.

4. 2016-17 COMMUNITY SAFETY PLAN /PROPOSED ANNUAL PRIORITIES

- 4.1 The Community Safety Plan (Year 3) provides an overview of progress made by the Safer Hartlepool Partnership during 2015-16 with an update on end of year performance. It describes some of the Partnership activity undertaken to reduce crime and improve safety during the last 12 months, and incorporates the 2016-17 annual priorities as recommended in the annual Partnership strategic assessment as follows:

Strategic Objectives 2014 -17	Annual Priorities 2016 – 17
Reduce crime and repeat victimisation	<p>Acquisitive Crime - reduce acquisitive crime through raising awareness and encouraging preventative activity with a particular focus on domestic burglar</p> <p>Domestic Violence and Abuse – safeguard individuals and their families from violence and abuse and implement programmes to tackle those identified as ‘high risk’</p>
Reduce the harm caused by drug and alcohol misuse	Substance Misuse - reduce the harm caused to individuals, their family and the community, by illegal drug and alcohol misuse and alcohol related violence.
Create confident, cohesive and safe communities	<p>Anti-social behaviour - reduce anti-social behaviour through a combination of diversionary, educational, and enforcement action and increase restorative interventions.</p> <p>Vulnerable Victims - work together to identify and support vulnerable victims and communities experiencing crime and anti-social behavior.</p>
Reduce offending and re-offending	Re-offending - reduce re-offending through a combination of prevention, diversion and enforcement activity

5. PERFORMANCE MONITORING

- 5.1 Progress made against the Community Safety Plan (Year 3) will be managed and monitored by the Safer Hartlepool Partnership, through quarterly performance reports and a review of Partnership Task

Group/Sub Group Action Plans. The Community Safety Plan incorporates performance indicators for 2016-17, along with a proposed delivery structure to progress the 2016-17 priorities.

6. FINANCIAL CONSIDERATIONS

- 6.1 It is estimated that the total cost of crime in Hartlepool during the last 12 months amounts to more than £95 million.

7. STAFF CONSIDERATIONS

- 7.1 There are no staff considerations associated with this report.

8. SECTION 17 CONSIDERATIONS

- 8.1 The Community Safety Plan (Year 3) provides an agreed plan of action between statutory partners in relation to how they will discharge their Section 17 considerations within the Borough.

9. LEGAL CONSIDERATIONS

- 9.1 Under the Crime and Disorder Act 1998, Community Safety Partnerships (CSPs) have a statutory responsibility to develop and implement strategies to reduce crime and disorder, substance misuse and re-offending in their local area. Part of this statutory responsibility is to produce an annual Community Safety Plan.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 Based on the needs identified in the Partnerships strategic assessment, the Community Safety Plan (Year 3) sets out how the Safer Hartlepool Partnership will aim to protect and improve the safety of vulnerable individuals, groups and localities in Hartlepool.

11. CHILD POVERTY CONSIDERATIONS

- 11.1 There are no child poverty implications associated with this report.

12. RECOMMENDATIONS

- 12.1 That the Finance and Policy Committee considers the content of the Community Safety Plan 2014-17 (Year 3).
- 12.2 That in accordance with the budget and policy framework, the Finance and Policy Committee considers making a referral to full Council for adoption of the Community Safety Plan 2014-17 (Year 3).

13. REASON FOR RECOMMENDATIONS

- 13.1 As a Responsible Authority, the Local Authority has a statutory duty to develop and implement strategies aimed at reducing crime and disorder, substance misuse, and re-offending behaviour.

14. BACKGROUND PAPERS

- 14.1 The following background papers were used in the preparation of this report:

https://www.hartlepool.gov.uk/meetings/meeting/3414/safer_hartlepool_partnership

15. CONTACT OFFICER

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Safer Hartlepool Partnership Plan 2014 – 2017 Year 3



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Foreword

I am pleased to introduce the Safer Hartlepool Partnership Annual Plan which is based on the findings of the Partnership's Annual Strategic Assessment and consultation with the public through our on-line survey and our annual "Face the Public" event. The Plan outlines the Partnership's strategic objectives and priorities for 2016-17 and will be refreshed next year to incorporate new objectives and priorities as they emerge.

Since becoming Chair of the Safer Hartlepool Partnership in May 2013, I have been impressed by the strength of partnership working and the dedication and continued support of those organisations that are responsible for the Partnership including; the Council, Police, Fire Authority, Clinical Commissioning Group, Probation and the Cleveland Police and Crime Commissioner.

By working together, over the last year recorded anti-social behaviour has reduced by 5.2%, equating to 392 less incidents than in the previous assessment period. .

During 2015-16 the Safer Hartlepool Partnership has also successfully supported and delivered numerous partnership initiatives that have contributed to improved safety in Hartlepool and some of these successes are outlined in this plan.

However crime has increased during this reporting period, and over the coming year there are a number of factors that will present the Safer Hartlepool Partnership with challenges including; an enduring poor economic climate; Welfare Reform; the emergence of new types of serious and organised crimes; and further significant cuts to public expenditure following the Governments Comprehensive Spending Review in November 2015. Ministry of Justice plans to close Hartlepool Magistrates Court and County Court if they go ahead will also inevitably impact on the ability to access justice in the town.

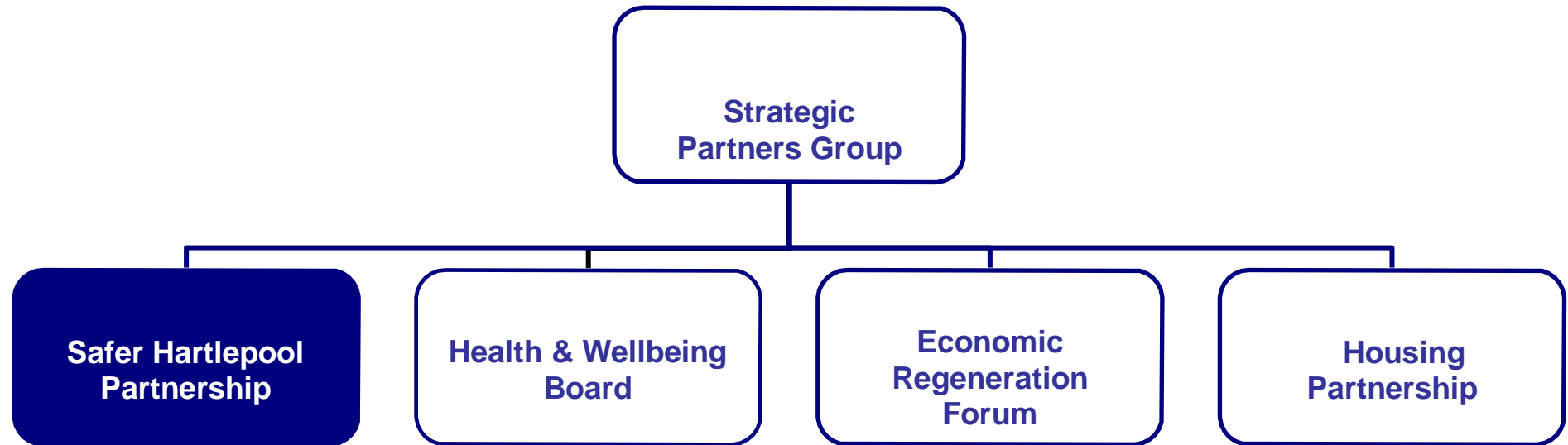
Whilst the year ahead will be full of challenges I am confident that this Partnership Plan will help us to make Hartlepool a safer place to live, work, and socialise.

Councillor Christopher Akers-Belcher
Chair of the Safer Hartlepool Partnership



The Safer Hartlepool Partnership

The Safer Hartlepool Partnership is Hartlepool's statutory Community Safety Partnership and is one of the four¹ themed partnerships of the Hartlepool Strategic Partners Board. The aim of the Safer Hartlepool Partnership is to make Hartlepool a safer place to live, work and socialise by addressing crime and anti-social behaviour, substance misuse and to reduce re-offending.



The Partnership is responsible for delivering the following: *Community Safety Plan; annual Youth Justice Plan; Substance Misuse Plan (Drugs and Alcohol); CCTV Strategy; Domestic Violence Strategy; Social Behaviour Plan; Prevent Action Plan; Cohesion Strategy; Troubled Families Programme*. The Partnership is also responsible for the delivery of the community safety outcomes within the *Sustainable Communities Strategy* and the *Hartlepool Plan*. These local strategies and plans will have regard to the Cleveland Police and Crime Plan and appropriate national strategies and plans, to ensure that national policy is followed.

¹ The themed Partnerships are: The Safer Hartlepool Partnership, The Health and Well Being Board, the Housing Partnership and the Economic Regeneration Forum

Local Context

Hartlepool is the smallest unitary authority in the North East region and the third smallest in the country comprising of some of the most disadvantaged areas in England. Issues around community safety can be understood by a number of contextual factors:

Population

- Hartlepool has a stable population rate, maintained by low levels of migration.
- Hartlepool has become more diverse in recent years, although a very small proportion of the population are from the Black Minority Ethnic (BME) community.
- 56% of the population in Hartlepool live in six of the most deprived wards in the country, where crime and anti-social behaviour rates are high.

Health & Wellbeing

- There is a higher prevalence of long term health problems, including mental health.
- Alcohol related hospital admissions in Hartlepool are significantly worse than the regional and national.
- Hartlepool has 40% greater need in relation of mental illness compared to England.
- The number of Class A drug users in Hartlepool is more than double the national average.

Deprivation

- Hartlepool has pockets of high deprivation where communities experience multiple issues: higher unemployment, lower incomes, child poverty, ill health, low qualification, poorer housing conditions and higher crime rates.
- Hartlepool is the 18th most deprived local authority area out of 326 local authorities.
- Residents living in more deprived and in densely populated areas have high perceptions of crime

Housing

- The percentage of long term empty properties in Hartlepool is higher than the Tees Valley average.

Geography

- Community safety problems are not evenly spread and tend to be concentrated in geographic hotspots, particularly in the most deprived wards in Hartlepool.

Unemployment

- Unemployment rates in Hartlepool are above the regional average and double the national average.
- The unemployment rate of young people aged 18-24 years remains above the national average.

Partnership Activity 2015– 2016

Over the last year, the Partnership has delivered a number of projects and initiatives against the strategic priorities in the Partnership Plan 2015 - 2016, and developed new services which have been designed to reduce crime, disorder, anti-social behaviour, substance misuse and re-offending. Examples are listed below:

Strategic Objective: Reduce Crime & Repeat Victimisation

- **Crime Prevention & Target Hardening** - We have continued to offer crime prevention advice and promote safety measures throughout the year, with seasonal campaigns addressing specific crime types and issues.
- **Serious and Organised Crime** - We have set up a local 'Organised Crime Disruption Panel to disrupt the activities of known organised crime groups in Hartlepool. Front line staff across organisations working in Hartlepool have also been trained to recognise the signs of crimes such as modern day slavery and human trafficking and how to report it.
- **Dedicated Victims Service** - Over the last year we have provided support to 593 victims including 315 victims of crime, and 105 victims of anti-social behavior with the remainder being indirect victims such as those living in high crime and disorder areas and living in the fear of crime. 354 homes have also benefited from improved security across Hartlepool, providing reassurance to victims and reducing their risk of repeat victimisation. Over 88% of victims who have received this service also report increased feelings of safety.
- **Domestic Violence and abuse** – In March this year we launched Operation Encompass to ensure timely information sharing between schools, police, and social care, to improve early intervention and support for children who have witnessed domestic abuse. We have also improved refuge provision for those made homeless by domestic abuse through a dispersed properties scheme.



Strategic Objective: Reduce the harm caused by drug & alcohol misuse

- **Drug and Alcohol Treatment and Support** – The Partnership has commissioned a range of community based specialist services to support those who misuse substances. To improve access and increase engagement this service now includes an outreach element. Overall these services have helped more than 900 people on their journey to recovery.
- **Awareness Campaigns** – The Partnership is driving forward campaigns to promote responsible drinking and highlight the dangers of drug misuse - campaigns include Dry January, Substance Misuse Week, and Foetal Spectrum Disorder.
- **Education and awareness**- The Partnership has provided education and awareness in relation to the dangers of alcohol to young people through healthy life style work in schools.
- **Enforcement** - The Partnership has continued to monitor sales of underage drinking, undertaking test purchasing where required, and delivered mandatory training to licensees around irresponsible drink promotions.



Strategic Objective: Create confident, cohesive and safe communities:

- **Respect Your Neighbourhood Campaign** - Throughout the year we have delivered eleven multi-agency Neighbourhood Action Days to tackle environmental crime.
- **Targeted Youth Outreach Activities** - Have been delivered in anti-social behaviour hotspot areas to ensure young people remain safe and are diverted into positive activities.
- **Selective Licensing of landlords** – Following consultation we have identified further streets to extend selective licensing of landlords to more areas of the town.
- **Supported a number of Voluntary Sector Groups** - such as the Asylum Seeker Group, and Crime Prevention Panel to promote crime prevention messages and cultural diversity, and raise awareness of services available for victims of hate crime and domestic abuse.
- **Anti-social Behaviour Awareness Day (ASBAD)** – More than 1,500 secondary school pupils have taken part in the annual ASBAD event with interactive sessions on topics such as alcohol awareness, making hoax calls, and bullying.
- **Hate Crime** – We undertook an investigation into the levels and impact of hate crime through the Councils Overview and Scrutiny Committee, and a hate crime action plan will be delivered this year.
- **Operation Impact** - Introduced intensive police patrols in anti-social behaviour hotspot areas, and made extensive use of new powers under new anti-social behaviour legislation including dispersal orders.

Strategic Objective: Reduce offending and re-offending

Reducing offending and re-offending has been one of the main focuses of the Partnership during 2015/16. In response to high rates of reoffending in Hartlepool the Partnership has introduced a new strategy which aims to break the cycle of re-offending behaviour and improve public safety. The strategy aims to strengthen the ability of the Partnership to work together to provide local solutions to reoffending set against the broader context of the national Transforming Rehabilitation Strategy. Current activities aimed at reducing offending and reoffending include:

- **Triage Programme** - This scheme diverts young offenders into positive activities and support, instead of charging them and taking them to court. The initiative continues to reduce the numbers of young Hartlepool people entering the criminal justice system in Hartlepool and the success of the scheme is now being replicated across the Cleveland area.
- **Integrated Offender Management (IOM)** – This multi-agency approach to reducing re-offending has benefited from further development work this year with a multi-agency hub comprising of a Police Sergeant, HMP Prison Officers, a Community Rehabilitation Company Officer, Restorative Justice Co-ordinator, and Performance Officer co-located at Holme House Prison. The hub aims to improve ‘through the gate services’ ensuring a smooth transition for offenders into the community to reduce the risk of further offending behaviour.
- **Troubled Families Programme – Think Family / Think Community** – This government funded initiative entered its second phase during 2015. The programme aims to reduce youth offending, reduce anti-social behaviour, increase education attendance and get people into work. Due to the local success of the programme the government has committed funding to enable work to be undertaken with a further 143 families over the forthcoming year.

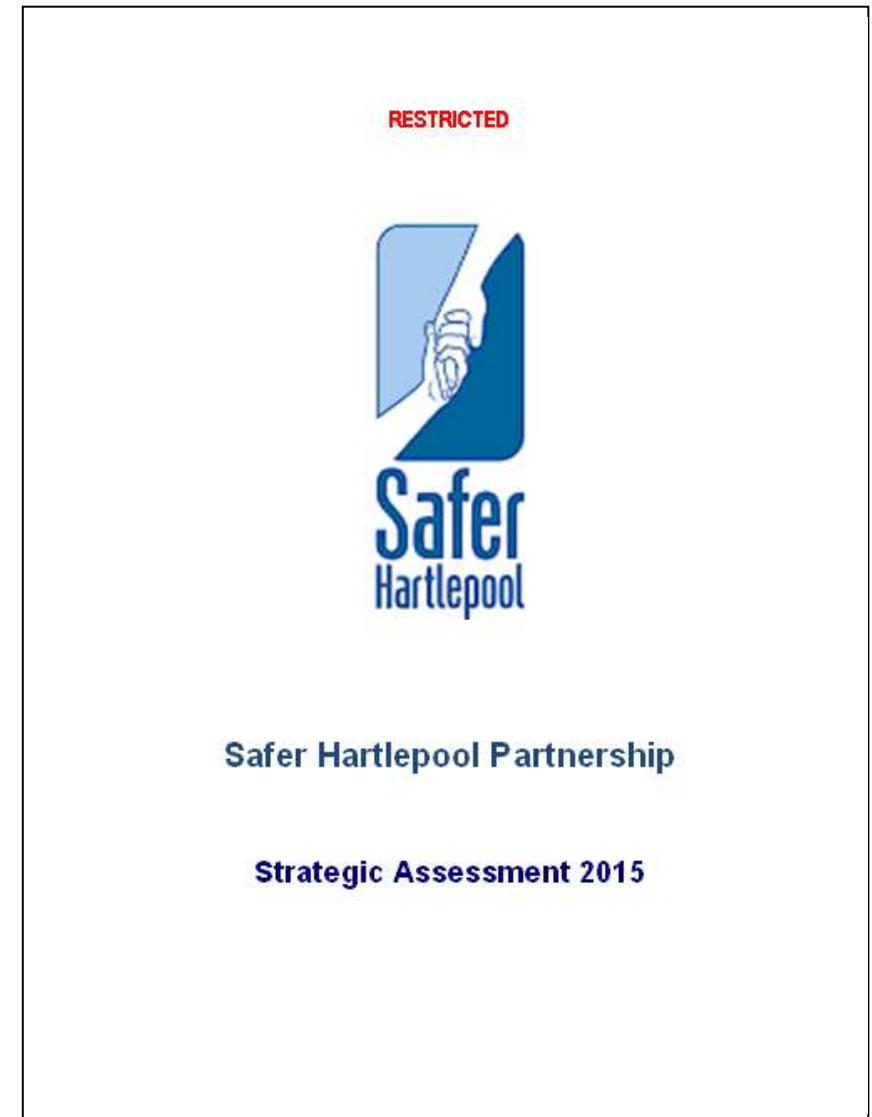


Strategic Assessment 2015

The ninth Safer Hartlepool Strategic Assessment was completed in December 2015 and contains information to aid the Partnership's understanding of the priority community safety issues in Hartlepool. The Assessment forms part of an intelligence-led approach to community safety, which enables a more focused, resource-effective and partnership-orientated delivery of options to help:

- Better understand the patterns and trends relating to crime, disorder and substance misuse issues affecting the Borough;
- Set clear and robust strategic priorities for the Partnership;
- Develop interventions and activities that are driven by reliable intelligence-led evidence.

The Strategic Assessment covers the twelve month period October 2014 to September 2015 and contains analysis of data obtained from both statutory and non-statutory partner agencies including: the Hartlepool Borough Council, Cleveland Police, Cleveland Fire Brigade, North Tees & Hartlepool NHS Foundation Trust, Housing Hartlepool, and Harbour Support Services. Additional information has also been obtained from community consultations and meetings.



Key findings from the Strategic Assessment period include:

Strategic Objective: Reduce Crime & Repeat Victimisation

- Recorded crime in Hartlepool has increased by 36% and remains above the national average.
- Acquisitive crimes, particularly domestic burglary offences, have increased.
- Repeat victimisation is evident in most crime categories; however it is even higher in violence offences, particularly domestic related violence.
- In the current economic climate there is potential that the numbers of repeat and vulnerable victims will increase.

Strategic Objective: Reduce the harm caused by drug & alcohol misuse

- Alcohol specific hospital admissions for adults and under 18's in Hartlepool are significantly higher than the national average.
- The number of people dependant on drugs in Hartlepool is twice the national average.
- There is a clear link between Class A drug misuse and the occurrence of acquisitive crime.
- The number of individuals accessing drug treatment has remained stable since the previous assessment period.

Strategic Objective: Create confident, cohesive and safe communities

- The number of anti-social behaviour incidents recorded in Hartlepool have reduced by 5%.
- Our most disadvantaged communities and neighbourhoods suffer from disproportionate levels of anti-social behaviour.
- Anti-social behaviour in all its forms act as visible signs of disorder in the community and is closely linked to perceptions of safety and satisfaction with their local area.

Strategic Objective: Reduce offending and re-offending

- Adult re-offending continues to be a significant factor, with more than 90% of repeat offenders being aged 18 years or over.
- Re-offenders have greater needs in respect of housing, education, training, employment and substance misuse.
- The number of young people entering the criminal justice system for the first time has reduced by 29% in comparison to the previous assessment period.

Public Consultation

To ensure that the Partnership is focusing on the issues that residents consider to be a priority, findings from local community consultations have been taken into consideration when setting the strategic objectives and priorities.

Face the Public

Consultation in the lead up to and at the Safer Hartlepool Partnership 'Face the Public' event held in October 2015 raised the following issues:

- How to sustain Neighbourhood Policing; the vital links with the community; and strong multi-agency partnership working.
- The importance of tackling anti-social behaviour and looking after the local environment to improve quality of life.
- Improving safety on the streets and safety 'on-line'.
- Working with offenders and the importance of drug and alcohol treatment services.
- The need to ensure continued support for victims of crime and anti-social behaviour.

Safer Hartlepool Partnership On-line Survey

During September and October 2015 the Partnership undertook an on-line survey. Accessed via the Safer Hartlepool Partnership website, more than 200 people responded. As part of the survey participants were asked:

“Which of the Safer Hartlepool Partnership priorities is the most important to you?”

From the four choices available, the majority of respondents identified creating confident, strong and safe communities as the most important priority, as below:

- Create confident, strong and safe communities (41%)
- Reduce crime and repeat victimisation (25%)
- Reduce offending and re-offending (18%)
- Reduce the harm caused by drug and alcohol misuse (16%)

When participants were presented with a list of anti-social behaviour issues, and asked to tell us which they felt were a very or fairly big problem in their local area the following five issues were identified:

Rubbish or litter lying around

Speed and volume of road traffic

Groups hanging around the streets

People being drunk or rowdy in public places

People using or dealing drugs

Partnership Strategic Objectives 2014-2017

Based on the findings in the annual Strategic Assessment and consultation with the local community, the Partnership will retain the following four strategic objectives during the lifetime of the three year plan:

Strategic Objectives 2014 - 2017	
Reduce crime and repeat victimisation	Reduce the harm caused by drug and alcohol misuse
Create confident, cohesive and safe communities	Reduce offending and re-offending

Partnership Priorities 2016-2017

To reflect community priorities evidenced in the community consultation process, during 2016/17 our key focus will be to: **“Create confident, cohesive and safe communities”** by concentrating on the following areas of concern:

Annual Priorities 2016 - 2017	
Re-offending - reduce re-offending through a combination of prevention, diversion and enforcement activity.	Acquisitive Crime – reduce acquisitive crime through raising awareness and encouraging preventative activity with a particular focus on domestic burglary.
Domestic Violence and Abuse – safeguard individuals and their families from violence and abuse and implement programmes to tackle those identified as ‘high risk’.	Anti-social behaviour –. reduce anti-social behaviour through a combination of diversionary, educational, and enforcement action and increase restorative interventions.
Substance misuse – reduce the harm caused to individuals, their family and the community, by drug and alcohol misuse and alcohol related violence.	Vulnerable Victims - work together to identify and support vulnerable victims and communities experiencing crime and anti-social behavior.

Key activities over the next 12 months include:

Partnerships - we will review and implement new ways of partnership working investigating the use of new technology to manage anti-social behaviour cases and share information. We will continue to develop multi-agency partnership working in neighbourhoods, particularly those neighbourhoods experiencing high levels of crime, anti-social behaviour and environmental issues.

Crime Prevention – to reduce the opportunity for acquisitive crime to occur we will increase the use of technology to promote crime prevention advice and key safety messages, and continue to deliver our home and personal security service.

Substance Misuse - we will address the impact of drug and alcohol misuse on the broader community working in partnership with the police to target hotspot locations, and ensure appropriate treatment and recovery support services are in place for individuals and their families.

Anti-social behaviour – we will identify persistent offenders; making effective use of enforcement tools to protect the community and environment. We will ensure the effective resolution of anti-social behaviour, and increase the use of our restorative justice and mediation service to prevent escalation of behaviours negatively impacting on quality of life.

Vulnerable Victims – we will improve the identification of vulnerable victims; strengthen support pathways and links with safeguarding, protecting those at risk of exploitation.

Domestic Violence & Abuse – we will undertake an in depth needs analysis, and develop and implement a new strategy for tackling domestic abuse, exploring ways of supporting victims and their families, and making use of programmes to promote healthy relationships and reduce abusive behaviours.

Offenders – we will continue to work with offenders and those at risk of offending, investing in families through early help services to prevent offending behaviour, and working with “Through the Gate” services to ensure offenders are fully reintegrated back into the community by providing support and improving access to stable accommodation.

Community Engagement – we will maintain vital links with the community ensuring pathways are in place for local residents to raise issues of concern, work with diverse communities, and maximize the work of the voluntary sector.

Measuring Performance

Partnership performance monitoring will be undertaken on a quarterly basis to assess progress against key priorities drawn from the strategic assessment and identify any emerging issues. Performance management reports will be provided to the Safer Hartlepool Partnership.

The following performance indicators will be monitored over the next 12 months:

Strategic Objective	Performance Indicator
Reduce crime & repeat victimisation	Total recorded crime rate per 1,000 population
	Domestic burglary rate per 1,000 household
	Vehicle crime rate per 1,000 population
	Robbery rate per 1,000 population
	Shoplifting rate per 1,000 population
	Violent crime (including sexual violence) rate per 1,000 population*
	% of violent crime (including sexual violence) that is domestic related
	% of repeat cases of domestic violence (MARAC)
	Violent crime (including sexual violence) hospital admissions for violence per 100,000 population*
Reduce the harm caused by drug and alcohol misuse	Drug offences per 1,000 population
	% of people who think drug use or dealing is a problem
	% of opiate drug users that have successfully completed drug treatment*
	% of non-opiate drug users that have successfully completed drug treatment*
	% of alcohol users that have successfully completed alcohol treatment
	Alcohol related hospital admissions rate per 100,000 population*
	Number of young people known to substance misuse services

*Indicators link to the Public Health Outcome Framework

Strategic Objective	Performance Indicator
Create confident, cohesive & safe communities	Anti-social behaviour incidents per 1,000 population
	Public order offences per 1,000 population
	Criminal damage rate per 1,000 population
	Deliberate fires rate per 1,000 population
	Number of reported hate crimes & incidents
	% of the population affected by noise - number of complaints about noise
	% of people who feel safe during the day
	% of people who feel safe after dark
	% of people who think rubbish or litter lying around is a problem
	% of people who think groups hanging around the streets is a problem
	% of people who think people being drunk or rowdy in a public place is a problem
	% of people who think vandalism, graffiti and other deliberate damage to property is a problem
	% of people who think noisy neighbours or loud parties is a problem
	% of people who think abandoned or burnt out cars are a problem
	% of people who think that they belong to their local area
	% of people who feel that they can influence decisions that affect their local area
	% of people who believe that people from different back grounds get on well together
	% of people who think that people in the area pull together to improve the local area
Reduce offending & re-offending	Rate of first-time entrants to the Youth Justice System per 100,000 population*
	Re-offending levels - percentage of offenders who re-offend*
	Re-offending levels - average number of re-offences per offender*
	Re-offending rate of Prolific & Priority Offenders
	Re-offending rate of High Crime Causers
	% of Troubled Families who have reduced their offending behaviour

*Indicators link to the Public Health Outcome Framework

Safer Hartlepool Partnership Performance 2015/16

Appendix 1

To be published in April 2016

Delivering the 2016/17 Priorities – Delivery Structure

Appendix 2

The responsibility for delivery of each of the priorities has been allocated to a dedicated theme group of the Safer Hartlepool Executive Group.





FINANCE AND POLICY COMMITTEE

15 February 2016



Report of: Chief Executive

Subject: PAY POLICY 2016/17

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To obtain Finance and Policy Committee endorsement, of the proposed changes to the Council's Pay Policy Statement 2016/17 in advance of Council approval being sought on 17 March 2016.
- 2.2 To seek approval to amend the Assistant Director/Head of Service Chief Officer Pay and Grading Structure from a broad banded structure to a shorter structure consisting of four bandings.
- 2.3 To highlight the proactive approach taken by the Council to improving the pay of its lowest paid employees through the increase to the Hartlepool Living Wage.

3. BACKGROUND

- 3.1 The current Pay Policy Statement 2015/16 (Appendix A) was agreed by Council and has regard to the Department for Communities and Local Government (DCLG) guidance on the content and application of senior pay statements.
- 3.2 The pay policy statement is intended to be a reflection of the Council's policies on pay and associated matters. It has to be agreed prior to 1 April each year for the forthcoming year at full Council.
- 3.3 The pay policy has been updated to reflect some of the changed metrics in relation to the Living Wage decisions taken by Finance and Policy Committee previously.
- 3.4 Within the pay policy is a proposal to amend the Assistant Director/Head of Service Chief Officer Pay and Grading Structure. The current Assistant Director/Head of Service Chief Officer pay and grading structure (those posts below the Chief Executive and Directors) have been reviewed from a

perspective of ensuring that these structures continue to meet the Councils current and future requirements. In early 2013 a broad banded Chief Officer pay and grading structure, was established as per the table below:-

Post	Incremental Point	Salary Level
Assistant Directors/Head of Service	1	£66,147
	2	£68,903
	3	£71,659
	4	£74,415
	5	£77,171
	6	£79,927
	7	£82,683

- 3.5 The structure contains seven incremental points which are increased annually by one incremental point until the maximum of the grade is achieved. Therefore commencing at the bottom of the structure it would take an employee seven years to reach the maximum of the grade.
- 3.6 Following a recent North East Regional Employers' Organisation (NEREO) survey relating to Chief Officer Pay Structures, it became evident that Hartlepool is the only authority in the Region to have single Chief Officer band for the roles beneath the Chief Executive and Directors.
- 3.7 Across the Tees Valley, with the exception of one authority, which pays at higher levels, the data provided stated that Chief Officer pay is broadly comparable, however the major difference between Hartlepool and the other Tees Valley authorities is the number of Assistant Director/Head of Service Pay Bands:-

Authority	No of Pay Bands	Salary Levels
Hartlepool	1	£66,147 to £82,683
Darlington	3	£71,400 to £85,680 £65,280 to £75,480 £55,080 to £67,320
Middlesbrough	2	£81,000 to £87,000 £68,000 to £77,000
Redcar & Cleveland	3	up to £85,680 up to £77,172 up to £69,454
Stockton	3	£93,006 to £96,139 £79,055 to £82,189 £64,789 to £67,926

4. LIMITATIONS OF THE CHIEF OFFICER BROAD BANDED PAY AND GRADED STRUCTURE

- 4.1 Pay structures need to be carefully designed to support the corporate strategy of the organisation and to provide a clear and non-discriminatory framework for pay progression and career development for employees. A key component within this is to have a robust and competitive pay strategy to both attract and retain high calibre staff into senior roles within the Council.
- 4.2 The broad banded pay and graded structure provides the potential to cause recruitment and retention problems when considered in a regional context. Whilst the broad pay structure does enable the maximum of the grade to be achieved over a long period of years, the Council often will not be competitive in the short to medium term when looking to recruit or retain appropriately experienced and qualified officers when other Authorities, especially elsewhere in the Tees Valley, have much shorter pay bands. For example, a newly appointed Chief Officer in Hartlepool would be paid significantly less than a similar Chief Officer post elsewhere in the Tees Valley, and this does present a significant recruitment and retention risk.
- 4.3 In addition the current overall pay and grading structure does not provide the authority with any flexibility in terms of changing roles and responsibilities and being able to reflect this through (at a Chief Officer level) different or potential smaller roles. The revised proposals are intended to provide this flexibility should it be needed.

5. A REVISED CHIEF OFFICER PAY AND GRADING STRUCTURE

- 5.1 The preferred approach would be for Finance & Policy Committee to consider moving away from the current broad banded pay and grading structure to a more sophisticated and shorter structure with four Chief Officer Pay Bandings. This is based upon up to date Chief Officer Job Evaluated outcomes. This would move the Council to a similar structural position to the other Authorities across the Tees Valley and therefore eliminate the Council's competitive disadvantage in this area. It would also provide the Council with greater operational and strategic flexibilities and provide a more robust and competitive pay strategy to retain and attract high calibre staff.
- 5.2 New shorter Chief Officer pay bandings, would also reduce the differential between the top of the green book pay structure and the lowest point of the Chief Officer pay structure, which is currently £16,865. Under the proposal the differential would reduce to £3,455 providing a more balanced and equitable pay and grading structure which reflects internal and external conditions.
- 5.3 Under the preferred approach, all of the existing Assistant Director/Heads of Service in the Chief Executives Department would remain in Band A (as per the Job Evaluated outcomes). Two posts currently protected at the bottom of the Chief Officer pay and grading structure would move into Band C (as per Job Evaluation outcomes) with no increase or detriment.

6. PREFERRED CHIEF OFFICER PAY AND GRADING STRUCTURE

6.1 The preferred Chief Officer Pay and Grading Structure is as follows:-

Post	Existing Job Evaluation Point Range	Existing Salary Levels	Proposed Job Evaluation Points Range	Proposed Salary Levels	No of incremental points proposed
Chief Executive	1990	£140,000 - £150,000	1990 (no change)		
Directors	1710 - 1940	£100,000 - £110,000	1710 – 1940 (no change)		
Band A Chief Officers	1300 - 1700	£66,147 - £82,683	1350 - 1700	£77,171 - £82,683	3
Band B Chief Officers			1151 – 1349	£68,903 - £74,415	3
Band C Chief Officers			950 – 1150	£57,878 - £66,147	4
Band D Chief Officer			800 – 949	£52,737 - £55,040	3
Band 15 – Green Book	662+ Points	£45,092 - £49,282	662 – 799	£45,092 - £49,282	5

7. PROPOSED AMENDMENTS TO THE 2016/17 PAY POLICY

7.1 The proposed revised Chief Officer pay and grading structure is included in the draft pay policy. No other major changes to policy have been made in the draft pay policy but it has been updated where appropriate, to reflect, national pay awards, the new national living wage with effect from 1st April 2016, and revised pension contributions. The Council taking a proactive approach to increasing the Hartlepool Living Wage, for its lowest paid employees to £7.88 per hour with effect from 1st December 2015, is also included in the updated Pay Policy. Within the Pay Policy is a Table which shows that, on the basis of forecast 1% inflationary cost of living pay award increases to the Hartlepool Living Wage and the forecast phased

implementation of the National Living Wage, the Hartlepool Living Wage will exceed the National Living Wage until 1st April 2019.

Table – Comparison of Forecast HBC pay scale and National Living Wage of £9.00 by 2020

Year	Forecast HBC Living Wage Hourly Rate (based on annual increases of 1%)	Forecast National Living Wage	HBC lowest rate of pay (per hour) - Forecast	Comment on HBC lowest rate of pay (per hour) - Forecast
1.12.15	7.88	Not applicable	7.88	Hartlepool Living Wage
1.4.16	7.96	7.20	7.96	Hartlepool Living Wage +1%
1.4.17	8.04	7.65	8.04	Hartlepool Living Wage +1%
1.4.18	8.12	8.10	8.12	Hartlepool Living Wage +1%
1.4.19	8.20	8.55	8.55	National Living Wage
1.4.20	8.28	9.00	9.00	National Living Wage

- 7.2 The pay policy will be automatically updated for similar minor changes during 2016/17.

8. FINANCIAL CONSIDERATIONS

- 8.1 There would be no impact to the budget through changing the existing Chief Officer Pay and Grading Structure to a shorter banded structure, which includes four Chief Officer Bandings.

9. RISKS

- 9.1 The Council requires a robust and competitive pay and grading structure within a non-discriminatory framework and it is imperative that an equality proofed pay and grading structures are maintained to remain compliant with Equal Pay legislation (Equality Act 2010).

9.2 The risks include the following:-

- The current Chief Officer broad banded pay and grading structure places the Council at a competitive disadvantage across the region and Tees Valley.
- If the Council does not have a robust and competitive pay and grading structure and framework in place it risks not retaining and attracting high calibre staff, together with maintaining service delivery levels and being able to compete for talent with the other Authority's within the Tees Valley and across the region.

10. LEGAL CONSIDERATIONS

- 10.1 The pay policy is subject to an annual review and must be approved by the Council for each financial year in accordance with Section 38 of the Localism Act 2011. The Council will comply with all relevant employment legislation.

11. CHILD / FAMILY POVERTY CONSIDERATIONS

- 11.1 The pay policy includes a paragraph (paragraph 9) relating to the lowest paid employees. The increase in the Living Wage on 1st December 2015, has an indirect impact on Child and Family Poverty.

12. EQUALITY AND DIVERSITY CONSIDERATIONS

- 12.1 The Council requires an equality proofed pay and grading structure to ensure compliance with Equal Pay legislation.

13. STAFF CONSIDERATIONS

- 13.1 The Hartlepool Joint Trade Union Committee have been consulted on the pay policy.

14. ASSET MANAGEMENT CONSIDERATIONS

- 14.1 None

15. RECOMMENDATIONS

- 15.1 That Finance & Policy Committee agree to amend the Assistant Director/Head of Service Chief Officer Pay and Grading Structure from a broad banded structure to a shorter structure with four bandings, as set out in Paragraph 6.
- 15.2 That the proposed draft 2016/17 Pay Policy (Appendix B) be approved and recommended to Council.

16. REASONS FOR RECOMMENDATIONS

- 16.1 A move away from the current Chief Officer broad banded pay and grading structure to a shorter structure with four Chief Officer Pay Bandings, provides the Council with greater operational and strategic flexibilities, and provide a more robust and competitive pay strategy to retain and attract high calibre staff.
- 16.2 The pay policy is subject to an annual review and must be approved by the Council for each financial year.

17. BACKGROUND PAPERS

None.

18. CONTACT OFFICER(S)

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Hartlepool Borough Council

Pay Policy Statement 2015/16

(Section 38, Localism Act 2011)

Agreed at Council on 26 March 2015

1. Introduction

- 1.1 This document sets out the Council's pay policy in relation to the remuneration of its employees (excluding those employed by schools with delegated budgets) for the period 1 April 2015 to 31 March 2016 in accordance with Section 38 of the Localism Act 2011¹ and reflects the guidance issued by the Department for Communities and Local Government^{2,3} unless stated differently. This pay policy applies equally to all employees (excluding school employees) regardless of status and seniority unless stated differently. The policy is subject to annual review and must be approved by the Borough Council for each financial year. The policy will be published on the Council's website⁴ as soon as reasonably practicable after approval or amendment.
- 1.2 Hartlepool Borough Council is committed to transparency and fairness in its payment and remuneration of all of its employees and will comply with all relevant employment legislation.
- 1.3 In 2015/16, the Council has an overall pay budget of around £55m (excluding school staff) including on-costs for its workforce. In order to deliver these services it will employ around 2,500 people excluding those who are employed directly by schools in Hartlepool, in a variety of diverse roles.
- 1.4 The Council's values give us a desire to increase the standard of living for everyone. Given that the Council is the largest employer in Hartlepool and that around 75% of employees live in the town, it has a major influence on the economic wellbeing of the town and a direct impact on levels of inequality. The Council wants to do all in its power to make Hartlepool a fairer town and is committed to reducing inequality by leading by example and doing so through the way it operates as an organisation.

1 Available at: <http://www.legislation.gov.uk/ukpga/2011/20/contents>

2 Available at: [Openness and accountability in local pay: guidance - Publications - GOV.UK](#)

3 Available at: [Openness and accountability in local pay: supplementary guidance - Publications - GOV.UK](#)

4 Available at: http://www.hartlepool.gov.uk/info/100002/business/1837/hartlepool_council_pay_policies

2. National and other Conditions of Service

- 2.1 The appropriate National Conditions of Service (as detailed in Table 1) are automatically incorporated into employee contracts of employment.

Table 1 – National Conditions of Service in use in the Council

Condition of Service	Type of Employees
Joint Negotiating Committee (JNC) for Local Authority Chief Executives	Chief Executives
Joint Negotiating Committee (JNC) for Chief Officers in Local Authorities	Directors, Divisional Heads and some other senior managers
The Soulbury Committee	Educational Improvement Professionals, Educational Psychologists and Young People's/Community Service Managers
Conditions Of Service for School Teachers in England And Wales ⁵	Head Teachers, Deputy/Assistant Head Teachers, all Leadership, Teachers, Qualified and Unqualified Teachers
Joint Negotiating Committee for Youth and Community Workers	Youth and Community Workers
National Joint Council (NJC) for Local Government Services – Part 2 only	All other employees

For legal and other reasons, some employees are employed on other conditions of service, for example as a result of TUPE transfers.

- 2.2 The Council's Single Status Agreement is automatically incorporated into the employment contract of NJC for Local Government Services employees.
- 2.3 Sections 1 (paragraphs 1.1.3 and 1.1.4 only), 3 (sub section 3.5 only), 5-9 and 12-16 of Part 2 of the Council's Single Status Agreement apply to all employees where their national conditions of service are silent.

3. Pay Structure

- 3.1 The Council uses nationally negotiated pay rates included in the above national conditions of service as the basis for its local pay structure, which determines the pay bands of the large majority of its workforce. Locally determined pay rates apply for the remainder of the workforce.

⁵ The Conditions of Service for School Teachers In England And Wales August 2000 is supplemented by the statutory School Teachers' Pay and Conditions Document available at <https://www.gov.uk/government/publications/school-teachers-pay-and-conditions-2014>

- 3.2 National pay awards are automatically applied to the national and local pay rates where employees are employed under the national conditions of service detailed in Table 1. Employees who continue to be employed under their pre transfer conditions of service following their TUPE (or similar) transfer to the Council are
- not entitled to receive pay awards (equivalent to the appropriate Council condition of service national pay awards) where the value of the maximum of the employees pre transfer pay band is greater than the pay they would receive at the minimum of the pay band if they were employed under the appropriate Council conditions of service and/or if the employees are entitled to increments within their TUPE pay band as they are not at the maximum of their TUPE (or similar) pay band.
 - entitled to receive national pay awards in all other circumstances subject to the employees pay plus any pay award not exceeding the minimum of the appropriate pay band if they were employed under the appropriate Council conditions of service.
- 3.3 All other pay-related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.
- 3.4 In determining its grading structure and setting remuneration levels for any posts which fall outside the scope of nationally set pay grades, the Council takes account of the need to ensure value for money in respect of the use of public expenditure. This is balanced against the need to recruit and retain employees who are able to deliver high quality services to the community and the need to comply with pay related legislation e.g. in relation to equal pay, national minimum wage etc
- 3.5 In line with good employment practice JNC for Local Authority Chief Executives and JNC for Chief Officers in Local Authorities jobs have been evaluated using the LGA Senior Managers job evaluation scheme and NJC for Local Government Services jobs have been evaluated using the bespoke NJC job evaluation scheme. This is to ensure that the majority of jobs are graded fairly and equitably. Both job evaluation schemes used are substantial schemes. The associated grading structures are attached as Annex A. For legal and other reasons, some employees pay is not consistent with the current grading structures for example as a result of TUPE transfers.
- 3.6 No job evaluation process exists for the remainder of jobs i.e. those on Teachers, Youth and Community workers and Soulbury conditions of service but employees are placed within nationally defined grading structures.
- 3.7 The number of increments in pay bands increases from the bottom to the top of pay structures.

- 3.8 As part of its overall and ongoing monitoring of alignment with external pay markets both within and outside the sector, the Council will use available benchmark information as appropriate.
- 3.9 Periodic equal pay audits will be undertaken and pay structures and allowances will be reviewed as necessary.

4 **Remuneration on Appointment**

- 4.1 Appointments to the posts of Chief Executive, Directors and other Chief Officer posts are subject to the Council's Officer Employment Procedure Rules⁶ and the salary package (including basic pay, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind) for each post is determined by full Council. Appointments to posts where the salary package is £100,000 or more per annum will be approved by full Council in the case of the appointment of the Chief Executive/Head of Paid Service or by the Appointments Panel in the case of other appointments. Appointment of all other officers is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by members.
- 4.2 New appointments are subject to the Council's Recruitment and Selection Policy and will generally be made to the agreed pay structures at the bottom spinal column point of all pay bands unless there are special circumstances and payment at a higher level can be objectively justified.
- 4.3 Where employees are redeployed into a lower graded post because of ill health (where this is supported by the Council's Occupational Health Advisor) or as an alternative to redundancy they will generally be appointed to the highest spinal column point within the lower grade so as to minimise financial loss.
- 4.4 From time to time, it may be necessary to take account of external pay levels in the labour market in determining starting salary levels and the use of market forces supplements in order to attract and retain employees with particular experience, skills and capacity.
- 4.5 The Council does not make any "golden hello" payment or any other incentive payments at recruitment other than market forces supplements where these are determined in accordance with the provisions in Table 3.
- 4.6 Where appropriate, the Council pays removal and relocation allowances, as detailed in the Council's Recruitment and Selection Policy upon the presentation of approved receipts.

⁶ Available at

http://www.hartlepool.gov.uk/downloads/download/180/hartlepool_borough_councils_constitution_2014-2015

5. Senior Management Remuneration

5.1 The definition of 'Senior Management' in this statement mirrors the definition of 'Chief Officer' as detailed in Section 42(2) of the Localism Act 2011 i.e.

- the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- its monitoring officer designated under section 5(1) of that Act;
- a statutory chief officer mentioned in section 2(6) of that Act;
- a non-statutory chief officer mentioned in section 2(7) of that Act;
- a deputy chief officer mentioned in section 2(8) of that Act.

Within Hartlepool, the above definition includes employees on JNC for Local Authority Chief Executives, JNC for Chief Officers in Local Authorities and NJC for Local Government conditions of service plus employees employed on NHS conditions of service as a result of TUPE (or similar) transfers.

5.2 The 'Senior Management' salary bands as at 1 April 2015 are set out in Table 2.

Table 2 – Salary bands of 'Senior Management'

Role	Annual Salary Band as at 1 April 2015	No of Points in Pay Band
Chief Executive	£140,000 – £150,000	6
Director of Child and Adults	£100,000 - £110,000	6
Director of Regeneration and Neighbourhoods	£100,000 - £110,000	6
Director of Public Health ⁷	£66,147-£82,683	5
Chief Officers	£66,147-£82,683	5
Chief Officer C ⁸	£55,122-£66,147	5
Band 15 ⁹	£45,092 - £49,282	5
Band 14	£40,217 - £43,990	5
Band 13	£35,662 - £39,267	5

5.3 There has been no annual "cost of living" pay award for the Chief Executive, Director of Child and Adults and Director of Regeneration and Neighbourhoods since April 2008 and this will continue to apply until 31 March 2016. A 2% pay award has been agreed for the post of Director of Public Health and other Chief Officers earning less than £100,000 per annum which covers the period 1 January 2015 to 31 March 2016. This is their first pay award since April 2008. A 2.20% pay award has been agreed for Bands 13-15 employees which covers the period 1 January 2015 to 31 March 2016. This is their second pay award since April 2013.

⁷ The current employee is paid their TUPE pay

⁸ No longer used for new appointments

9 Includes one employee who is paid their TUPE pay

- 5.4 Reduced pay bands were introduced for the Chief Executive and Director of Regeneration and Neighbourhoods in 2012 and the Director of Child and Adults in 2013. The pay bands for Chief Officers were last reviewed in 2013 (the number of increments within the pay band was reduced in 2014) and the pay band for the Director of Public Health was determined in 2014.
- 5.5 The increments for the Chief Executive, Director of Regeneration and Neighbourhoods and Director of Child and Adults are implemented automatically on an annual basis, subject to the Council Plan, Annual Governance Statement and the conclusion of the Budget and Policy Framework being agreed by the Finance and Policy Committee and Council.
- 5.6 Information on 'Senior Management' responsibilities and remuneration will be published on the Council's website¹⁰ in line with Local Government Transparency Code 2014¹¹ and the Accounts and Audit Regulations 2015¹².

6. Additional Benefits

- 6.1 Employees receive/have access to additional benefits (in addition to basic salary) as outlined in the Table 3.

Table 3 – Additional Benefits

Employees	Additional Benefit
All officers involved in delivering local, Parliamentary and/or European elections and/or referenda	Duty payments in connection with elections as determined locally in consultation with the other Tees Valley Councils and/or by statute depending on the duties concerned.
Employees in Development Scheme posts	Progression through pay bands where pre-determined progression criteria are met.
All employees whose pay reduces as a consequence of organisational change, job evaluation or redeployment	The pay protection arrangements detailed in the Council's Single Status Agreement apply to all employees as a means of assisting employees to adjust, over a 3 year period, to a reduction in pay arising from organisational change, job evaluation or redeployment. At the end of the 3 year protection period the standard pay arrangements apply.

10 Available at:

http://www.hartlepool.gov.uk/info/200110/council_budgets_and_spending/1650/senior_management_team_salary_information/1

11 Available at: <https://www.gov.uk/government/publications/local-government-transparency-code-2014>

12 Available at: <http://www.legislation.gov.uk/ukxi/2015/234/contents/made>

Table 3 (cont) – Additional Benefits

Posts/Employees	Additional Payment
All employees who are members of public sector pension schemes	<p>The Council operates the Local Government Pension Scheme (LGPS), the Teachers Pension Scheme (TPS) and the NHS Pension Scheme (PHPS) and makes employer pension contributions, as required, for all employees who elect to participate in one of the above schemes.</p> <p>The employer pension contributions from 1 April 2015 are as follows</p> <p>Local Government Pension Scheme -14.2% of pensionable pay</p> <p>Teachers Pension Scheme - 14.1% (16.48% from 1 September 2015) of pensionable pay</p> <p>NHS Pension Scheme – 14.3% of pensionable pay</p> <p>The contribution rates are regularly reviewed and set by actuaries advising the various Pension Funds.</p>
All employees in posts where there are particular recruitment and/or retention difficulties	<p>As a general rule, the pay bands provide relevant and adequate compensation to attract and retain employees for the vast majority of posts and the necessity to apply a salary supplement should not exist.</p> <p>There may be specific circumstances, however, where an additional market forces supplement may be required to either attract hard to recruit categories of employees or to retain such employees within the employment of the Council.</p> <p>In all circumstances a business case will need to be developed (and reviewed regularly) to support the payment of market supplements which will be approved by members in relation to posts subject to the Council's Officer Employment Procedure Rules⁶ and by the relevant Assistant Director in relation to all other posts.</p> <p>The market forces supplement arrangements detailed in the Council's Single Status Agreement apply to all employees</p>

6 Available at http://www.hartlepool.gov.uk/downloads/file/11961/hartlepool_borough_councils_constitution_2014-15_part_4

Table 3 (cont) – Additional Benefits

Posts/Employees	Additional Payment
Chief Solicitor	Payment of £3,432 per annum for acting as Monitoring Officer to Cleveland Fire Authority. This cost is paid for by the Fire Authority and has not changed since 1 April 2010.
All permanent employees	Able to access the Council's Lease Car scheme through a salary sacrifice arrangement in accordance with Her Majesty's Revenues and Customs (HMRC) rules and at no cost to the Council.
All employees	Able to access the Council's Childcare Voucher scheme through a salary sacrifice arrangement in accordance with Her Majesty's Revenues and Customs (HMRC) rules and at no cost to the Council..
All employees	Able to access the Council's Cycle to Work scheme through a salary sacrifice arrangement in accordance with Her Majesty's Revenues and Customs (HMRC) rules and at no cost to the Council..
All employees	The Council pay a range of allowances/premium payments as detailed in National Conditions of Service (see Table 1 above)
All employees employed under the National Joint Council (NJC) for Local Government Services conditions of service	The Council pay a range of allowances/premium payments as detailed in the Council's Single Status Agreement subject to employees meeting the criteria for payment.

7. Changes to Salaries

7.1 Changes in salary for employees will occur only as a result of

- the application of the provisions in Table 3 above
- promotion
- significant changes to an employees role which results in a different pay band being appropriate (as confirmed by the outcome of an appropriate job evaluation process, where appropriate)
- an honorarium or ex-gratia payment being appropriate to recognise circumstances or events not covered by conditions of service
- progression of a maximum of one increment each year within previously agreed pay bands based on service, other than as detailed in 5.5 of this policy
- changes in the working arrangements of employees

7.2 The Council does not currently award any performance related pay or bonuses to any of its employees or require them to have an element of their basic pay 'at risk' to be 'earned back' through meeting pre agreed

objectives.

8. Payments to all Employees upon Termination of Employment

- 8.1 Employees who cease to hold office or be employed by the Council will receive payments based on entitlement within their contract of employment, their general terms and conditions and existing policies¹³ in relation to the Local Government Pension Scheme¹⁴, Termination of Employment (Discretionary Compensation) (England and Wales)¹⁵ and Local Government (Discretionary Payments) (Injury Allowances) Regulations¹⁵.
- 8.2 In accordance with the Council's Constitution, the determination of early retirement applications which do not generate sufficient savings to ensure that the costs of the application (including salary paid in lieu, redundancy compensation, strain on the pension fund, holiday pay and any bonuses, fees or allowances paid) are recovered within a pay back period of 3.05 years or less are considered by members of the Personnel Sub Committee. Officers determine all other early retirement applications. Whilst this arrangement does not reflect the Department of Communities and Local Government supplementary guidance³ it complies with previous Audit Commission guidance, has worked very well for a number of years and is an effective and efficient way of dealing with early retirement applications.

9. Lowest Paid Employees

- 9.1 The lowest paid employees will be remunerated at JNC for Government Services spinal column point 10 (equivalent to £14,338 per annum, £7.43 per hour) as a consequence of the Council introducing its own Living Wage for its employees with effect from 1 September 2013.
- 9.2 The Council introduced its Single Status Agreement on 1 April 2007. The lowest paid employees within the Council are appointed to jobs which have been evaluated using the NJC Job Evaluation Scheme and are remunerated accordingly.
- 9.3 The relationship between the rates of pay for the lowest paid and for senior management is determined by the processes used for determining pay and grading structures as set out earlier in this Policy Statement.

3 Available at: [Openness and accountability in local pay: supplementary guidance - Publications - GOV.UK](#)

13 Available at: http://www.hartlepool.gov.uk/meetings/meeting/3119/finance_and_policy_committee (see Appendix A of item 6.6)

14 Available at: <http://www.lgpsregs.org/>

15 Available at: <http://timeline.lge.gov.uk/regidx.html>

- 9.4 The Council's 'median pay multiple', which complies with the Local Government Transparency Code 2014¹¹, is the ratio between the taxable earnings of the highest paid employee and the median taxable earnings of the whole of the Council's workforce. The Chief Executive with a pay band of £140,000 – £150,000 is the highest paid employee.
- 9.5 The 2015 'pay multiple' with comparative data is detailed in Table 4

Table 4 – 'Pay Multiple'

Date	Taxable earnings of the highest paid employee	Median taxable earnings of the whole of the Council's workforce	Pay multiple based upon the taxable earnings of the highest paid employee
31 March 2013	£134,167 ¹⁶	£17,130	7.83
31 March 2014	£140,833	£17,051	8.26
31 March 2015	£142,833	£18,211	7.84

N.B. The pay multiple has increased each year as a consequence of a combination of the taxable earnings of the highest paid employee increasing due to incremental progression within the pay band of £140,000 – £150,000 (reduced from £158,000 - £168,000 in 2012) and the median taxable earnings of the whole of the Council's workforce reducing.

- 9.6 The Council will generally aim to ensure that the basic pay 'pay multiple' does not exceed ten.

10. Employment of Individuals already in receipt of a public sector pension

- 10.1 The Council does not generally support the employment of individuals already in receipt of public sector pensions in respect of posts subject to the Officer Employment Procedure Rules⁶ as doing so potentially restricts the recruitment of younger workers who may be disadvantaged in the labour market. However there may be circumstances where the employment of an individual with a public sector pension is the most effective and efficient way of meeting the Council's needs. Members will approve any appointments in respect of posts subject to the Officer Employment Procedure Rules⁶.

6 Available at http://www.hartlepool.gov.uk/downloads/file/11961/hartlepool_borough_councils_constitution_2014-15_part_4

11 Available at <https://www.gov.uk/government/publications/local-government-transparency-code-2014>

16 The Chief Executive was appointed part way through 2012/13

- 10.2 In respect of posts not subject to the Officer Employment Procedure Rules⁶ the Council does not generally support the employment of former Hartlepool Council employees who have accessed their pensions when they left the employment of the Council as doing so potentially restricts the recruitment of younger workers who may be disadvantaged in the labour market. However there may be circumstances where the employment of former Council employees who have accessed their pensions when they left the employment of the Council in posts not subject to the Officer Employment Procedure Rules⁶ is the most effective and efficient way of meeting the Council's needs. In these circumstances the Chief Executive (in his/her role as head of the paid service) will formally approve any appointments.

11. Employment Of Individuals under a Contract For Services

- 11.1 The Council does not generally support engaging individuals under a 'contract for services' where the Council is not required to make either pension or national insurance contributions for such individuals as it supports the Government's commitment to tackling all forms of tax avoidance and recognises that public appointments that involve arrangements whereby savings in tax and National Insurance contributions are made may be at the expense of other taxpayers or other parts of the public sector. However there may be exceptional circumstances where engaging an individual under these terms is the most effective and efficient way of meeting the Council's needs. If this situation applies formal approval will be sought from members in relation to posts subject to the Officer Employment Procedure Rules⁶ and from the Chief Executive (in his/her role as head of the paid service) in respect of other posts and individuals will be sourced through an appropriate procurement process in accordance with the Council's Contract Procedure Rules (which ensure the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service).

12. Income Tax and National Insurance

- 12.1 The Council does not enter into arrangements with individual employees to minimise their tax and national insurance contributions other than via salary sacrifice schemes in accordance with Her Majesty's Revenues and Customs (HMRC) rules.

⁶ Available at

http://www.hartlepool.gov.uk/downloads/file/10862/hartlepool_borough_councils_constitution_2013-14_part_4

13. Use of Agency Workers

- 13.1 The Council does not generally support using agency workers. However there may be circumstances where engaging agency workers is the most efficient and effective way of meeting the Council's needs. If this situation applies formal approval will be sought from the relevant Assistant Director. Agency workers operating in the Council receive at least the national minimum wage initially and at least the pay of comparable employees after 12 weeks of qualifying service.

14. Apprentices

- 14.1 The Council has entered into a partnership with Hartlepool College of Further Education whereby the Council fund the College to employ apprentices and place them with the Council. The apprentices are paid the appropriate national minimum wage (depending upon individual circumstances).
- 14.2 Employees with substantive jobs who undertake apprenticeships via the Council's Adult Education service within their current duties and responsibilities will continue to be paid in accordance with their contract of employment.

15 Use of Zero Hours Contracts

- 15.1 The Council does not generally support the use of zero hours contracts. However there may be circumstances where the use of zero hours contracts is the most effective and efficient way of meeting the Council's needs and the Assistant Chief Executive (or nominees) will determine when this applies. Where employees are employed on a zero hours contract they are employed on a permanent or fixed term basis, are entitled to request a review of their contracted hours at any time after six months in post and are not prevented from working for other employers.

16 Contractors

- 16.1 The Council requires that contractors comply with the national minimum wage legislation in all new and extended Council contracts and encourages all contractors to pay the Council's Living Wage (see 9.1 above) and avoid the use of zero hours contracts (see 15.1 above).
- 16.2 The Council will encourage all local employers employing 250 or more employees to publish their pay multiple."

Annex A

Grading Structures based on Job Evaluation Schemes

LGA Senior Managers Job Evaluation Scheme

Pay Band	Job Evaluation Points*		Spinal Column Points	
	JE Points Minimum	JE Points Maximum	SCP Minimum	SCP Maximum
Chief Executive	1990		1	6
Directors	1710	1940	1	6
Chief Officer	1150	1700	1	5
To be assessed under the Local Government Services Job Evaluation Scheme – see below	0	1140	N/A	N/A

* JE point scores increase in tens

Local Government Services Job Evaluation Scheme

Pay Band	Job Evaluation Points		Spinal Column Points	
	JE Points Minimum	JE Points Maximum	SCP Minimum	SCP Maximum
Band 1 - 3	0	289	10	10
Band 4	290	299	11	12
Band 5	300	327	13	15
Band 6	328	355	16	18
Band 7	356	383	19	21
Band 8	384	411	22	24
Band 9	412	446	25	28
Band 10	447	481	29	32
Band 11	482	516	33	36
Band 12	517	551	37	40
Band 13	552	606	41	45
Band 14	607	661	46	50
Band 15	662	1000	51	55

Hartlepool Borough Council

Pay Policy Statement 2016/17

(Section 38, Localism Act 2011)

To be agreed at Council on 17 March 2016

1. Introduction

- 1.1 This document sets out the Council's pay policy in relation to the remuneration of its employees (excluding those employed by schools with delegated budgets) for the period 1 April 2016 to 31 March 2017 in accordance with Section 38 of the Localism Act 2011¹ and reflects the guidance issued by the Department for Communities and Local Government^{2,3} unless stated differently. This pay policy applies equally to all employees (excluding school employees) regardless of status and seniority unless stated differently. The policy is subject to annual review and must be approved by the Borough Council for each financial year. The policy will be published on the Council's website⁴ as soon as reasonably practicable after approval or amendment.
- 1.2 Hartlepool Borough Council is committed to transparency and fairness in its payment and remuneration of all of its employees and will comply with all relevant employment legislation.
- 1.3 In 2016/17, the Council has an overall pay budget of £55,039m (excluding school staff) including on-costs for its workforce. In order to deliver these services it will employ around 2,250 people excluding those who are employed directly by schools in Hartlepool, in a variety of diverse roles.
- 1.4 The Council's values give us a desire to increase the standard of living for everyone. Given that the Council is the largest employer in Hartlepool and that around 75% of employees live in the town, it has a major influence on the economic wellbeing of the town and a direct impact on levels of inequality. The Council wants to do all in its power to make Hartlepool a fairer town and is committed to reducing inequality by leading by example and doing so through the way it operates as an organisation.

2. National and other Conditions of Service

- 2.1 The appropriate National Conditions of Service (as detailed in Table 1) are automatically incorporated into employee contracts of employment

1 Available at: <http://www.legislation.gov.uk/ukpga/2011/20/contents>

2 Available at: [Openness and accountability in local pay: guidance - Publications - GOV.UK](https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-guidance)

3 Available at: [Openness and accountability in local pay: supplementary guidance - Publications - GOV.UK](https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-supplementary-guidance)

4 Available at: https://www.hartlepool.gov.uk/downloads/download/305/pay_policy

Table 1 – National Conditions of Service in use in the Council

Condition of Service	Type of Employees
Joint Negotiating Committee (JNC) for Local Authority Chief Executives	Chief Executive
Joint Negotiating Committee (JNC) for Chief Officers in Local Authorities	Directors, Divisional Heads and some other senior managers
The Soulbury Committee	Educational Improvement Professionals, Educational Psychologists and Young People's/Community Service Managers
Conditions Of Service for School Teachers in England And Wales ⁵	Head Teachers, Deputy/Assistant Head Teachers, all Leadership, Teachers, Qualified and Unqualified Teachers
Joint Negotiating Committee for Youth and Community Workers	Youth and Community Workers
National Joint Council (NJC) for Local Government Services – Part 2 only	All other employees

For legal and other reasons, some employees are employed on other conditions of service, for example as a result of TUPE transfers into the Council.

- 2.2 The Council's Single Status Agreement is automatically incorporated into the employment contract of NJC for Local Government Services employees.
- 2.3 Sections 1 (paragraphs 1.1.3 and 1.1.4 only), 3 (sub section 3.5 only), 5-9 and 12-16 of Part 2 of the Council's Single Status Agreement apply to all employees where their national conditions of service are silent.

3. Pay Structure

- 3.1 The Council uses nationally negotiated pay rates included in the above national conditions of service as the basis for its local pay structure, which determines the pay bands of the large majority of its workforce. Locally determined pay rates apply for the remainder of the workforce.

⁵ The Conditions of Service for School Teachers In England And Wales August 2000 is supplemented by the statutory School Teachers' Pay and Conditions Document available at <https://www.gov.uk/government/publications/school-teachers-pay-and-conditions-2015>

- 3.2 National pay awards are automatically applied to the national and local pay rates where employees are employed under the national conditions of service detailed in Table 1. Employees who continue to be employed under their pre transfer conditions of service following their TUPE (or similar) transfer to the Council are
- not entitled to receive pay awards (equivalent to the appropriate Council condition of service national pay awards) where the value of the maximum of the employees pre transfer pay band is greater than the pay they would receive at the minimum of the pay band if they were employed under the appropriate Council conditions of service and/or if the employees are entitled to increments within their TUPE pay band as they are not at the maximum of their TUPE (or similar) pay band.
 - entitled to receive national pay awards in all other circumstances subject to the employees pay plus any pay award not exceeding the minimum of the appropriate pay band if they were employed under the appropriate Council conditions of service.
- 3.3 All other pay-related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.
- 3.4 In determining its grading structure and setting remuneration levels for any posts which fall outside the scope of nationally set pay grades, the Council takes account of the need to ensure value for money in respect of the use of public expenditure. This is balanced against the need to recruit and retain employees who are able to deliver high quality services to the community and the need to comply with pay related legislation e.g. in relation to equal pay, national minimum wage and the new national living wage with effect from 1st April 2016.
- 3.5 In line with good employment practice JNC for Local Authority Chief Executives and JNC for Chief Officers in Local Authorities jobs have been evaluated using the LGA Senior Managers job evaluation scheme and NJC for Local Government Services jobs have been evaluated using the bespoke NJC job evaluation scheme. This is to ensure that the majority of jobs are graded fairly and equitably. Both job evaluation schemes used are substantial schemes. The associated grading structures are attached as Annex A. For legal and other reasons, some employees pay is not consistent with the current grading structures for example as a result of TUPE transfers.
- 3.6 No job evaluation scheme exists for the remainder of jobs i.e. those on Teachers, Youth and Community workers and Soulbury conditions of service but those employees are placed within nationally defined grading structures.
- 3.7 As part of its overall and ongoing monitoring of alignment with external pay markets both within and outside the sector, the Council will use available benchmark information as appropriate.

- 3.8 Periodic equal pay audits will be undertaken and pay structures and allowances will be reviewed as necessary.

4 Remuneration on Appointment

- 4.1 Appointments to the posts of Chief Executive, Directors and other Chief Officer posts are subject to the Council's Officer Employment Procedure Rules⁶ and the salary package (including basic pay, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind) for each post is determined by full Council. Appointments to posts where the salary package is £100,000 or more per annum will be approved by full Council in the case of the appointment of the Chief Executive/Head of Paid Service or by the Appointments Panel in the case of other appointments. Appointment of all other officers is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by members.
- 4.2 New appointments are subject to the Council's Recruitment and Selection Policy and will generally be made to the agreed pay structures at the bottom spinal column point of all pay bands unless there are special circumstances and payment at a higher level can be objectively justified.
- 4.3 Where employees are redeployed into a lower graded post because of ill health (where this is supported by the Council's Occupational Health Advisor) or as an alternative to redundancy they will generally be appointed to the highest spinal column point within the lower grade so as to minimise financial loss.
- 4.4 From time to time, it may be necessary to take account of external pay levels in the labour market in determining starting salary levels and the use of market forces supplements in order to attract and retain employees with particular experience, skills and capacity.
- 4.5 The Council does not make any "golden hello" payment or any other incentive payments at recruitment other than market forces supplements where these are determined in accordance with the provisions in Table 3.
- 4.6 Where appropriate, the Council pays removal and relocation allowances, as detailed in the Council's Recruitment and Selection Policy upon the presentation of approved receipts.

⁶ Available at

https://www.hartlepool.gov.uk/info/20004/council_and_democracy/370/hartlepool_borough_councils_constitution

5. Senior Management Remuneration

5.1 The definition of 'Senior Management' in this statement mirrors the definition of 'Chief Officer' as detailed in Section 42(2) of the Localism Act 2011 i.e.

- the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- its monitoring officer designated under section 5(1) of that Act;
- a statutory chief officer mentioned in section 2(6) of that Act;
- a non-statutory chief officer mentioned in section 2(7) of that Act;
- a deputy chief officer mentioned in section 2(8) of that Act.

Within Hartlepool, the above definition includes employees on JNC for Local Authority Chief Executives, JNC for Chief Officers in Local Authorities and NJC for Local Government conditions of service plus employees employed on NHS conditions of service as a result of TUPE (or similar) transfers.

5.2 The 'Senior Management' salary bands for implementation as at 1 April 2016 are set out in Table 2 below.

5.3 There has been no annual "cost of living" pay award for the Chief Executive, Director of Child and Adults and Director of Regeneration and Neighbourhoods since April 2008. A 2% pay award was agreed for the post of Director of Public Health and other Chief Officers earning less than £100,000 per annum which covered the period 1 January 2015 to 31 March 2016. This was their first pay award since April 2008. No national pay claim has been received in respect of 2016/17. A 2.20% pay award was agreed for Bands 13-15 employees which covered the period 1 January 2015 to 31 March 2016. In December 2015 the national employers have made a final offer to the Trade Unions of a 1% pay award from 1st April 2016 and a further 1% from 1 April 2017 for Bands 13 – 15 employees.

5.4 The increments for the Chief Executive, Director of Regeneration and Neighbourhoods and Director of Child and Adults are implemented automatically on an annual basis, subject to the Council Plan, Annual Governance Statement and the conclusion of the Budget and Policy Framework being agreed by the Finance and Policy Committee and Council.

5.5 In respect of Chief Officers (those posts below the Chief Executive and Directors) in 2013 the Council moved to a broad banded pay and grading structure, however when considered in a regional context, this broad banded structure provides the potential to cause recruitment and retention difficulties. The Council now proposes to move away from the broad banded pay and grading structure to a more sophisticated and

shorter structure with four Chief Officer Bandings A shorter structure with a small number of bandings will also provide the Council with greater operational and strategic flexibilities and provide a more robust and competitive pay strategy to retain and attract high calibre staff. This would move the Council to a similar structural position to other Authorities across the Tees Valley and therefore eliminate the Council's competitive disadvantage.

Table 2 – Proposed Salary bands of ‘Senior Management’

Role	Annual Salary Band as at 1 April 2015	No of Points in Pay Band
Chief Executive	£140,000 – £150,000	6
Director of Child and Adults	£100,000 - £110,000	6
Director of Regeneration and Neighbourhoods	£100,000 - £110,000	6
Director of Public Health ⁷	£77,171 - £82,683	3
Chief Officer – Band A	£77,171 - £82,683	3
Chief Officer – Band B	£68,903 - £74,415	3
Chief Officer – Band C	£57,879 - £66,147	4
Chief Officer – Band D	£52,737 - £55,040	3
Band 15 ⁹	£45,092 - £49,282	5
Band 14	£40,217 - £43,990	5
Band 13	£35,662 - £39,267	5

- 5.6 Information on ‘Senior Management’ responsibilities and remuneration will be published on the Council's website¹⁰ in line with Local Government Transparency Code 2014¹¹ and the Accounts and Audit Regulations 2015¹².

6. Additional Benefits

- 6.1 Employees receive/have access to additional benefits (in addition to basic salary) as outlined in the Table 3.

⁷ The current employee is paid their TUPE pay

¹⁰ Available at:

https://www.hartlepool.gov.uk/downloads/file/1409/senior_management_structure_-_chart_2nd_tier_-_010715

¹¹ Available at: <https://www.gov.uk/government/publications/local-government-transparency-code-2014>

¹² Available at: <http://www.legislation.gov.uk/ukxi/2015/234/contents/made>

Table 3 – Additional Benefits

Employees	Additional Benefit
All officers involved in delivering local, Parliamentary and/or European elections and/or referenda	Duty payments in connection with elections as determined locally in consultation with the other Tees Valley Councils and/or by statute depending on the duties concerned.
Employees in Development Scheme posts	Progression through pay bands where pre-determined progression criteria are met.
All employees whose pay reduces as a consequence of organisational change, job evaluation or redeployment	The pay protection arrangements detailed in the Council's Single Status Agreement apply to all employees as a means of assisting employees to adjust, over a 3 year period, to a reduction in pay arising from organisational change, job evaluation or redeployment. At the end of the 3 year protection period the standard pay arrangements apply.
All employees who are members of public sector pension schemes	<p>The Council operates the Local Government Pension Scheme (LGPS), the Teachers Pension Scheme (TPS) and the NHS Pension Scheme (PHPS) and makes employer pension contributions, as required, for all employees who elect to participate in one of the above schemes. The employer pension contributions from 1 April 2016 are as follows</p> <p>Local Government Pension Scheme -14.2% of pensionable pay</p> <p>Teachers Pension Scheme - 16.48% of pensionable pay</p> <p>NHS Pension Scheme – 14.3% of pensionable pay</p> <p>The contribution rates are regularly reviewed and set by actuaries advising the various Pension Funds.</p>

Employees	Additional Payment
All employees in posts where there are particular recruitment and/or retention difficulties	As a general rule, the pay bands provide relevant and adequate compensation to attract and retain employees for the vast majority of posts and the necessity to apply a salary supplement should not exist. There may be specific circumstances, however, where an additional market forces supplement may be required to either attract hard to recruit categories of employees or to retain such employees within the employment of the Council. In all circumstances a business case will need to be developed (and reviewed regularly) to support the payment of market supplements which will be approved by members in relation to posts subject to the Council's Officer Employment Procedure Rules ⁶ and by the relevant Assistant Director in relation to all other posts. The market forces supplement arrangements detailed in the Council's Single Status Agreement apply to all employees

Table 3 (cont) – Additional Benefits

Posts/Employees	Additional Payment
Chief Solicitor	Payment of £3,432 per annum for acting as Monitoring Officer to Cleveland Fire Authority. This cost is paid for by the Fire Authority and has not changed since 1 April 2010.
All permanent employees	Able to access the Council's Lease Car scheme through a salary sacrifice arrangement in accordance with Her Majesty's Revenues and Customs (HMRC) rules and at no cost to the Council.
All employees	Able to access the Council's Childcare Voucher scheme through a salary sacrifice arrangement in accordance with Her Majesty's Revenues and Customs (HMRC) rules and at no cost to the Council.
All employees	Able to access the Council's Cycle to Work scheme through a salary sacrifice arrangement in accordance with Her Majesty's Revenues and Customs (HMRC) rules and at no cost to the Council.
All employees	The Council pay a range of allowances/premium payments as detailed in National Conditions of Service (see Table 1 above)
All employees employed under the National Joint Council (NJC) for Local Government Services conditions of service	The Council pay a range of allowances/premium payments as detailed in the Council's Single Status Agreement subject to employees meeting the criteria for payment.

6 Available at

https://www.hartlepool.gov.uk/info/20004/council_and_democracy/370/hartlepool_borough_councils_constitution

7. Changes to Salaries

- 7.1 Changes in salary for employees will occur only as a result of
- the application of the provisions in Table 3 above
 - promotion
 - significant changes to an employees role which results in a different pay band being appropriate (as confirmed by the outcome of an appropriate job evaluation process, where appropriate)
 - an honorarium or ex-gratia payment being appropriate to recognise circumstances or events not covered by conditions of service
 - progression of a maximum of one increment each year within previously agreed pay bands based on service, other than as detailed in 5.5 of this policy
 - changes in the working arrangements of employees
- 7.2 The Council does not currently award any performance related pay or bonuses to any of its employees or require them to have an element of their basic pay 'at risk' to be 'earned back' through meeting pre agreed objectives.

8. Payments to all Employees upon Termination of Employment

- 8.1 Employees who cease to hold office or be employed by the Council will receive payments based on entitlement within their contract of employment, their general terms and conditions and existing policies¹³ in relation to the Local Government Pension Scheme¹⁴, Termination of Employment (Discretionary Compensation) (England and Wales)¹⁵ and Local Government (Discretionary Payments) (Injury Allowances) Regulations¹⁵.
- 8.2 In accordance with the Council's Constitution, the determination of early retirement applications which do not generate sufficient savings to ensure that the costs of the application (including salary paid in lieu, redundancy compensation, strain on the pension fund, holiday pay and any bonuses, fees or allowances paid) are recovered within a pay back period of 3.05 years or less are considered by members of the Personnel Sub Committee. Officers determine all other early retirement applications. Whilst this arrangement does not reflect the Department of Communities and Local Government supplementary guidance³ it complies with previous Audit Commission guidance, has worked very well for a number of years and is an effective and efficient way of dealing with early retirement applications.

3 Available at: [Openness and accountability in local pay: supplementary guidance - Publications - GOV.UK](https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-supplementary-guidance)

13 Available at: http://www.hartlepool.gov.uk/meetings/meeting/3119/finance_and_policy_committee (see Appendix A of item 6.6)

14 Available at: <http://www.lgpsregs.org/>

15 Available at: <http://timeline.lge.gov.uk/regidx.html>

9. Lowest Paid Employees

- 9.1 The lowest paid employees will be remunerated at JNC for Government Services spinal column point 11 (equivalent to £15,207 per annum, £7.88 per hour) as a consequence of the Council increasing its own Living Wage for its employees with effect from 1 December 2015.
- 9.2 The current Hartlepool Living Wage is higher than the Governments new Statutory National Living Wage of £7.20 per hour, from April 2016. The Council have given a commitment to increase the Hartlepool Living Wage on an annual basis, commencing from 1st April 2016, in line with the cost of living pay award for Local Authority employees until such time as the Hartlepool Living Wage is less than the National Living Wage. At which stage the National Living Wage will apply.
- 9.3 On the basis that it is anticipated that by 1st April 2020 the National Living Wage will be £9.00. The position is summarised in Table 4 below. The table also demonstrates that, on the basis of forecast 1% inflationary increases in the Hartlepool Living Wage and the forecast phased implementation of the National Living Wage, the Hartlepool Living Wage will exceed the National Living Wage until 1st April 2019.

Table 4 – Comparison of Forecast HBC pay scale and National Living Wage of £9.00 by 2020

Year	Forecast HBC Living Wage Hourly Rate (based on annual increases of 1%)	Forecast National Living Wage	HBC lowest rate of pay (per hour) - Forecast	Comment on HBC lowest rate of pay (per hour) - Forecast
1.12.15	7.88	Not applicable	7.88	Hartlepool Living Wage
1.4.16	7.96	7.20	7.96	Hartlepool Living Wage +1%
1.4.17	8.04	7.65	8.04	Hartlepool Living Wage +1%
1.4.18	8.12	8.10	8.12	Hartlepool Living Wage +1%
1.4.19	8.20	8.55	8.55	National Living Wage

1.4.20	8.28	9.00	9.00	National Living Wage
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- 9.4 The Council introduced its Single Status Agreement on 1st April 2007. The lowest paid employees within the Council are appointed to jobs which have been evaluated using the NJC Job Evaluation Scheme and are remunerated accordingly.
- 9.5 The relationship between the rates of pay for the lowest paid and for senior management is determined by the processes used for determining pay and grading structures as set out earlier in this Policy Statement.
- 9.6 The Council's 'median pay multiple', which complies with the Local Government Transparency Code 2014¹¹, is the ratio between the taxable earnings of the highest paid employee and the median taxable earnings of the whole of the Council's workforce. The Chief Executive with a pay band of £140,000 – £150,000 is the highest paid employee.
- 9.7 The 2015 'pay multiple' with comparative data is detailed in Table 4

Table 4 – 'Pay Multiple'

Date	Taxable earnings of the highest paid employee	Median taxable earnings of the whole of the Council's workforce	Pay multiple based upon the taxable earnings of the highest paid employee
31 March 2013	£134,167 ¹⁶	£17,130	7.83
31 March 2014	£140,833	£17,051	8.26
31 March 2015	£142,833	£18,211	7.84

N.B. The pay multiple has increased each year as a consequence of a combination of the taxable earnings of the highest paid employee increasing due to incremental progression within the pay band of £140,000 – £150,000 (reduced from £158,000 - £168,000 in 2012) and the median taxable earnings of the whole of the Council's workforce reducing.

11 Available at <https://www.gov.uk/government/publications/local-government-transparency-code-2014>

16 The Chief Executive was appointed part way through 2012/13

- 9.8 The Council will generally aim to ensure that the basic pay 'pay multiple' does not exceed ten.

10. Employment of Individuals already in receipt of a public sector pension

- 10.1 The Council does not generally support the employment of individuals already in receipt of public sector pensions in respect of posts subject to the Officer Employment Procedure Rules⁶ as doing so potentially restricts the recruitment of younger workers who may be disadvantaged in the labour market. However there may be circumstances where the employment of an individual with a public sector pension is the most effective and efficient way of meeting the Council's needs. Members will approve any appointments in respect of posts subject to the Officer Employment Procedure Rules⁶.
- 10.2 In respect of posts not subject to the Officer Employment Procedure Rules⁶ the Council does not generally support the employment of former Hartlepool Council employees who have accessed their pensions when they left the employment of the Council as doing so potentially restricts the recruitment of younger workers who may be disadvantaged in the labour market. However there may be circumstances where the employment of former Council employees who have accessed their pensions when they left the employment of the Council in posts not subject to the Officer Employment Procedure Rules⁶ is the most effective and efficient way of meeting the Council's needs. In these circumstances the Chief Executive (in his/her role as head of the paid service) will formally approve any appointments.

⁶ Available at

https://www.hartlepool.gov.uk/info/20004/council_and_democracy/370/hartlepool_borough_councils_constitution

11. Employment Of Individuals under a Contract For Services

- 11.1 The Council does not generally support engaging individuals under a 'contract for services' where the Council is not required to make either pension or national insurance contributions for such individuals as it supports the Government's commitment to tackling all forms of tax avoidance and recognises that public appointments that involve arrangements whereby savings in tax and National Insurance contributions are made may be at the expense of other taxpayers or other parts of the public sector. However there may be exceptional circumstances where engaging an individual under these terms is the most effective and efficient way of meeting the Council's needs. If this situation applies formal approval will be sought from members in relation to posts subject to the Officer Employment Procedure Rules⁶ and from the Chief Executive (in his/her role as head of the paid service) in respect of other posts and individuals will be sourced through an appropriate procurement process in accordance with the Council's Contract Procedure Rules (which ensure the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service).

12. Income Tax and National Insurance

- 12.1 The Council does not enter into arrangements with individual employees to minimise their tax and national insurance contributions other than via salary sacrifice schemes in accordance with Her Majesty's Revenues and Customs (HMRC) rules.

13. Use of Agency Workers

- 13.1 The Council does not generally support using agency workers. However there may be circumstances where engaging agency workers is the most efficient and effective way of meeting the Council's needs. If this situation applies formal approval will be sought from the relevant Assistant Director. Agency workers operating in the Council receive at least the national minimum wage initially and at least the pay of comparable employees after 12 weeks of qualifying service.

14. Apprentices

- 14.1 The Council has entered into a partnership with Hartlepool College of Further Education whereby the Council fund the College to employ apprentices and place them with the Council. The apprentices are paid the appropriate national minimum wage (depending upon individual circumstances).

⁶ Available at

https://www.hartlepool.gov.uk/info/20004/council_and_democracy/370/hartlepool_borough_councils_constituencies

- 14.2 Employees with substantive jobs who undertake apprenticeships via the Council's Adult Education service within their current duties and responsibilities will continue to be paid in accordance with their contract of employment.

15 Use of Zero Hours Contracts

- 15.1 The Council does not generally support the use of zero hours contracts. However there may be circumstances where the use of zero hours contracts is the most effective and efficient way of meeting the Council's needs and the Assistant Chief Executive (or nominees) will determine when this applies. Where employees are employed on a zero hours contract they are employed on a permanent or fixed term basis, are entitled to request a review of their contracted hours at any time after six months in post and are not prevented from working for other employers.

16 Contractors

- 16.1 The Council requires that contractors comply with the national minimum wage legislation and the new national living wage legislation with effect from 1st April 2016 in all new and extended Council contracts and encourages all contractors to pay the Council's Living Wage (see 9.1 above) and avoid the use of zero hours contracts (see 15.1 above).
- 16.2 The Council will encourage all local employers employing 250 or more employees to publish their pay multiple.

Annex A

Grading Structures based on Job Evaluation Schemes

Proposed revised LGA Senior Managers Job Evaluation Scheme

Pay Band	Job Evaluation Points*		Spinal Column Points	
	JE Points Minimum	JE Points Maximum	SCP Minimum	SCP Maximum
Chief Executive	1990		1	6
Directors	1710	1940	1	6
Chief Officer - Band A	1350	1700	1	3
Chief Officer - Band B	1151	1349	1	3
Chief Officer - Band C	950	1150	1	4
Chief Officer – Band D	800	949	1	3
To be assessed under the Local Government Services Job Evaluation Scheme – see below	0	799	N/A	N/A

Local Government Services Job Evaluation Scheme

Pay Band	Job Evaluation Points		Spinal Column Points	
	JE Points Minimum	JE Points Maximum	SCP Minimum	SCP Maximum
Band 1 - 3	0	289	11	11
Band 4	290	299	12	12
Band 5	300	327	13	15
Band 6	328	355	16	18
Band 7	356	383	19	21
Band 8	384	411	22	24
Band 9	412	446	25	28
Band 10	447	481	29	32
Band 11	482	516	33	36
Band 12	517	551	37	40
Band 13	552	606	41	45
Band 14	607	661	46	50
Band 15	662	799	51	55

FINANCE AND POLICY COMMITTEE

15 February 2016



Report of: Director of Regeneration and Neighbourhoods and
Director of Child and Adults

Subject: **CONTRACT FOR THE PROVISION OF BENEFIT
ADVICE AND FINANCIAL SUPPORT SERVICES**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 None Key.

2. PURPOSE OF REPORT

2.1 To consider the future commissioning of the Council's Benefit Advice and Financial Support Service delivered by the West View Advice and Resource Centre (WVA&RC) under a contract due to expire in March 2016.

3. BACKGROUND

3.1 Following reconfiguration of the Community Pool grant programme in 2012, Universal Welfare Benefits and Financial Support was introduced as a Council commissioned service. WVA&RC was successful in securing the contract in 2012, and again in 2014, and following satisfactory performance, the current contract was extended for a further year, and is due to expire in March 2016.

3.2 The annual contract value for the service is £110k. Funding has been identified through the Child Poverty Fund to continue with the contract during 2016/17 but as the contract will expire in March 2016 with no further option to renew, there is a need to consider how the 2016/17 Benefit Advice and Financial Support Service will be procured to cover this period.

3.3 To assist in determining the way forward a brief review of the need for a financial advice and support service in Hartlepool, and current performance management information in relation to the current contract has been undertaken.

4. EVIDENCE OF NEED

- 4.1 Given the current financial climate, financial exclusion has been and continues to be an ongoing issue for many people. Whilst nationally unemployment has fallen markedly over the last 5 years from 2.5m to 1.8m¹, increasing numbers of people are considered to be living in poverty or experiencing financial hardship.
- 4.2 Increases in the cost of food, fuel and rent have hit lower-income families harder than average families, as these items make up a share of expenditure for people further down the income spectrum¹. Around a quarter of people in poverty are behind with at least one bill¹, and cuts to Legal Aid has meant that the number of people receiving help for welfare and housing issues has plummeted in the last couple of years¹.
- 4.3 The implementation of Welfare Benefit reform and the roll-out of Universal Credit compounds these issues further. Although the benefit cap is affecting a relatively small number of people, as the cap reduces further this is predicted to rise sharply. Increasingly a large number of people are also affected by benefit sanctions – 20 times as many in the last year¹. Around one third of people sanctioned last year had been sanctioned more than once, with penalties ranging from 4 weeks to 3 years suspension of benefits¹.
- 4.4 From a local perspective an increasing demand for effective advice services is unlikely to change in the foreseeable future. Recent analysis has shown that:
- Hartlepool is one of 20 local authority districts with the highest proportion of their neighbourhoods in the most deprived 10% of neighbourhoods nationally. It is also one of the 20 local authority districts with the highest levels of income and employment deprivation, and the highest proportions of income deprivation affecting children (IMD 2015).
 - 15.9% of the Hartlepool working age population is in receipt of main out-of-work benefits, compared with 9.4% in Great Britain². The level of key benefit claimants in Hartlepool is almost double the rate in Great Britain and higher than the North East (Nomis 2014).
 - 31% of children in Hartlepool are currently living in poverty³.
 - 12.2% of households in Hartlepool are in fuel poverty, which is higher than the North East figure of 11.8%⁴.
 - 35.8% of Hartlepool households are claiming Housing and / or Council Tax benefit – Mid 2014⁵.

¹ Monitoring Poverty and Social Exclusion 2015, Joseph Rowntree Foundation

² Nomis Labour Market Profile – Hartlepool, May 2015

³ Child Poverty Map of the UK, End Child Poverty, October 2014

⁴ Sub-Regional Fuel Poverty England 2013, Department of Energy and Climate Change, May 2015

⁵ Tees Valley Unlimited (TVU)

- Households affected by Welfare Reform are surviving on restricted budgets and struggling to get by. The dependency on borrowing to cope is evident. Weekly debt repayments have almost doubled since the start of the Real Life Reform Study in the North and, as a result the amount of money left per week is very low. 77% of households participating in the Real Life Reform Project are worried welfare changes will impact on their health and wellbeing⁶.

4.5 Information received from the Council's First Contact and Support Hub (FCSH) reveals that the FCSH currently deals with around 1,600 enquiries a month (excluding housing benefit) of which 42% of enquiries are of a financial hardship nature which are offered the Financial Advice Service delivered by WVA&RC. Between April and November 2015, the hub has:

- dealt with 1,179 crisis funding applications ranging from food and energy top-ups to items of furniture and equipment for those in financial need;
- supplied 944 foodbank vouchers and / or parcels to residents with financial needs and;
- provided 53 'one-off' Discretionary Housing Payment awards to support residents in financial hardship to move to alternative properties and to avoid eviction.

5. SCOPE OF CURRENT CONTRACT

5.1 Effective advice and information services play a crucial role in enabling residents to access available financial support, deal with issues of indebtedness and promote sound money management. As such the current service specification aims to ensure that those residents of Hartlepool who need advice and information can access appropriate advice and support at a 'community level'.

5.2 The overall aim of the service is to provide free, independent, impartial, high quality advice and information to residents of Hartlepool in order to maximise entitlement to and raise awareness of benefits, debt advice, employment law etc. The service includes assistance in the completion of claims for welfare benefits, the negotiation of repayment arrangements with creditors for complex debt cases and also the provision of employment law advice.

5.3 The contract specification anticipated that the service would contribute to the following outcomes in the Community Strategy and Departmental Plans:

- Hartlepool has increased economic inclusion of adults and is tackling financial exclusion and;
- Fewer Hartlepool children experience the effects of poverty

⁶ Real Life Reform Project, Report 6, Northern Housing Consortium, March 2015

6. PERFORMANCE MANAGEMENT

6.1 Delivery of the Benefit Advice and Financial Support Service is subject to a detailed performance framework with standard monitoring reports being submitted on a quarterly basis supplemented by case studies demonstrating the impact on individuals that have benefited from the service. Quarterly returns are delivered on time by WVA&RC and contain a wealth of information in relation to those accessing the service and their reasons for doing so. During 2014/15 there were:

- 4,927 service appointments attended by individuals, with the majority of these appointments involving clients seeking welfare advice.
- The total number of individual clients accessing the service during 2014/15 was 3,463, of which 1,653 were new clients.
- There was roughly a 60/40% split between females and males respectively.
- The number of dependants under 19 assisted totalled 1,498.
- 448 clients were lone parents.
- The age of those accessing the service ranged from 17 to 65+ years.
- The number of people with a disability accessing the service totalled 993 and those with a long-term illness totalled 916.
- The majority of clients were of white British ethnic origin, although access to the service by the BME population was also evident.

6.2 Data relating to the first two quarters of this financial year demonstrate a similar level of clients accessing the service compared to the previous year with a comparable number of appointments undertaken. The map at **Appendix A** developed from using the monitoring information provided by WVA&RC also highlights the geographical distribution of clients accessing the service in the first two quarters of this financial year, and the types of advice and support provided. This information demonstrates that WVA&RC is successfully engaging with the broader communities of Hartlepool, and in areas where we know there are high levels of deprivation.

6.3 Access to the service has also remained flexible over the 18 month period covered by this review. WVA&RC are based at the West View Community Centre in the De Bruce ward with the majority of face to face appointments (3510 in 2014/15, and 1616 in the first two quarters of 2015), taking place at the Centre. However sessions also take place at a variety of venues across the town, and home visits are offered, where appropriate, with appointments being made in advance over the telephone suited to the clients' needs. The table below provides information in relation to the range of venues across the town where sessions currently take place, together with the number of clients receiving face to face advice and support from those venues. As evidenced in this table one of the most successful venues introduced in quarters 3 and 4 of 2014/15 is the Kilmarnock Road Centre.

Financial Advice Service Locations	Face-to-Face	
	14/15	15/16 (Q 1&2)
Home Visits Mondays for non Macmillan, daily for Macmillan	412	170
Jutland Road Community Centre	77	12
Hindpool Childrens Centre	95	57
Lynfield Childrens Centre	95	28
Chatham House Childrens Centre	92	65
Burbank Community Centre	91	50
Wynyard House	61	0
Stranton Childrens Centre	102	40
Headland	99	44
The Orb Centre	81	23
Rossmere Childrens Centre	95	45
Kilmarnock Road	89	195
Central Library	10	14

- 6.4 Recognising the barriers that many clients may experience in accessing the financial advice and support service WVA&RC have worked hard to engage with clients. Those in debt are traditionally hard to reach, and even when they do engage they frequently fail to turn up for appointments. As such some months ago WVA&RC implemented a new practice which involves arranging appointments over the telephone with the client followed by the use of a text reminder when the appointment is due to take place. WVA&RC report that this has reduced the non-attendance rate at appointments by 7.8% over the last quarter. From the information provided average waiting times for an appointment also seem to be reducing – during the first 6 months of 2015/16 the average waiting time was 16 days and the average number of people on the waiting list was 11 – an improvement when compared to the same period the previous year.
- 6.5 In terms of client outcomes during 2014/15 the amount of benefit awarded due to intervention was just over £2.5m and the total debt dealt with was just under £4.5m. In the first two quarters of this financial year the amount of benefit awarded due to intervention was just over £1.5m, which is higher than the same period the previous year, and the total debt dealt with was £1.8m, which is lower than the same period in 2014/15. A number of recent case studies attached at **Appendix B** demonstrates the breadth of service delivered and outcomes for individual clients.
- 6.6 Customer satisfaction with the service remains high with 93% out of 112 clients participating in the customer feedback survey during quarter two of 2015/16 describing their experience of the service as good or very good (82.2%). 82 of the 112 clients also said that the advice and support provided had improved their quality of life. The table below provides client responses to the question ‘how has the advice/support helped’.

Answer Choices	Responses
Income likely to improve	58.89%
Feel happier	63.33%
Worry less about money	30.00%
Feel more able to cope	31.11%
Have more spare cash which enables me to do more things	14.44%
Sleep better tonight	31.11%
Feel able to put the heating on more often without worrying as much about the cost	22.22%
Total Responses: 90	

- 6.7 From the monitoring information provided WVA&RC appear to be working well in partnership with others to improve outcomes for clients. They receive and signpost clients to a wide range of agencies for further support including health services, the Council; social care; social housing providers, and other voluntary sector partners such as the Citizens Advice Bureau. Consultation with the First Contact Support Hub (FCSH) has confirmed that WVA&RC continues to take all referrals from the FCSH, Early Help and Social Care teams to support families with a wide range of financial issues. Where minor problems in service delivery have arisen, the FCSH report that the strong partnerships and positive working relationships that have been developed has meant that any problems are ironed out swiftly and at an early stage to ensure there is no further adverse impact on those accessing help.
- 6.8 It is clear from discussions with WVA&RC and others that the provider remains responsive to emerging need and demand, and has drawn in external funding that adds value to the work delivered by WVA&RC under their contract with the Council. One example of this is the extension of WVA&RC services to include a Macmillan Home Energy Efficiency Service delivered to those whose lives are affected by cancer. Supported by external funding this service assists clients to get a better deal from their energy supplier, switch tariff/switch supplier, apply for discounts, help with fuel debt, advice on energy efficiency and keeping warm in winter, and how to access other services such as insulation schemes. Given the popularity of the service delivered from the Kilmarnock Road Centre external funding is also being sought to continue with service at this location.
- 6.9 Beyond the remit of the current contract the team at WVA&RC are also working extensively in partnership with the Council and wider partners for the benefit of Hartlepool residents. They Chair and co-ordinate the thriving Hartlepool Financial Inclusion Partnership and take responsibility for specific actions in Task and Finish Groups. The staff at WVA&RC have also teamed up with the FCSH to deliver multi-agency training on the Impact of Welfare Reform to strategic partners and operational staff.

7. PROPOSALS

- 7.1 National and local evidence demonstrates that there will continue to be an acute need in Hartlepool for the financial advice and support service in the foreseeable future as a means of mitigating the impact of child and family poverty and improving financial exclusion.
- 7.2 Performance monitoring information received through quarterly returns submitted by WVA&RC identifies that the current service is flexible to the needs of clients, and is performing well in successfully reaching a large proportion of residents in Hartlepool in need of financial advice and support, resulting in increased economic inclusion of adults and fewer children experiencing the effects of poverty.
- 7.3 The evidence presented in paragraph 3.3 of this report, in relation to the likely increase in those affected by benefit sanctions, suggests that some measurable targets should be introduced to monitor the impact of the service on those affected by benefit sanctions. Alongside the introduction of these measures, the service provider should also undertake publicity measures as to what is determined 'good cause' within the context of benefit sanctions.
- 7.4 As the Council is currently reviewing its Child and Family Poverty Strategy; undertaking extensive development work in relation to Community Hubs; and Holiday Hunger, all of which may impact upon the way the Council wants its financial advice and support service to run in the future, funding to continue with the financial advice and support service has been identified for a further year only.
- 7.5 A key element of the original specification for the service is the provision of 'community based services'. WVA&RC are the only specialist organisation currently offering and geared up to deliver services in this way in Hartlepool. Consequently, given the potential disruption to the service if it were to transfer to another provider, along with potential TUPE implications, both of which are very likely to affect future performance of the service during the forthcoming year, it would be desirable to obtain an exemption in order to place business directly with the current provider.
- 7.6 Given these considerations it is proposed that a Contract Procedure Rules Exemption Order is sought to enable WVA&RC to deliver the Council's Financial Advice and Support Service during 2015/16 through finance identified in the Child and Family Poverty Fund.

8. RISK IMPLICATIONS

- 8.1 As the Council is currently undertaking major pieces of work in relation to reviewing its Child and Family Poverty strategy; community hubs; and holiday hunger, there is a risk that commissioning the service for more than

a year would result in a service that did not fit the broader direction of travel for the Council.

- 8.2 WVA&RC are the only specialist organisation that is currently offering and geared up to deliver a financial advice and support service on a community level in Hartlepool. Obtaining a Contract Procedure Rules Exemption Order to enable WVA&RC to deliver the Councils Financial Advice and Support Service during 2015/16 would therefore avoid potential disruption to the service and avoid any further risk to those experiencing financial difficulty.

9. FINANCIAL CONSIDERATIONS

- 9.1 The anticipated cost of delivering the service during 2016/17 is £110,000 and funding has been identified from the Child and Family Poverty Fund to continue with a financial advice and support service during this period. However there is a pressing need for an early discussion around funding to sustain the service beyond 2016/17 if this were judged to be desirable.

10. STAFF CONSIDERATIONS

- 10.1 The proposal will result in no changes to the terms and conditions of staff currently employed on the contract. However, if the contract were to transfer to another provider, TUPE would apply and there would be a need for a formal consultation process.

11. SECTION 17 CONSIDERATIONS

- 11.1 There are no Section 17 considerations associated with this report.

12. LEGAL CONSIDERATIONS

- 12.1 The legal implications associated with this report relate to the procurement process discussed in the background to this report.

13. EQUALITY AND DIVERSITY CONSIDERATIONS

- 13.1 The Financial Advice Service is open to the whole community and is accessed by a diverse ethnicity. A translator is provided by WVA&RC for clients in need of this service.

14. CHILD POVERTY CONSIDERATIONS

- 14.1 The Financial Advice Service in association with all partners supports the Government's ambition to reduce and ultimately eradicate child poverty by 2020 by:
- Enabling families to break out of intergenerational cycles of deprivation using a family centred approach by ensuring all children and families have support at the earliest possible stage to prevent families reaching crisis.
- 14.2 The service is delivered in line with the Hartlepool Child Poverty Strategy and Action Plan and addresses a number of strategic priorities.

15. RECOMMENDATIONS

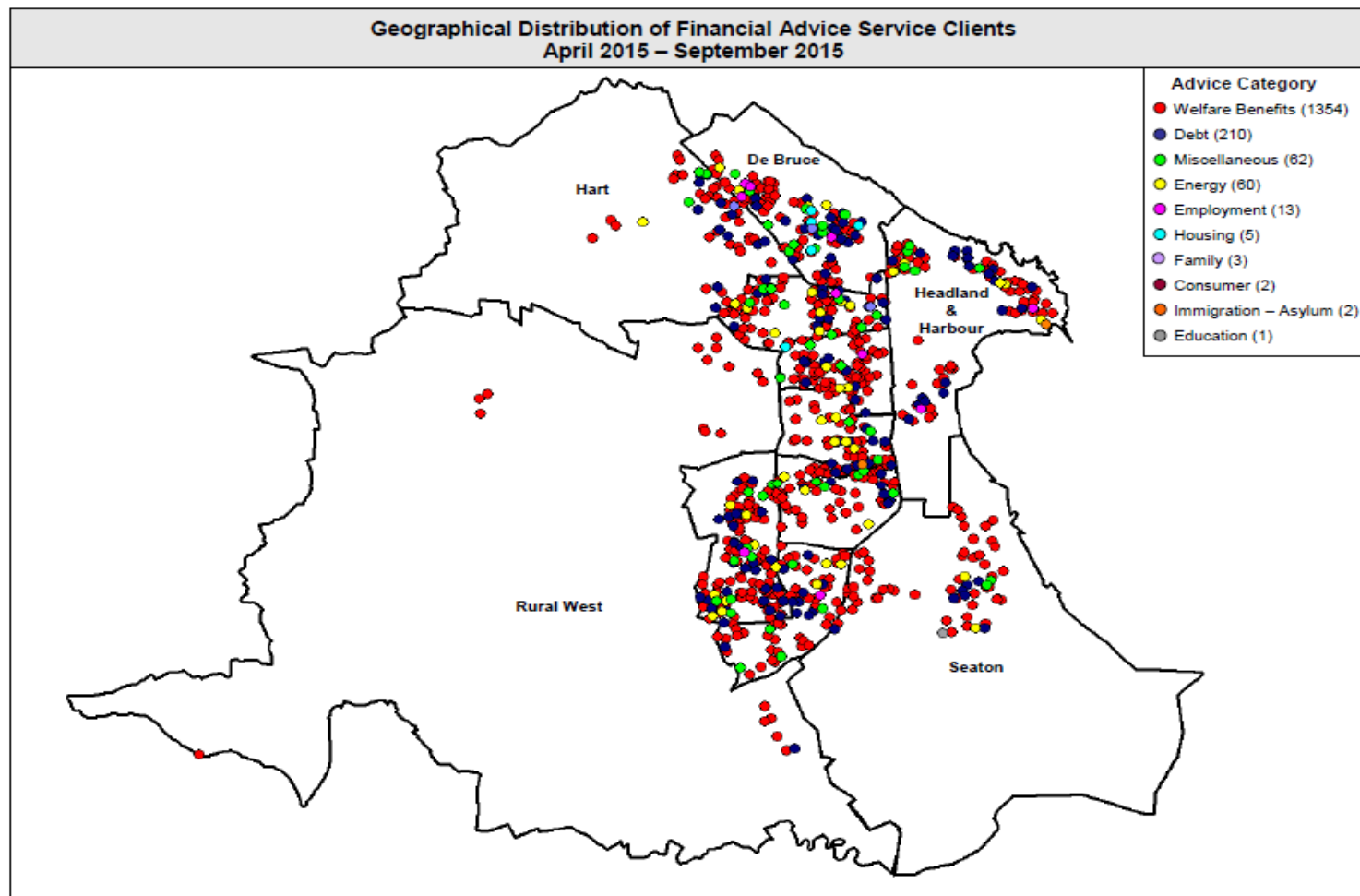
- 15.1 It is recommended that the Finance and Policy Committee considers and discusses the information presented in this report.
- 15.2 It is recommended that for the reasons outlined under section 7 of the report, that a Contract Procedure Rules Exemption Order is sought to enable WVA&RC to deliver the Councils Financial Advice and Support Service during 2016/17 through finance identified in the Child and Family Poverty Fund.

16. CONTACT OFFICERS

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Financial Advice Service Case Studies

Case Study 1 – Universal Credit

Mr B came into the library to get help to complete an online application for Universal credit. He had recently been released from prison and was living in temporary accommodation; Mr B also has a drug and alcohol addiction. Mr B didn't have a bank account so couldn't go any further on line so I had to phone Jobcentreplus - I spoke to Liz, who advised me that he could use his friend's bank account number until he made an appointment at a bank to open a basic bank account.

He gave permission for me to do the application on his behalf which was completed and he was given an appointment to visit the local job centre and reregister as unemployed. Once this has been processed he should receive £317.77 per month

Case Study 2 – Child DLA

Client and her husband attended an appointment with me to complete a DLA application for their 9yr old son who has been diagnosed with Epilepsy ; he has `Absent Seizures` which are now also intermittent full Epileptic Seizures and he moves around during seizures.

It has taken a long time for the child to be diagnosed with Epilepsy which has been very distressing for the parents as Social Services got involved after concerns from the child's school. The parents were made to attend parenting classes and stated they were made to feel like "bad parents".

Now after diagnosis they sought help to ascertain if they would be entitled to any benefits for their son. Informed them of child DLA for their son and a further appointment with me was made to complete the application form.

We completed the application form at the next appointment and they have since informed me that they have been awarded child DLA for their son (High rate for care £82.30 per week and low rate for mobility £21.80 per week). As a result they informed Tax credits and were awarded also the Disabled Child Element £60.38 per week and Severe Disability element of Child Tax Credits £24.52 per week.

Overall the family's income was increase by £9,828.00 per year and the case was concluded successfully.

Case Study 3 – Employment

Mr Q attended the centre on a Monday needing employment law advice. He had received a letter from his employer on the previous Saturday, asking him to attend an investigation hearing on the following Wednesday regarding an unspecified incident alleged to have been committed by Mr Q on an unspecified date.

I advised Mr Q of his entitlement under ACAS Codes of Procedure to reasonable notice of the hearing date, together with details of the allegations, to allow Mr Q reasonable time (and information) to prepare his case, which the letter did not do.

I drafted a letter to Mr Q's employers, stating that in the circumstances he would not be attending the meeting until the employers had complied fully with their obligations under ACAS.

Mr Q subsequently brought in a second letter from his employers requiring him to attend a rescheduled meeting and giving him further (though still incomplete) details of the allegation, which was one of bullying and threatening behaviour alleged to have been carried out over a month before the date of the letter, despite the fact that the allegations had apparently been made immediately after the alleged incident.

Since the incident Mr Q had been required to work extensive hours and his requests for reasonable hours under the Working Time Regulations had been ignored.

I drafted a further letter for Mr Q to deliver to his employers. It contained a complete denial of bullying behaviour and warned the employers that Mr Q believed the real reason for the employers' actions was Mr Q's Working Time request, and that a dismissal in connection with those requests would constitute an automatically unfair dismissal.

Mr Q was pleased with our prompt and efficient service and thought the letters were written in exactly the tone he had required. He has since taken our advice to update his CV in case his employers proceed to dismiss him, has started to look for alternative employment and has attended an interview for a new job pending hearing further from his employers.

Case Study 4 – August 2015 Tax credits

Miss B came to see us for assistance with problems with her Child Tax Credit award. She had moved in with a partner for several months, they both ended their individual claims for benefit and made a joint claim for jobseekers allowance together. They did not realise that Miss B had to end her lone parent claim for child tax credit and then make a joint claim with her partner. When the couple split up several months later they ended their joint Jobseekers allowance.

They were later investigated as the partner had applied for a loan while he lived at the address which the tax credit office had picked up on, they believed the couple were still living together but claiming separately. The client had told the tax credit office that she had no idea her moving in with a partner would affect her award and was disappointed she was not informed of this.

The tax credit office stopped paying her child tax credit award while they investigated the case, her award stopped and she received no child tax credit for a few months. The lady has 4 children so her tax credit payments were essential to be able to provide the basics for her family, it was a very difficult time for the client who was very upset on a number of occasions.

We assisted the client with her mandatory reconsideration and appeal of the decision to stop her award. Although she had failed to inform them she moved in with a partner she could not prove they were now living apart. However we were

able to advise of the correct evidence needed under the circumstances. The lady was advised to make a new claim for child tax credit which was again refused as they believed she was still living with a partner. We also assisted with this appeal and helped her to get relevant evidence for her appeal.

After many months, the lady went to her appeal and won the appeal, the child tax credit was put back into payment and backdated for the months it had been stopped.

FINANCE AND POLICY COMMITTEE

15th February 2016



Report of: Director of Regeneration and Neighbourhoods

**Subject: CORPORATE PROCUREMENT STRATEGY AND
POLICY DOCUMENT AND SUPPORTING
REVISIONS TO THE CONTRACT PROCEDURE
RULES**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non Key.

2. PURPOSE OF REPORT

2.1 To present Committee with an updated Procurement Strategy and Policy document and amended Contract Procedure Rules for review, comment and/or endorsement.

3. BACKGROUND

3.1 The Council currently has a number of procurement related strategy documents, namely the Commissioning and Procurement Strategy 2014, the Sustainable Procurement Strategy 2011-2014 and the Council's E-Procurement Strategy.

The attached Procurement Strategy and Policy Document aims to replace all of these documents, amalgamating their contents and bringing the information up to date.

The new Procurement Strategy and Policy Document is based on the contents of its predecessors, however, it also references the recent National Procurement Strategy for Local Government in England 2014, detailing where elements dovetail between the two documents.

In addition to the Procurement Strategy and Policy document, revised Contract Procedure Rules (CPR's) are also attached. The CPR's have been amended largely to address issues raised in the Strategy and Policy

document, although there are a few minor amends which are explained later in this report.

4. INFORMATION FOR REVIEW

4.1 Procurement Strategy & Policy document 2015 - 2018

The attached document has been developed following a review of several existing strategic procurement documents, the aim of the review being to update and amalgamate the existing documentation.

The strategic aims and principles of the Procurement function are fairly static, and haven't changed from those described in the earlier documentation referred to above. These are detailed in sections 2, 3 and 4 of the attached document.

Section 5 of the document explains the roles of the various parties involved in the management and governance of the Council's procurement activities.

Section 6 explains what procurement 'on the ground' looks like in the Council, highlighting a wide range of issues which impact on or form part of the procurement process. Examples include the Council's VCS Strategy, tactical procurement strategies, Contract Procedure Rules, evaluation of tenders, to name a few.

Section 7 describes how the Council supports its delivery of its procurement strategies and policies through the use of e-procurement systems. E-procurement is embedded across the Council with over 200 staff being trained and having access to the Council's e-quotation system.

Finally, Section 8 of the document explains how the Corporate Procurement Team support income generation across the Council, from bid writing to disposal of surplus equipment.

4.1.1 Changes

During the review process a proposal to change the threshold at which formal written quotations were required was considered.

It is now proposed that the threshold be raised from the current £2000 level, to a new level of £5000. In practical terms this means that where previously, for expenditure over £2000, council officers would have to use the e-quotation system and invite a minimum of 3 companies to quote, they would now only have to undertake this process where the expenditure was in excess of £5000.

An analysis of other Council's procurement thresholds demonstrated that this proposal is consistent with the majority of practices in place amongst the other north eastern councils.

A further change which has been incorporated into this document is the new EU public procurement thresholds which come into effect from 1st January 2016.

In addition to reviewing thresholds, a further element was added to the document, this being the requirement that officers must submit a CPR exemption form in the event that they wish to use a third party provider when an in-house service provider is available. This amendment provides flexibility for officers where it can be demonstrated that in-house services are not the optimum solution to their requirement. It also provides an audit trail and visibility of these decisions by reporting any such exemptions on a quarterly basis to Finance and Policy Committee.

4.2 Revised Contract Procedure Rules

In order to ensure that the Procurement Strategy and Policy document and the Contract Procedure Rules (CPR's) are synchronised, there are a number of complimentary changes proposed for the CPR's and these are detailed below.

Change	Amendment to CPR's
1. Changes to EU Procurement thresholds	Paragraph 5(2) of the Introduction has been amended to refer to the 'prevailing' thresholds' as opposed to specific figures. This will remove the need to amend the CPR's every time the thresholds change (highlighted).
2. Correction of cross-reference	Part A 1(ii) contained an inaccurate cross-reference. This has now been corrected (highlighted).
3. Goods for resale	Certain trading arms of the Council have found it difficult to apply the requirements of the CPR's when purchasing products for resale, e.g. Plants for resale at Inspirations garden centre. As a result of discussions on this matter, it is proposed that such items are removed from the scope of the CPR's. Part C(3)(i) has been redrafted to reflect this proposal (highlighted).
4. Increase in threshold from £2000 to £5000	There are multiple changes to Part C(4) to reflect this proposed change (highlighted).
5. Post contract variations and negotiations	The issue of what action can be taken by officers in the event of there being no acceptable tenders submitted in response to an invitation to tender is not currently covered in the CPR's. It is proposed that Part G (19)(iii)(a) be amended to permit negotiations with suppliers in the event that no

	acceptable tenders have been received. This flexibility may lead to the development of acceptable responses without having to undertake a time consuming second process.
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5. RISK IMPLICATIONS

- 5.1 There are no risk implications in relation to this proposal.

6. FINANCIAL CONSIDERATIONS

- 6.1 There are no direct financial considerations in relation to this proposal.

7. LEGAL CONSIDERATIONS

- 7.1 The Legal Team have confirmed that any changes to the CPRs and Strategies must be compliant with the Public Contract Regulations.

The Legal Team have also highlighted that as the proposed amendments to the CPR's represent a constitutional change they cannot be adopted without being reported through to Council.

8. CHILD AND FAMILY POVERTY

- 8.1 There are no child and family poverty implications in relation to this proposal.

9. EQUALITY AND DIVERSITY CONSIDERATIONS

- 9.1 There are no equality and diversity considerations in relation to this proposal.

10. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 10.1 There are no Section 17 considerations in relation to this proposal.

11. STAFF CONSIDERATIONS

- 11.1 There are no staff considerations in relation to this proposal.

12. ASSET MANAGEMENT CONSIDERATIONS

- 12.1 There are no asset management considerations in relation to this proposal.

13. RECOMMENDATIONS

- 13.1 That the Committee approve the proposed changes to documentation.

14. REASONS FOR RECOMMENDATIONS

- 14.1 Several existing strategy documents require refreshing and there is a degree of duplication across their content, therefore development of a single document is more efficient and will prevent the possibility of inconsistencies. In order to be able to enact these changes, there will need to be changes made to the CPR's and these will require Finance and Policy Committee and then Council approval.

15. BACKGROUND PAPERS

- 15.1 **APPENDIX A** – Corporate Procurement Strategy and Policy Document.
APPENDIX B – Revised Contract Procedure Rules

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Procurement Strategy & Policy document 2015 – 2018

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1. INTRODUCTION

Improving the way in which Councils across the country buy goods and services is a key factor in modernising local government and achieving the necessary reductions in the Council's cost base, never more so than in the current economic climate.

It is recognised that the Council's approach to procurement can have a positive effect by reducing operating costs and by ensuring our procurement decision making processes consider a broad range of issues and principles, not just price.

The Council believes that its procurement activity can make a positive contribution in terms of equality and diversity, a successful local economy and a thriving voluntary sector.

The positive effect of the procurement function has also been recognised by the Local Government Association and they have produced a '*National Procurement Strategy for Local Government in England*'.

This strategy is built around four particular themes which apply across the whole of Local Government. These themes are:

- Theme A - Making Savings (NPS A)
- Theme B - Supporting Local Economies (NPS B)
- Theme C - Demonstrating Leadership (NPS C)
- Theme D - Modernisation (NPS D)

It is Hartlepool Borough Council's intention to apply the appropriate elements of the National Procurement Strategy to its own procurement practices and to augment these with other local procurement priorities, creating a compilation which supports both national and local aims and objectives.

Further details of the above themes are provided in Annex A.

Where this Procurement Strategy and Policy document links to the National Procurement Strategy, the elements are annotated with a reference to the relevant theme referred to above.

The purpose of this Strategy and Policy document is to describe our approach to developing procurement within the Council to better achieve our objectives and to meet the pressing needs of the Council in terms of reducing its cost base and increasing its levels of income generation.

2. VISION FOR PROCUREMENT

The Council's vision for its Corporate Procurement Service is:

'To support the delivery of cost-effective high quality services which underpin the Council's corporate priorities, through a strategic and systematic approach to procurement and business development'

3. STRATEGY AND POLICY OBJECTIVES

The objectives of the Corporate Procurement Service are to:

- Continue to develop a category management focused approach to procurement
- Deliver a common, corporate process of strategic sourcing and business development, making use of partnership and collaborative working where appropriate
- Drive out inefficiencies and reduce costs both in and through the procurement process, making use of e-procurement solutions where possible
- Increase the proportion of spend against contracted and approved suppliers
- Enhance governance and skills within procurement, ensuring that procurement processes are legitimate and that maximum benefit is derived through knowledge of applicable legislation
- Support the required increase in income generation
- Support the local economy within the constraints of public procurement legislation

4. PRINCIPLES

The principles which underpin our procurement activities are:

- We will require that all procurement activity supports our corporate priorities
- We will enact our commitment to strategic, effective, consistent and co-ordinated procurement, which recognises and reflects local circumstances.
- We will promote and deliver sustainability, local economic development and equality and diversity objectives through procurement activities.
- We will maximise procurement collaboration with other public bodies and partnering arrangements with suppliers where this supports the best interests of the Council and local economic development
- We will enhance our procurement relationship with the voluntary and community sector
- We will ensure that procurement is undertaken by suitably skilled and experienced staff
- We will ensure that all procurement is operated in a legal and professional manner with the highest standards of governance, probity, transparency, openness, accountability and fairness

- We will encourage a varied and competitive supply market
- We will ensure an efficient procurement process through maximising the use of electronic procurement ('e-procurement')
- We will develop and operate an efficient, effective and successful process in relation to commercial bid development, tender submission and contract management (through service delivery departments)

5. PROCUREMENT AT HARTLEPOOL BOROUGH COUNCIL

5.1 Implementation Responsibility and Accountability (NPS C)

5.1.1 Corporate Management Team

The Corporate Management Team, through the Director of the Regeneration and Neighbourhoods Department as the corporate lead for Procurement, is responsible for owning, leading, driving and challenging services to implement the Council's procurement strategy and policies.

5.1.2 Members

To provide political commitment to the strategy and policies, the Finance and Policy Committee has lead responsibility for procurement and will ensure that procurement is recognised and proactively considered in the political processes of the Council and its partners.

5.1.3 Heads of Service, Managers and Team Leaders

Operational responsibility for procurement of a value less than £60k (or £100k for Works) rests with individual managers throughout the Council. They manage and undertake procurement activity in line with the strategy and policies, and acting within the Contract Procedure Rules (CPR's) specified in the Council's Constitution. They are expected to implement any good practice guidance provided by the Corporate Procurement Team and to contribute to the sharing of information around good practice, to improve the procurement performance of the Council.

Departmental procurers are also responsible, as budget holders and Client managers, for development of specifications, development of contract conditions particular to the service/products/works required, and following contract award, for the ongoing management of the contract.

5.1.4 Corporate Procurement Team

The team has responsibility for managing all tender activity and all EU tenders.

The team advises and supports service areas on issues around smaller value quotes.

The team provides an interface between the Council and the collaborative procurement partners it engages with.

The team is responsible for ensuring that all Council spend is compliant with Public Procurement Regulations and the Council's own Contract Procedure Rules (CPR's).

The Corporate Procurement team are also responsible for the development of contract conditions for corporate contracts, and following award, for the management of corporate contracts.

In addition to procurement activities, the team also provides bid management services for areas of the Council tendering to win business with other organisations, and a service to maximise income from the disposal of redundant equipment.

6. EFFICIENT AND EFFECTIVE PROCUREMENT

Procurement covers the process of acquiring goods, services and works either from third parties or through in-house sources and covers the entire cycle from identifying needs through to the end of a contract. It is important that the Council sets clear rules for the procurement of these goods, services and works to ensure that procurement is carried out with openness, integrity and accountability, that the probity and transparency of the process is evidenced and that the Council is fulfilling its responsibilities.

Although there is a Corporate Procurement Team, procurement activities are devolved across the Council's Departments.

The decision making process with regard to the various procurement routes is detailed in Annex B.

It is important to note there is an explicit requirement that, where they exist, in-house services are used for the provision of goods, services and works. As a result of the services being delivered by in-house resources, there is no procurement process to follow, a potential cost saving in itself.

There is a common thread of social value questions to be built into relevant procurement projects and this should be taken into account during the whole contract life cycle. Social value should be measured throughout the contract.

6.1 In-house Teams (NPS B)

Within Hartlepool Borough Council the primary procurement route for all goods, services and works is via in-house teams.

Procurers must always ask the question – “Does the Council have an in-house provider?”

The Council has a variety of in-house teams that provide materials and other goods (via a stores service and corporate procurement) as well as professional and technical services including operational delivery teams.

The benefits of the in-house route include:-

- Retention and growth of jobs
- The ability to grown our own expertise
- The recovery of Council overheads

Use of third-party providers when an in-house provider exists is permitted, however this will require the submission and approval of a Contract Procedure Rules exemption request.

The purpose of requiring the submission of a Contract Procedure Rules exemption request is to provide a checkpoint before the external provider is engaged. The CPR exemption request form is required to provide details as to why use of a non-Council provider will deliver improved value for money.

This process also provides an opportunity for the in-house service provider to review its own offering in the light of competitor information.

Where there are considerations other than value for money to take into account, the CPR exemption approval process will allow senior management to advise the applicant of these and, if appropriate, direct them to use the relevant in-house service.

As with all granted CPR exemptions, details will be reported retrospectively to Finance & Policy Committee on a quarterly basis.

6.2 Voluntary and Community Sector (VCS) Strategy (NPS B)

The Council procures a range of services from the Voluntary and Community Sector (VCS) and has sought to describe its relationship with the sector through the development of its VCS strategy.

The Council adopted its VCS strategy in late 2012, combining the former Hartlepool Compact and Voluntary Sector Strategy into one comprehensive document. Developed in partnership with public sector partners and the VCS, the document clearly outlines the Council’s commitment to working with the VCS and the implications that this may have in terms of capacity, skills, training and resources.

The shared undertakings outlined within the 3 objectives of the strategy form the basis of the working relationship between partners whilst informing the procurement processes that the Council adopts. These objectives are as follows:

- **Have a say**

To ensure that voluntary and community sector organisations are able to comment on and influence public sector strategies and service delivery plans, in order to develop more reliable and robust policies and strategies that better reflect the community's needs and wishes.

- **Take Part and Deliver**

To improve the relationship between public sector partners and the VCS within Hartlepool in managing and using resources to achieve a strong and prosperous VCS that contributes to the delivery of good public services within the town.

- **Strengthen and Develop**

To ensure a strong and diverse VCS that promotes inclusion across the town as well as a clearer understanding of community groups within the sector as a whole. The VCS is able to get involved, build capacity and develop, strengthening the local communities that they serve.

6.3 Public Health Contracts (NPS C)

The Council has responsibility for Public Health contracts, an activity which is managed and organized by the Council's Director of Public Health with support being provided by the Council's Corporate Procurement Team.

6.4 Tactical Procurement Strategies (NPS A)

There are a variety of tactical procurement strategies which the Council can employ. The choice of which strategy to pursue affects the procurement route to be followed, the scope of a contract, the scale of a contract etc.

All of these decisions impact upon the suppliers in the marketplace and can either encourage, discourage or even prevent suppliers from bidding for Council work.

As a result of the importance of these decisions, officers are required to record details of and the rationale behind the procurement strategy to be employed. As a minimum, the details must include the following:

- Scope of the contract
- Reasons for tender packaging and structure of lots
- Basis of any price/quality split to be used in the evaluation process
- Contract extensions

To ensure that records of these decisions are available for review, this information will be retained for audit purposes and in the event that the relevant Policy Committee requests a review of the procurement process.

6.5 Procurement Policies, Procedures and EU Directives (NPS D)

Procurement is governed by the Council's Contract Procedure Rules. In respect of major procurements the following principles will be observed:

- We will provide potential suppliers with clear requirements specifications at the earliest possible stage, and ensure these are understood.
- For high value purchases (over the EU procurement thresholds) we will always publish our tender evaluation criteria at the tender stage to make clear to prospective suppliers how we intend to select the preferred supplier. We will keep up to date with legislation and provide continuous learning opportunities for procurement staff.
- The EU Remedies Directive came into force on 20 December 2009 and affects all procurement activity after that date. The directive provides rights for an unsuccessful tenderer to pursue the Council for damages if the Council has failed to comply with the EU Procurement legislation. The Council's constitution requires that any tender exercises exceeding the EU threshold be managed by the Corporate Procurement Team in order to reduce any contractual or procurement related risks to the Council.
- We will offer to provide feedback to all parties to a tendering process explaining why they were not successful.
- The Council will work collaboratively with other regional and sub regional procurement groups in order to be able to deliver best value to the Council taxpayer.
- The Council utilise its e-procurement system and will continue to expand its use and functionality wherever possible.

6.6 Analysis Of Spend (NPS A)

Expenditure analysis is an ongoing activity to focus the Council's procurement activities. This includes identifying opportunities to aggregate spend and implement contractual solutions for ad hoc areas of spend which are currently 'below the radar'. Implementation of procurement arrangements in these areas will offer opportunities to develop new supply arrangements with local suppliers and support the local economy, where appropriate and possible.

6.7 Contract Specification (NPS A)

In order to achieve maximum benefits from contracts with third parties, the Council will focus on improving the specification for contracts and the terms and conditions applicable to contracts.

The Council will utilise specialist advice on the drafting of its major contracts and, where appropriate, it will consider innovative contractual arrangements which provide the flexibility to respond to changing needs over the term of the contract.

6.8 Evaluation of Tenders (NPS A)

Evaluation of tenders will be conducted in accordance with the latest EU directives, relevant case law and Crown Commercial Services (CCS) guidance and will be based strictly on the criteria and the respective weightings published in the tender documentation.

The use of evaluation criteria will be proportional to the size of the procurement. For lower cost requirements simplified criteria will be applied, however, depending on the complexity and level of risk associated with the contract, it may be deemed necessary to use more sophisticated criteria.

Wherever possible the Council will seek to award contracts on a competitive, most economically advantageous basis and, where appropriate, an evaluation and comparison of whole life costs will be performed and considered in making award recommendations.

6.9 Price / Quality Evaluation (NPS D)

Where the Council elects to use a price/quality evaluation split, this will be defined prior to the procurement commencing and an agreed marking mechanism will be developed which describes the ratio. Decisions taken with regard to the price/quality split ratio will be appropriate and justifiable.

Price/quality evaluation strategies must ensure a high level of transparency in relation to the following:-

- Scope of the contract
- Reasons for tender packaging and structure of lots
- Basis of any price / quality split to be used in the evaluation process
- The links with social value to quality - the Council's Contract Procedure Rules require that this information be recorded and available for review by the relevant Policy Committee if required.

To illustrate, the list below provides some examples of quality measures which could be used in a tender evaluation, as appropriate to the tender:-

- Responsiveness

- Quality targets
- Service levels
- Location
- Retain and grow jobs
- Training and apprenticeships
- Local employment
- Customer benefit
- Community benefits – residents and businesses

Price/quality splits in tender evaluation will be carefully considered to get the right balance, particularly where the price is fixed.

Where price is fixed the tender evaluation must ensure the quality measures are heavily weighted possibly 100% of the evaluation so long as a threshold in meeting price and financial requirements is met. An allowance will need to be considered in the event a tendered offer produces a saving on the fixed price.

Tender instructions will be formed in conjunction with the Corporate Procurement Team.

6.10 Capital Assets and High Risk Procurement Projects (NPS A)

In the event that the Council does not have the necessary in-house expertise to manage the procurement of major capital assets and/or high risk service projects, it will appoint subject matter experts to advise it on the procurement as required to ensure optimal value for money and risk management.

The Council recognises that procurement should not end with the provision of the capital asset or award of the service contract but involves the whole-life cost and it will use whole-life cost analysis to support bid analysis and comparison, where appropriate, including disposal costs.

6.11 Collaboration and Shared Procurement (NPS A)

Hartlepool Borough Council (HBC) is a member of NEPO (the North East Procurement Organisation), along with the majority of other North East regional Councils. In addition, HBC works closely with the other Councils in the Tees Valley sub region, through the Tees Valley Joint Procurement Group (TVJPG).

NEPO is a shared resource funded through Local Authority subscriptions. It provides a range of services to its members including management of the region's e-procurement portal, which is used extensively across HBC, and a range of contracts for generic goods and services used by Council's across the region, e.g. gas and electricity, food, stationery etc.

NEPO's business model provides a rebate to member Councils based upon the amount of expenditure each Council has made against NEPO contracts.

On a less formal basis, HBC also works with other Council's in the Tees Valley through the TVJPG. This collaboration takes the form of a monthly meeting at which the respective Council's Heads of Procurement meet and develop ideas and opportunities for collaborative contracts. Typically the contracts will be frameworks developed by one of the group with an allowance included for other authorities in the sub region to use the arrangement should it suit their purposes to do so.

There is no direct funding provided to this group and attendance at meetings and subsequent contracting activities are absorbed within existing resources.

6.12 Risk (NPS A)

The Council will make sure that any risk to the Authority or the community it serves is properly recognised in all its procurement dealings. It will identify risks, evaluate their potential consequences and effectively manage those risks accordingly at every stage of procurement.

The Council will consider potential risks prior to any procurement activity, to ensure that the appropriate sourcing strategy is chosen.

In terms of the Council's procurement process, most risks can be categorised in four areas, as follows:

- Strategic – e.g. long term impact of bad decision or poor implementation.
- Procedural – e.g. failure to comply with legislation, internal procedures, processes, codes.
- Legal – e.g. illegal or unethical practices or lack of documentation.
- Operational – e.g. poor contract management, failure to deliver, terms do not meet requirements/expectations.

It is important that these risks are recognised where they exist and measures taken to mitigate them.

6.13 Business Continuity (NPS A)

Business continuity is the process of preparing for and responding to a disaster event or situation that could have a serious impact on the delivery of the Council's services. All contracts for key service provision, or which support in house services which are named in the Council's Business Continuity arrangements, will be required to have approved business continuity plans in place which will ensure continuity of service in the event of normal service disruption.

Depending upon the service being tendered, the Council will include a condition that bidders must provide details of their business continuity plans. Failure to have such plans in place may result in the rejection of an offer.

6.14 Sustainability and Social Goals (NPS B)

Hartlepool Borough Council recognises its responsibility to carry out its procurement activities sustainably: providing value for money and in an environmentally and socially responsible manner. Sustainable procurement safeguards the long-term interests of the communities in Hartlepool.

The Council has determined a Sustainable Procurement Policy Statement which was endorsed by the then Portfolio Holder on 18th May 2010 and is included as **Annex C**.

We recognise our role in encouraging our suppliers and contractors to minimise any negative impacts of their activities and to promote economic and community regeneration associated with the products and services they provide.

In addition, where relevant and suitable, the Council will endeavour to secure commitment from bidders to offer training, apprenticeships etc. in the event they are awarded a contract. This approach has proved successful with construction type contracts.

6.15 Public Services (Social Value) Act 2012 (NPS B)

The Council's CPR's incorporate the requirements of the Public Services (Social Value) Act 2012.

The Act's purpose is to require public authorities to have regard to 'economic, social and environmental well-being' in connection with public services contracts and for connected purposes.

Hartlepool Borough Council considers, prior to undertaking the procurement process, how any services procured (whether covered by the Public Contracts Regulations 2015 or otherwise) might improve the economic, social and environmental wellbeing in areas which we exercise our functions. Furthermore we consider how we can secure such improvements as part of the procurement process and during service delivery.

Recording the project procurement strategy, coupled with the record keeping requirements of the Social Value Act will enable the Authority to evidence its :

- Consideration of the contract size/structure/available in-house provision, the structure of local supply markets and capabilities of 3rd sector/VCS organisations
- Decision making process in relation to devising the procurement strategy
- Structuring of the price/quality split to reflect the needs of the service and the locality

- Consideration of how what is being proposed to be procured might improve the economic, social and environmental wellbeing of the relevant area (and this is the Authority's own area (or combined areas if it is a joint procurement) in which it 'primarily exercised its functions')
- Consideration of how, in conducting the procurement process, it might act with a view to securing that improvement (although the Act makes it clear, in order to remain in line with EU law, that anything under this limb must be relevant and proportionate in respect of the proposed contract)
- Consideration of whether there is a need to undertake any consultation
- Considerations around letting smaller contracts and/or breaking down into constituent parts
- Considerations around letting smaller contracts with less onerous application procedures

By requiring the primary procurement route of the Council to be via in-house teams Social Value is promoted "at home".

6.16 Localism Act 2011 – "Right To Challenge" (NPS B)

Once a decision has been made to procure a service following acceptance of a challenge submitted under the 'Community Right to Challenge' legislation, the Council's Contract Procedure Rules come into effect.

As with all other procurement activities undertaken by the Council, the procurement procedure will be selected by assessing the value of the contract to be awarded.

Given the possible nature of the services subject to challenge, care will be taken to ensure that evaluation criteria are utilised which reflect the Council's obligation to secure Best Value and meet the requirements laid down in the Public Services (Social Value) Act 2012, i.e. to consider how the procurement can promote or improve the social, economic or environmental well-being of the authority's area.

In addition, care will be taken to ensure that Third Sector and Voluntary & Community Sector organisations are not excluded from bidding for services as a result of the Council incorporating requirements which are not proportional to the value of the service and any associated risks relating to public safety, service delivery, service continuity etc.

In addition to the above, any planned procurement activity will take into account any pre-existing contractual obligations the Council may have. This may

result in decisions being required on whether to extend or terminate an existing contract.

6.17 Developing the Local Economy and Voluntary Sector (NPS B)

For the purpose of this strategy document, the term 'local supplier' refers to any company whose presence in the Borough of Hartlepool provides significant local benefits to the community, through employing staff, offering training opportunities and demonstrates a commitment to the local economy.

HBC is keen to support its local supply base and provides training workshops for local suppliers which can range from tendering workshops to sessions about certain elements of procurement.

HBC also provides support to local business organisations and has worked on several occasions with the Federation of Small Businesses (FSB).

6.18 Equality and Supplier Diversity (NPS B)

As a Council, we deliver services to customers and value our employees equally, irrespective of their ethnicity, gender, age, religion or belief, disability, sexual orientation or any other irrelevant factor. We recognise and value difference and respect our staff and service users as individuals.

To ensure that the Council procures works, services and goods in a way which promotes equality and diversity, we strive to:

- have a fair and accessible procurement process
- make sure that where contractors deliver services on our behalf, they do so in a way which meets the needs of all our residents and/or employees

By being proactive in these two areas, the Council will help to achieve its vision of creating an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential.

We will also be meeting our statutory duties to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010 against individual's relevant protected characteristics.

The Council will ensure a fair and accessible procurement process by continuing to:

- simplify the guidance available to potential suppliers about how we procure goods, works and services
- make information about the Council's procurement opportunities more accessible including, for example, attending 'Meet the Buyer' events and updating information on the website

- engage with suppliers and provide training to them where appropriate.

When we use contractors to deliver services on our behalf, we will make sure that they do so in a way which meets the needs of all our residents and/or employees by:

- seeking information from tenderers about their equality and diversity policies and practices
- including equality and diversity clauses as a standard feature in contracts to ensure contractors meet relevant statutory duties

6.19 Local Suppliers (NPS B)

The Council sees the promotion of the local economy in the procurement process (where possible) as a priority.

The Council's contract procedure rules include a requirement that, wherever possible, a minimum of two local suppliers are to be given the opportunity to submit quotations for Council requirements.

6.20 Contract and Supplier Management (NPS A)

Contract management is the management of contracts made with customers, vendors, partners, or employees. Contract management includes negotiating the terms and conditions in contracts and ensuring compliance with those terms and conditions, as well as documenting and agreeing any changes that may arise during the contract's implementation or execution. It can be summarised as the process of systematically and efficiently managing contract creating, execution, and analysis for the purpose of maximising financial and operational performance and minimising risk.

The Council implements a range of contract management practices, with the majority of effort being focussed on high value/high risk contracts. Some contract management arrangements incorporate governance and reporting arrangements extending through to the Council's corporate management teams.

6.21 Training and Development (NPS C)

There is a continuous need for training in existing and any revised/new processes to ensure consistency and compliance and to meet the objectives and principles of the Strategy.

7. e-PROCUREMENT POLICY (NPS D)

- 7.1 The Council recognises the importance of electronic procurement (e-procurement) in delivering lower transaction costs for both the Council and our suppliers, reducing off-contract spend and minimising paperwork, thereby providing efficiencies and environmental benefits.

6.3 APPENDIX A

- 7.2 The Council's approach to the sourcing element of e-procurement is based around three approaches, the use of each being determined by the value of the contract to be executed.
- 7.3 Figure 1 below highlights current processes:-
- 7.4 Staff have the option of using non-electronic means for securing quotations on requirements with a value of less than £5000, although electronic systems may be used if so desired.
- 7.5 For any expenditure in excess of £5000 and up to tender level, departmental staff are required to use the Council's 'Quick quote' system for quotation level procurement activity. For any activity in relation to tender level contract values the management of the tender process is handed to the Corporate Procurement Team who will utilise the Council's e-tender system.

Contract Value	Process Required		
	Goods, Materials and Services (excluding Social and other specific services)	Social and other specific services	Works
£0 - £5,000	Informal process - reasonable enquiries required	Informal process - reasonable enquiries required	Informal process - reasonable enquiries required
£60,000	At least 3 formal, written quotations	At least 3 formal, written quotations	At least 3 formal, written quotations
£100,000	At least 4 tenders	At least 4 tenders	
£164,176			
£589,148	EU procedures	EU 'light touch' procedure	EU procedures
£4,104,394			

Figure 1 - Procurement Processes

6.3 APPENDIX A

- 7.6 Complementary solutions to assist with increasing our use of e-procurement tools (such as e-auctions or other procurement portal processes) will also be utilised, where appropriate.
- 7.7 Barring a few notable exceptions, the Council's Integra finance system is used for all ordering.
- 7.8 'Quick quote' functionality is the Council's standard quotation gathering process.
- 7.9 Purchasing cards in all their forms (embedded, physical and pre-loaded) will be used, where appropriate, to reduce transaction costs particularly for high volume, low value and ad-hoc purchases.
- 7.10 All tenders will be recorded in the Council's corporate contracts register and all tenders will be advertised in accordance with the rules laid down in Figure 2.

Contract Value	Places Advertised		
	Goods, Materials and Services (excluding Social and other specific services)	Social and other specific services	Works
£0 - £25,000	No advertising requirements	No advertising requirements	No advertising requirements
£60,000	No advertising requirements BUT if any form of advertising takes place e.g. via a 'request for quotation' process the opportunity MUST be advertised on CONTRACTS FINDER	No advertising requirements BUT if any form of advertising takes place e.g. via a 'request for quotation' process the opportunity MUST be advertised on CONTRACTS FINDER	No advertising requirements BUT if any form of advertising takes place e.g. via a 'request for quotation' process the opportunity MUST be advertised on CONTRACTS FINDER
£100,000	7 days notice in: - one or more local newspapers circulating in the district, and/or - on the procurement pages of the Council's website, and/or - on the Council's chosen procurement portal AND - on CONTRACTS FINDER, and where deemed appropriate, - a trade journal	7 days notice in: - one or more local newspapers circulating in the district, and/or - on the procurement pages of the Council's website, and/or - on the Council's chosen procurement portal AND - on CONTRACTS FINDER, and where deemed appropriate, - a trade journal	7 days notice in: - one or more local newspapers circulating in the district, and/or - on the procurement pages of the Council's website, and/or - on the Council's chosen procurement portal AND - on CONTRACTS FINDER, and where deemed appropriate, - a trade journal
£164,176			
£589,148			
£4,104,394	As above plus Advertisement in the OJEU (where appropriate)	As above plus Advertisement in the OJEU (where appropriate)	As above plus Advertisement in the OJEU (where appropriate)

Figure 2 - Advertising requirements

8. INCOME GENERATION

Income Generation (NPS D)

- 8.1 The generation of cashable savings will help the Council reduce its costs but an alternative and complementary approach is to seek out opportunities to create new income streams through the delivery of services.
- 8.2 To support this, the Corporate Procurement Team (CPT) is now delivering a valuable business development role by identifying income generation opportunities and supporting Council departments in their pursuit of these.
- 8.3 The CPT will support areas of the Council who are looking to generate an income through the delivery of goods and services to other public and private sector organisations and companies. The CPT currently identifies and reviews opportunities which arise in the marketplace and advises the Council's trading areas of the existence of these opportunities.
- 8.4 Where required, the service will go beyond this 'flagging' of opportunities, by providing support, assistance and sometimes leadership in the completion of quotation or tender documentation.

Disposals (NPS D)

- 8.5 In addition, the CPT is also maximising Council income by supporting Departments in their equipment disposal activities. This is being executed efficiently, making use of current e-auction facilities to advertise disposals UK wide, generating the maximum possible interest and the maximum return e.g. sale of redundant sports equipment.

Themes identified in the National Procurement Strategy (NPS) for Local Government in England 2014

The following provides additional detail in respect of the themes identified in the current National Procurement Strategy:

Theme A - Making Savings (NPS A)

The NPS proposes the implementation of the following activities in pursuit of making savings:

1. Category Management
2. Partnering and Collaboration
3. Contract and supplier management
4. Performance and Transparency
5. Risk and Fraud Management
6. Demand Management

Theme B - Supporting Local Economies (NPS B)

The NPS proposes the following activities in order to support local economies:

1. Promoting and utilising economic, environmental and Social Value
2. Improving access to procurement opportunities for SME's and VCSE's

Theme C - Demonstrating Leadership (NPS C)

The NPS proposes:

1. Increased engagement, involvement and collaboration within the sector to develop a 'single cohesive voice'
2. Recognition of the role procurement has to play within local authorities, thereby developing 'Commitment from the top'
3. Development of a strategic commissioning process
4. Building better procurement competencies across the sector through the delivery of Procurement Training to staff

Theme D - Modernisation (NPS D)

The NPS proposes:

1. Increased commercialisation and income generation
2. Encourage and support Supplier Innovation
3. Increased use of technology to deliver benefits

Procurement Route Map

Consult the Contracts Register held on the Intranet and refer to the Council's Contract Procedure Rules.

Does the Council have an in house provider?

Yes

The In House Provision Procedure

Consult the Contracts Register on the HBC intranet and search on the HBC In House providers page. If an internal supplier does exist contact them to obtain a quotation. For Regeneration and Neighbourhoods orders raise an order on the Integra System. For other Departments provide the relevant in house team with the budget cost codes so that they can raise an internal recharge. Then monitor and record the performance. If no provider exists on the in house providers page please return to the procurement route map.

No

Is the procurement via a strategic partnership or an existing central or collaborative contract?

Yes

The Procurement Unit Procedures

Consult the Contracts Register on the HBC intranet and search on the Contracts List to see if a suitable contract already exists. Contact the relevant supplier or the responsible officer to provide a quotation and then place an order on the Integra system. Then monitor and record the performance. If no provider exists on the contracts register please return to the procurement route map.

No

Does the procurement involve specialist professional works/services or caring service to children or vulnerable persons?

Yes

The Exceptions Procedure

The exceptions procedure should only be used when the person or contractor is uniquely qualified to offer the services required or when it would be impractical to make the appointment using competitive quotations or tenders, e.g. where there are few potential suppliers or if the contract is for the provision of caring services to children or vulnerable persons. Select suitable potential providers, make reasonable enquiries to determine best value then undertake the procurement placing an order on the Integra system. Then monitor and record the performance. Exceptions should be recorded and reported in line with the Council's Contract Procedure Rules.

No

Is the total cost below £5K?

Yes

The Informal Procedure

For purchases under £5K reasonable enquiries should be made to determine that the price is fair. Select your potential suppliers and obtain quotations where possible. The electronic procurement system - Quick Quotes can be used to procure quotations if required. Evaluate the quotations then raise an order on the Integra System. Then monitor and record the performance.

No

For: a) works from £5K and up to £100K or b) goods or services from £5K and up to £60K

Yes

The Quotations Procedure

For Goods and Services between £5K - £60K and for Works between £5K - £100K at least three written quotes should be obtained (Wherever possible using suppliers from Hartlepool). The electronic procurement system - Quick Quotes should be used for this process. Once the quotations have been obtained evaluate them and raise an order on the Integra system. Then monitor and record the performance.

No

For: a) works over £100K up to £4,322,012 or b) goods or services over £60K and up to £172,514

Yes

The Formal Tender Procedure

For Goods and Services between £60K and £172,514 and Works between £100K and £4,322,012 the Corporate Procurement Team will advise and assist in the preparation of your tender documentation then advertise the tender on the HBC website and also on the electronic procurement system on the NEPO Portal. The information is evaluated and the contract is awarded. Then the contract will be monitored and the performance will be recorded.

No

For: a) works over £4,322,012 or b) goods or services over £172,514

Yes

EU Procedure

For Goods and Services over £172,514 (excluding Social and other specific services), Social and other specific services over £625,050 and Works over £4,332,012 the Corporate Procurement Team will advise and assist in the preparation of your tender documentation. They will then advertise the tender in accordance with the Contract Procedure Rules. The information is evaluated and the contract is awarded. The contract will be monitored and the performance will be recorded.

Hartlepool Borough Council Sustainable Procurement Policy Statement

Statement of Intent

Hartlepool Borough Council recognises its responsibility to carry out its procurement activities sustainably: providing value for money and in an environmentally and socially responsible manner. Sustainable procurement safeguards the long-term interests of the communities in Hartlepool and this policy supports the delivery of Hartlepool's Community Strategy. We recognise our role in encouraging our suppliers and contractors to minimise any negative impacts of their activities and to promote economic and community regeneration associated with the products and services they provide.

In addition to the above, the Council will strive to:

People, Education and Awareness

- Educate, train and encourage internal purchasers to review their consumption of goods/services
- Educate and train internal purchasers on how to assess the sustainability of suppliers and supplies of goods and services
- Communicate the sustainable procurement policy to all staff, suppliers and stakeholders

Policy, Strategy & Communications

- Consider the costs and benefits of environmentally and socio-economically preferable goods/services
- Consider environmental and socio-economic risks to the organisation and endeavour to continually improve performance related to sustainability in the supply chain
- Work in partnership with other organisations to optimise sustainability through procurement activities
- Specifically recognise the child poverty issue and maximise our contribution to tackling it

Procurement Process

- Promote best practice in sustainable procurement
- Ensure that where appropriate suppliers sustainability credentials are, as far as legally practicable, considered in supplier selection and contract award decisions
- Ensure the opportunity for suppliers to propose sustainable solutions is provided in all specifications
- Specify, wherever possible and practicable, the use of goods which are environmentally friendly
- Where locally produced products are not practical or possible we will seek to minimise the distance goods are transported prior to their use

Engaging Suppliers

- Educate our suppliers regarding the Council's Sustainable Procurement Policy and accompanying Strategy
- Encourage suppliers to offer sustainable solutions and to use local subcontractors where possible
- Address barriers to entry in order that Small and Medium Sized Enterprises and local suppliers are encouraged to bid for the Council's business, including the Third Sector
- Work with existing and future key suppliers to maximise the potential for sustainability throughout the supply chain

Measurement and Results

- Measure and report upon our progress and performance in relation to our sustainable procurement activities



CONTRACT PROCEDURE RULES

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INTRODUCTION

1. Contracts covered by the rules

- i) The following procedure rules apply to contracts entered into by the Council whether under authority exercised by Full Council, a Policy Committee or a relevant Officer. The contracts to which they are applicable are contracts for the acquisition of goods, materials or services or for the execution of works, with certain exemptions set out in the rules.
- ii) The rules do not represent a total procedure package – rather they stipulate a number of requirements that must be complied with within any contract letting procedures adopted. For further details of the procedures to be followed in the procurement of goods and services, reference should be made to the Procurement Guidance (Officers Guide to Procurement), which gives a wider explanation of the Council's procurement policies and practices. Where significant expenditure is contemplated, the rules establish requirements in the context of three contract-letting concepts –
 - Best Price basis - lowest price where price to be paid by Council; highest price where price to be received by Council;
 - Price/Quality – contractor to be selected on basis of combination of price and quality, buyer of goods/services to be selected on basis of combination of price and benefits to Hartlepool residents;
 - Strategic Partnerships – arrangements to be developed between the Council and its strategic partners (including other public sector organisations), to exploit common resources, potential economies of scale, support local infrastructure or to secure continuing service provision.

2. Procurement Exercises undertaken as a result of a successful challenge under the Localism Act 2011

- i) Once a decision has been made to procure a service following acceptance of a challenge submitted under the 'Community Right to Challenge' legislation, the Council's Contract Procedure Rules come into effect.
- ii) As with all other procurement activities undertaken by the Council, the procurement procedure will be selected by assessing the value of the contract to be awarded – as described later in these rules.
- iii) Given the possible nature of the services subject to challenge, care will need to be taken to ensure that evaluation criteria are utilised which reflect the Council's obligation to secure Best Value and meet the

requirements and principles laid down in the Public Services (Social Value) Act 2012, i.e. to consider how the procurement can promote or improve the social, economic or environmental well-being of the Authority's area.

- iv) In addition, care will be taken to ensure that Third Sector and Voluntary & Community Sector organisations are not excluded from bidding for services as a result of the Council incorporating requirements which are not proportional to the value of the service and any associated risks relating to public safety, service delivery, service continuity etc.
- v) In addition to the above, any planned procurement activity will take into account any pre-existing contractual obligations the Council may have. This may result in decisions being required on whether to extend or terminate existing contracts.

3. Central Purchasing Contracts and Framework Agreements

- i) Where goods or services are to be acquired of a nature in respect of which a central contract or framework agreement has been established by the North East Procurement Organisation (NEPO), via a national, regional or other public sector collaborative arrangement the Council's Procurement Unit, or is a contract designated as the Council's preferred channel, such goods and services will be purchased through that contract or framework agreement unless the Chief Officer, following consultation with the Council's Corporate Lead for Procurement considers a special exemption can be made.
- ii) Goods or services for which the Council has; accepted a tender submitted to NEPO or the Council's Procurement Unit or, where they can be secured through a contract or framework agreement which has been designated as the Council's preferred channel (as detailed in 3(i) above), are outside the scope of the Contract Procedure Rules and will be obtained from the relevant supplier in accordance with the applicable procedures.

4. Select Lists

- i) Where goods, services or works are to be acquired of a nature in respect of which a Select List has been established or adopted by the Council, such goods, services or works will be purchased through that arrangement unless the Chief Officer, following consultation with the Council's Corporate Lead for Procurement considers a special exemption can be made.
- ii) Goods or services for which the Council has accepted a tender submitted via a Select list are outside the scope of the Contract

Procedure Rules and will be obtained from the relevant supplier in accordance with the procedures defined for using the Select List.

5. Strategic Partnerships

- i) Where goods or services are to be acquired of a nature in respect of which the Council has established a Strategic Partnership with another provider, such goods and services will be acquired through that Strategic Partnership. Only in exceptional circumstances and following consultation with the Council's Corporate Lead for Procurement and the Chief Solicitor, will exemptions be made.
- ii) Strategic Partnerships of the kind intended in these Contract Procedure Rules are likely to be of a lengthy duration and as a result, will typically represent a monetary value well in excess of the threshold detailed in the prevailing Public Contracts Regulations.
- iii) The Public Contracts Regulations impose specific requirements in relation to the setting up of strategic partnerships (as opposed to letting contracts through the normally required competitive procurement routes) with the main considerations revolving around structural control, economic dependency, and the pursuit of objectives in the public interest.
- iv) This is a highly complex area and as such, any Council activities identified as possibly suitable for the creation of a Strategic Partnership must be referred to the Council's Legal Division for consideration.

6. The Rules and an In-house Provider

- i) These rules do not apply when a decision is taken to have work executed by an in-house provider such as Neighbourhood Services, without competitive process provided that the service is not subject to a challenge under the 'Community Right to Challenge' legislation.
- ii) Should such a challenge exist, contracts will not be awarded until the outcome, either successful or unsuccessful of the challenge has been ascertained.
- iii) In such circumstances, the provider being a department or division of the Council, there is no contract as it is a fundamental principle of contract law that a party cannot contract with itself. Even where a competitive process has taken place and the work is awarded to the in-house provider on the basis of their bid, there is no contract.
- iv) This has the consequence that, when it is necessary for the in-house provider to have some part of the work done by an outside contractor, the contract with the outside contractor is a 'contract', rather than a

'sub-contract' (requiring specific contract provision regulating the relationship between the in-house provider and the external contractor which is outside the scope of this commentary). For the purposes of their bid as part of a competitive process, the in-house provider may wish to include elements of cost for an external contractor and provision is made for a higher limit for informal/quotations/tender procedures to be followed in such circumstances. Costs established through these informal/quotation/tender procedures can then be used as the basis of the contract with the external contractor without further tendering procedures being followed. In these rules, such contracts are referred to as "In-house Bid Contracts".

7. Recording of decision making process with regard to Procurement Strategy

- i) As part of their specification writing and tender preparations, procurers must record details of and the rationale behind the procurement strategy to be employed. As a minimum, the details must include the following:
 - ☐ Scope of the contract
 - ☐ Reasons for tender packaging and structure of lots
 - ☐ Basis of any price/quality split to be used in the evaluation process
- ii) This information is to be retained for audit purposes and in the event that the relevant Policy Committee requests a review of the procurement process followed.
- iii) Considerations which will inform decisions around the procurement strategy to be employed are likely to include: -
 - Value of contract and method of payment
 - Nature of project - e.g. is the work involved of a specialist nature where the contractor's techniques, design talents, contacts with government departments, national agencies etc are likely to be material to any choice
 - Length of contract and any extension arrangements
 - Frequency of need for services/work
 - Importance of adherence to budget and cost monitoring
 - Client input and contract management throughout the project
 - In the event of the contract arising as a result of a successful challenge under 'Community Right to Challenge' legislation the

Council will consider its obligations and stated preferences in relation to delivery of services and the opportunities the contract may provide to support and develop the Third and Voluntary Sectors in the locality.

8. Roles and Responsibilities

- i) Responsibility for decision making and action under contract letting procedures and for monitoring of the application of the contract procedures will be spread over the Council, in the interests of both efficiency and probity.

The role of Members Policy Committees or the Council

- ii) Most contracts will relate to 'policy' functions and regulations, provided that those functions may only be discharged by Full Council, a Policy Committee or a relevant Officer, as the case may be. In respect of contracts relating to their policy functions, Policy Committees of the Council will have the responsibility:
 - To determine the policy aims of the project, or service to be acquired
 - To establish the level of expenditure for the project or service.
 - To waive any element of the Contract Procedure Rules in the case of an individual project / service or class or group of contracts / services and to delegate such decisions to the Director of Regeneration and Neighbourhoods in consultation with the Chief Finance Officer and Chief Solicitor where deemed appropriate

The Finance and Policy Committee

- iii) In order to ensure monitoring in the award of contracts, the Committee will review outcomes after the completion of a tender procedure. In respect of any tender the Committee will have the responsibility:
 - The same functions under 8(ii) above in its role as a Policy Committee.
 - To receive and examine quarterly reports on the monitoring and outcome of contract letting procedures including outputs, values, value for money considerations and performance (incorporating if necessary provider comparative analysis) where lowest/highest price is not payable/receivable.
 - To receive and examine reports on any exemptions granted to these Contract Procedure Rules

iv) **The Audit and Governance Committee**

To monitor contracts (at the discretion of the Committee) subject to the formal quotation and tendering procedures.

The Role of Officers - The Chief Officer/Officer Team

v) The Chief Officer/Officer Team will have the responsibility:

- To prepare the specification and procurement strategy in accordance with section 7 of this introduction.
- To approve use of selected tendering lists or frameworks, if none available, to determine the tendering list for the contract.
- To advertise/issue invitations for expressions of interest, where appropriate.
- To determine a marking mechanism for each contract or for categories of contracts.
- To select contractors for participation in contracts procedures.
- To evaluate proposals and contractors and allocate scores.
- To approve the successful contractor.
- To open all tenders in conjunction with Democratic Services and the Corporate Procurement Unit.

vi) The relevant Chief Officer must:-

Record the outcome of all tenders indicating:-

- Contract Name and Reference number;
- Description of Goods / Services being procured;
- Department / Service area procuring the Goods / Services;
- Bidders;
- Prices (separate to Bidders details to preserve commercial confidentiality);
- Identity of successful Bidder.

And report the above information to the Finance and Policy Committee on a quarterly basis.

vii) It is presumed that Officers responsible for procuring goods, works and services under these rules are familiar with the powers delegated to Officers under the Council's delegation scheme, at least to the extent that those powers enable an Officer to take action without a specific authority from Members. Where an Officer is given power to take

action (eg to incur expenditure for which budgetary provision has been made), that power includes the power to enter into any contract necessary to secure the goods, works or services involved. In the interests of transparency, the requirement for the outcome of a Tender letting procedure to be reported to the Finance and Policy Committee applies to contracts undertaken by an Officer under delegated powers, but the responsible Officer, rather than the Chief Solicitor would sign such a contract.

9. Electronic Procurement (e-Procurement)

- i) It is the Council's policy that, whenever possible, procurement shall be carried out electronically. All procurement carried out, on any e-procurement system approved by the Chief Solicitor and the Council's Corporate Lead for Procurement, is subject to these Rules.

10. The Public Services (Social Value) Act 2012

- i) The Public Services (Social Value) Act places a number of statutory obligations on the Council, in relation to certain elements of its procurement practices.
- ii) The Act does not apply to below threshold contracts or any works or supplies contracts. However, it is likely that 'mixed' contracts involving services will be subject to similar analysis as is currently undertaken in terms of the dominant value test.
- iii) As the Act covers service contracts as defined in the Regulations the duty appears to extend to Part B service contracts since these service contracts are covered by the Regulations albeit the requirements for the procurement of such contracts are less onerous.
- iv) The Act also includes an amendment to section 17 of the Local Government Act 1988 (exclusion of non-commercial considerations in the case of local and other public authority contracts) which basically enables the Council to consider non-commercial matters when awarding business, provided this is done in pursuit of the duties imposed by the Public Services (Social Value) Act 2012.
- v) The Council confirms that it will consider the following when proposing to procure or make arrangements for procuring services and will ensure that the Council's Key Social Values, as described in the Sustainable Community Strategy or Council Plan, are taken into account:
 - How what is being proposed to be procured might improve the economic, social and environmental wellbeing of the relevant area (and this is the Authority's own area (or combined areas if it is a joint procurement) in which it 'primarily exercised its functions');

- How, in conducting the procurement process, it might act with a view to securing that improvement (although the Act makes it clear, in order to remain in line with EU law, that anything under this limb must be relevant and proportionate in respect of the proposed contract);
 - Whether they need to undertake any consultation about the two limbs of the duty as set out above.
- vi) Where appropriate, tender documentation will include a reference to the Act and will provide the opportunity for bidders to propose the delivery of 'Social Value' as part of their submission with such proposals being considered and scored as part of the tender evaluation process.
- vii) Whilst the 'Public Services (Social Value) Act 2012' places a requirement on the Council to consider the issues described above, the Council is committed to the principles of the Act in all of its procurement activities, regardless of the value of the procurement or the nature, ie not solely service contracts to the exclusion of supply and/or works contracts, and will endeavour to apply these principles in a relevant and proportionate way.

11. Prompt Payments in the Supply Chain

- i) The Council is keen to ensure that prompt payment of valid invoices takes place throughout its supply chains.
- ii) The Council has a good record in paying its suppliers promptly and it has expressed the aim of ensuring this good performance is extended throughout its supply chains.
- iii) To achieve this aim, the Council has amended its contractual terms and conditions to impose the following payment related obligations on its suppliers:

Purchase Order Terms and Conditions:

Where the supplier enters into a sub-contract, the Council expects that all sums due by the supplier to the sub-contractor are paid within a specified period not exceeding 30 days from the receipt of the invoice.

Standard Terms and Conditions for the Purchase of Goods and
Standard Terms and Conditions for the Purchase of Services

Where the Contractor enters into a sub-contract they must ensure that a provision is included which:

- Requires payment to be made of all sums due by the Contractor to the sub-contractor within a specified period not exceeding 30 days from the receipt of a valid invoice as defined by the sub-contract requirements and provides that, where the Council has made a payment to the Contractor in respect of the services and the sub-contractor's invoice relates to such services then, to that extent the invoice must be treated as valid and, provided the Contractor is not exercising a right of retention or set-off in respect of a breach of contract by the sub-contractor to the Contractor, payment must be made to the sub-contractor without deduction;
- Notifies the sub-contractor that the sub-contract forms part of a larger contract for the benefit of the Council and that should the sub-contractor have any difficulty in securing the timely payment of an invoice, that matter may be referred by the sub-contractor to the Council.

Construction related contracts will be amended to incorporate clauses which conform to the principles outlined in the above clauses.

12. Hartlepool Living Wage

- i) The Council has adopted the 'Hartlepool Living Wage' (HLW) and seeks to encourage its supply chain to do the same.
- ii) In pursuit of this aim, the Council has determined that all tender documentation will include a clause which reiterates the Council's position, documents the prevailing rate of the HLW and encourages other businesses to do likewise.
- iii) In addition, all tender and quotation exercises must include the following questions
 - 'Do you pay your employees the Hartlepool Living Wage
 - 'Do you intend to pay your employees the Hartlepool Living Wage?
 - 'Would you consider paying your employees the Hartlepool Living Wage?'
- iv) Responses to these questions will be compiled and statistics retained for reporting purposes.

13. Blacklisting

- i) The Council operates a policy of not contracting with organisations who undertake 'blacklisting' in relation to their employees on the basis of their trade union membership or union activities.
- ii) This policy is enacted through the content of Pre-qualification and Business questionnaires, and the Council's contract terms and conditions.

- iii) The questionnaires referred to above contain the following warranty which bidding organisations are required to offer:

‘The organisation (or its directors or any other person who has powers of representation, decision or control of such organisation) confirms that:-

Being an organisation, it has not complied or disseminated any ‘blacklist’ which is intended to discriminate against workers on the grounds of their Trade Union membership or union activities.

It is understood that such activities are expressly prohibited by law and that should the organisation engage in such practices, the Council has the right to exclude the organisation from tendering for any Council contracts.

Furthermore the organisation warrants that they have not been convicted of any offence under the Employment Relations Act 1999 (Blacklists) Regulations 2010.

- iv) The Councils’ contract terms and conditions incorporate the following clause:

‘Subject to the provisions of the Force Majeure clause in these terms and conditions the Council may terminate this contract with immediate effect by notice in writing to the Contractor/Supplier at any time if the Contractor/Supplier or any subsidiary company of the Contractor/Supplier is convicted of any offence under the Employment Relations Act 1999 (Blacklists) Regulations 2010.

14. General

- i) In the event of conflict between this Introduction and the following Contract Procedure Rules, the latter shall prevail.
- ii) These rules are made in pursuance of Section 135 of the Local Government Act 1972 and any statutory modification or amendment thereto.

PART A - SCOPE OF CONTRACT PROCEDURE RULES**1 Application of Contract Procedure Rules**

- i) These rules apply to every contract for the supply of goods, materials or services or for the execution of works, so far as they are relevant to a contract of the type determined by Council, except as provided in (ii) below.
- ii) With the exception of (viii) below, these rules do not apply to contracts with professional persons or contractors for the execution of works or the provision of services in which the professional knowledge and skill of these persons or contractors is of the primary importance, or where the contract is for the provision of caring services to children or vulnerable persons.
- iii) No exemption from any of the rules shall be made otherwise than by direction of a Policy Committee or the Council or in any case of urgency, the Chief Officer after consultation with the Monitoring Officer. Requests for an exemption from the rules must be documented using the template available on the Council's intranet. On completion of the template, a copy must be sent to the Corporate Procurement Team. The request will be checked for completeness and passed for review to:
 - the Chief Solicitor or representative
 - the Director of Regeneration and Neighbourhoods (as Corporate lead for Procurement) or representative
 - the Chief Finance Officer or representative
 - the Commissioning Officer requesting the exemption

A record of any granted exemption from any of the provisions of these procedure rules shall be reported to the Finance and Policy Committee on a quarterly basis and shall specify the case or urgency by which the exemption shall have been justified.
- iv) Any granted exemption to these Contract Procedure Rules shall remain valid for a maximum period of 12 months. Officers will not be able to rely upon the granted exemption beyond this point and a procurement process must be undertaken in accordance with these Contract Procedure Rules, wherever possible.
- v) For the purposes of any financial limit referred to in the rules, if the application of the rules to a particular contract cannot be identified until after opening of any tender, the value of the contract shall be as estimated by the Chief Officer.
- vi) Reference in these rules to any decision, authority or action of the Council, a Policy Committee or an Officer shall be deemed to include reference to a decision approval or action of the responsible body or Officer prior to as well as after the adoption of these rules.

- vii) The letting of any contract shall also comply with any legislation or regulations relevant to the contract, Health and Safety Regulations, the European Directive on public procurement and the Council's Financial Regulations.
- viii) In respect of any contract to which, for whatever reason, the procedures set out in these rules do not apply, there shall be followed a procedure which:
 - ☐ ensures a level of competition consistent with the nature and value of the contract
 - ☐ is transparent and auditable
 - ☐ provides value for money, and
 - ☐ records the reasons for choosing the successful contractor

PART B - SELECTED TENDERERS LISTS

2 Compilation of Select Tenderers Lists

- i) This rule applies where a decision has been made that a list shall be kept of persons to be invited to tender for contracts for the supply of goods, materials or services of specified categories, values or amounts, or for the execution of specified categories of work.
- ii) The list shall include, where possible, a minimum of four persons, wherever practicable two of which should be local to Hartlepool, and shall;
 - ☐ be approved by the Chief Officer;
 - ☐ contain the names of all persons included in it subject to their approval by the Chief Officer/Head of Department, the appropriate technical officer (being satisfied that they have the capacity to undertake the contracts envisaged), the Health, Safety and Wellbeing Manager or Chief Executive's nominee (being satisfied that they have adequate Health and Safety arrangements) and the Chief Finance Officer (being satisfied that they are financially sound); and
 - ☐ indicate whether a person whose name is included in it is approved for contracts for all or only some of the specified values or amounts of categories.
- iii) At least four weeks before the list is first compiled, notices inviting applications for inclusion in it shall be published:

- a. in one or more local newspapers circulating in the district, and/or
 - b. on the procurement pages of the Council's website, and/or
 - c. in one or more newspapers or journals circulating among such persons as undertake contracts of the specified values or amounts or categories.
- iv) The list may be amended by the appropriate Chief Officer as required from time to time and shall be reviewed as follows:
- ☐ Review to be carried out at intervals not exceeding 4 years, where an update of the list is carried out and notices inviting applications for inclusion in the list shall be published in the manner provided by paragraph (iii) of this section.
 - ☐ Update to be carried out at intervals not exceeding 2 years, where each person whose name appears in the list shall be asked whether s/he wishes his/her name to remain therein.

Any such amendment or update shall be approved by the Chief Officer.

3. Adoption / Development of Corporate or Collaborative framework agreements

- i) This rule applies where a decision has been made to adopt or develop a framework agreement corporately and where the agreement is to be used exclusively with no 'off-contract' purchases being made.
- ii) When developing / adopting framework agreements for corporate use, the agreement must include a number of suppliers appropriate to the nature and subject of the framework agreement.
- iii) The maximum duration of any such framework agreement is 4 years. This limit refers to the duration of the framework agreement and not any contracts implemented via the framework agreement. The duration of Framework Agreements may not be extended beyond the 4 year limit.
- iv) Procurement processes and public notice provisions for developing framework agreements are the same as those detailed in Part B section 2
- v) Any exemptions relating to the use of alternative procurement routes to approved Corporate framework agreements (for goods / works / services covered by approved Corporate framework agreements) are to be requested from the Council's Corporate Lead for Procurement and will be reported to the Finance and Policy Committee on a quarterly basis.

PART C - PROCUREMENT PROCEDURES**3 NOTE:**

- i) The requirements detailed in this Part C do not apply to contracts which have been determined should be let under the Selected Tenderer or Corporate framework provisions (see Part B) or which relate to the following matters: -
 - (a) Purchase by auction;
 - (b) Work to be executed, or goods materials or services to be purchased, which are a matter of urgency;
 - (c) The work to be executed or the goods, materials or services to be supplied consist of repairs to or parts for existing machinery or plant;
 - (d) The goods, materials or services to be purchased are such that a substantial proportion of the price is likely to be attributable to haulage;
 - (e) The purchase of goods, materials or services which are obtainable only from a limited number of contractors, but in such case a reasonable number of contractors shall be invited to submit tenders;
 - (f) Purchase or repair of patented or proprietary article or articles sold only at fixed price;
 - (g) The goods, materials or services to be purchased are such that effective competition is prevented by government control;
 - (h) The prices of the goods, materials or services to be purchased are controlled by a trade organisation or for other reasons there would be no genuine competition.
 - (i) The purchase of goods, materials or services which are acquired for re-sale to the public by a trading arm of the Council.
- (ii) Purchase of second-hand goods.
- iii) NOTE: All quotations / tenders referred to in sections 4, 5 and 6 below are to be sought from pre-determined frameworks or existing contracts, where such arrangements exist.
- iv) Where such arrangements do not exist, a minimum of two local suppliers (where available) must be invited to submit a quotation in respect of the processes outlined in sections 4 & 5. This is not possible with section 6 (Tenders) as these are advertised, however steps should be taken to communicate opportunities to local businesses.

4. Informal Procedure –

i) **Contracts under £5,000**

For a contract for less than £5,000, reasonable enquiries shall be made to determine that the price is fair and reasonable and records retained to evidence such reasonable enquiries.

5. Formal Quotations Procedure –

i) **Works contracts £5,000 - £100,000** **Goods materials or Services Contracts £5,000 - £60,000 (In-house bid contracts £5,000 - £100,000)**

In respect of contracts:

- ☐ for the execution of works over £5,000 and up to £100,000 (for In-house bid contracts see 'The rules and an In-house provider' in these Contract Procedure Rules): or
- ☐ for the supply of goods materials or services over £5,000 and up to £60,000 (£100,000 for In-house bid contracts)

at least three documented quotations shall wherever possible be obtained. All quotations are to be secured using the Council's prescribed system and process of quotation gathering, the default position being a requirement to use the Council's e-procurement system.

PART D – BEST PRICE PROCEDURES

6. Tender Procedure –

i) **Works contracts over £100,000** **Goods materials or Services Contracts over £60,000 (In-house bid contracts over £100,000)**

Except for contracts described in Rule 3, no contracts which exceed £100,000 in value or amount for the execution of any works, or £60,000 (£100,000 in the case of an In-house bid contract) in value or amount for the supply of goods, materials or services shall be made unless public notice has been given in accordance with the Public Notice provisions (see Rule 7).

7 Public Notice provisions

- i) At least seven calendar days public notice shall be given
 - ☐ in one or more local newspapers circulating in the district, and/or
 - ☐ on the procurement pages of the Council's website,

- and/or
- ☐ on the Council's chosen procurement portal and/or
- ☐ wherever the value or amount of the contract exceeds £100,000 in the case of execution of any works or exceeds £60,000 in the case of supply of goods, materials or services, and where deemed appropriate, in one or more newspapers or journals circulating among such persons as undertake such contracts,

expressing the nature and purpose of the contract, inviting tenders for its execution and stating the last date (not less than 14 days after appearance of the public notice) when tenders will be received.

- ii) After the date specified in the public notice, invitations to tender for the contract shall be sent to not less than four of the persons who applied for permission to tender, selected by the Chief Officer in the approved manner, either generally or in relation to a particular contract or category of contract or, if fewer than four persons have applied and are considered suitable, to all such persons.

8. Selected tenderers provisions

- i) This rule applies where it has been determined that the invitation to tender for a contract is to be limited to persons whose names appear on a Selected Tenderers list compiled under Rule 2. An invitation to tender for that contract shall be sent to at least four of those persons included in the list as being approved for a contract for that value or amount or of that category, or, if there are fewer than four such persons, to all such persons. If there are four or more such persons, the persons to whom invitations are sent shall be selected by the Chief Officer in the manner approved, either generally or in relation to a particular contract or to a category of contracts.

9 Acceptance of tenders

- i) A tender –
 - ☐ other than the lowest tender if payment is to be made by the Council or
 - ☐ other than the highest tender if payment is to be received by the Council,

shall have the reason for its acceptance recorded and notified to the Finance and Policy Committee on a quarterly basis.

PART E - PRICE/QUALITY CONTRACTS**10. Price/Quality Contracts Provisions**

- i) This rule applies when it has been determined by the Chief Officer, that the contractor shall be chosen on the basis of a combination of price and performance and for which a price/quality ratio has been determined.
 - (a) Where there is a relevant Select List of Contractors or framework for the nature of work or service involved in the project, the Chief Officer shall invite the appropriate contractors from the list to indicate whether they are interested in undertaking the proposed works.
 - (b) Where there is no Select List of Contractors or framework the rules defined in sections 3, 4 or 5 are to be applied.
- ii) An Agreed Marking Mechanism (see Rule 14) shall be applied to calculate the Price/quality Score of each tender.
- iii) The tender with the highest Price/Quality Score will usually be accepted.

PART F – STRATEGIC PARTNERSHIPS**11. Strategic Partnership Contracting Provisions**

- i) There are a wide range of possibilities with regard to the establishment of Strategic Partnerships however care must be taken to consider the possible impact of public procurement regulations when considering any such course of action.
- ii) Examples of public-public co-operation arrangements which may be exempt from the Public Procurement regulations are:
 - a) Public tasks performed by own resources

Under the procurement rules, a contracting authority remains free to perform the public tasks conferred on it by using its own administrative technical and other resources, without being obliged to call on outside entities not forming part of its own structure. The procurement rules do not apply where a contracting authority performs a public task by using its own resources in such a way that no contract for financial interest is concluded, because the situation is internal to one and the same legal person.

The possibility of performing public tasks using own resources may also be exercised in co-operation with other contracting authorities provided this does not involve remuneration or any exchange of reciprocal rights and obligations, there is no service provision within the meaning of EU public procurement law.

However, where contracting authorities conclude contracts for financial interest with one another, the case law indicates that this may in certain circumstances (despite the general principle) fall outside the scope of the procurement rules. Where contracting Authorities co-operate with a view to jointly ensuring the execution of public interest tasks, then this may involve the award of contracts without triggering the obligation to apply EU public procurement law.

- iii) Clearly the possibilities for establishing Strategic Partnerships without undertaking a competitive procurement exercise do exist, although, as stated earlier, this is a very complex area and any such proposals must initially be passed to the Council's Legal Division for consideration.

G - GENERAL PROVISIONS

12. Opening of tenders

- i) Written tenders shall be opened at one time and only in the presence of: -
 - The relevant Chief Officer or representative
 - An Officer from Democratic Services
 - An Officer from the Corporate Procurement Unit
- ii) Electronic tenders shall be opened at one time and only in the presence of: -
 - The relevant Chief Officer or representative
 - An Officer from Democratic Services
 - An Officer from the Corporate Procurement Unit
- iii) Paragraph (i) and (ii) of this Provision shall not apply to tenders obtained for the In-house Provider for the purpose of compiling a bid as tender for submission by the In-house Provider, which tenders shall be opened by the relevant Chief Officer or their nominated Officers.
- iv) Paragraph (i) and (ii) of this Order shall not apply to tenders which are received through the execution of an e-auction. In such an event, the following will take place:

- a) The relevant Chief Officer and Democratic Services representative will be advised of the e-auction event dates and times by the Corporate Procurement Unit and arrangements made to accommodate relevant Officers at the live auction event should they wish to attend.
- v) The outcomes of all (written and electronic) tenders are to be recorded indicating:-
 - Contract Name and Reference number
 - Description of Goods / Services being procured
 - Department / Service area procuring the Goods / Services
 - Bidders
 - Prices (separate to Bidders details to preserve commercial confidentiality)
 - Identity of successful Bidder

This information will be reported to the Finance and Policy Committee on a quarterly basis.

13 Tenders to be returned in sealed envelopes (except in the event of the Council's approved e-procurement system being used)

- i) Every notice of invitation to tender shall state that no tender will be received except in a plain sealed envelope which shall bear the word "Tender" - followed by the subject to which it relates - but shall not bear any name or mark indicating the identity of the sender. Envelopes shall be returned to the Chief Executive and once received shall remain in the custody of the Chief Executive or his/her nominee until the time appointed for their openings.
- ii) The Chief Executive or the Chief Officer of the In-house Provider (as the case may be) shall keep a record of all tenders received.

14. Agreed Marking Mechanism

- i) No Price/Quality procedure shall be commenced unless there has been an Agreed Marking Mechanism developed.

Bidders shall be informed of the elements to be marked and of the comparative importance of each element as a percentage of the available marks.

15. Contracts to be in writing

- i) Every contract, other than those for goods / services which are classified as exempt, shall be the subject of a Council purchase order and shall specify:

- (a) the work, materials, matters or things to be furnished, had or done;
 - (b) the price to be paid, with statement of discounts or other deductions; and
 - (c) the time or times within which the contract is to be performed.
- ii) Where the value of the contract exceeds the financial limits which require a tender process to take place (see Rule 6) the contract must be the subject of a formal written contract signed in accordance with Rule 17.

16. Liquidated Damages and Performance bonds

Every contract which exceeds £100,000 in total value or total amount over its lifetime and is either for the execution of works or for the supply of goods, materials or services, shall, unless the Chief Officer otherwise decides after consultation with the Chief Solicitor, provide for liquidated damages to be paid by the contractor in case the terms of the contract are not duly performed, and the Council shall also require and take sufficient security for the due performance of any such contract. In the case of any such contract for the execution of works such security shall be provided by requiring the retention of a proportion of the contract sums payable until the work has been satisfactorily completed and maintained and, unless the Chief Officer, after consultation with the Chief Solicitor considers it unnecessary in any particular case, additional provision of a bond for due performance.

17. Vetting and Signature of contracts

i) Contract Vetting

- a) Contracts which are subject to the requirements of Part D – TENDER PROCEDURES are to be referred to the Corporate Procurement Unit for vetting.
- b) The Corporate Procurement Unit must refer all contracts which are subject to the requirements of Part D – TENDER PROCEDURES and which incorporate additional terms and conditions to those contained in the Council's approved standard contractual documentation to the Council's Legal Services Department for vetting.

ii) Contract Signature

- a) Except for contracts entered into by an Officer in exercise of delegated powers, the Chief Solicitor shall be the agent of the Council to sign on behalf of the Council all contracts agreed to be entered into by or on behalf of Policy Committees or the Council.

- b) Contracts which are for a value of £100,000 or more shall be executed under the Council's seal by the Chief Solicitor (or in his/her absence by a person authorised by him/her).

18. Tenderers withdrawal

- i) In the event of any person or firm withdrawing a tender, or declining to sign a form of contract upon being called on to do so after his/her or their tender has been accepted (whether accepted subject to the Council's approval or not), no further tender from such a person or firm shall, unless the Finance and Policy Committee or the Council otherwise resolve, be considered for a period of three years.

19. Post contract variations and negotiations

- i) Except for a variation –
 - (a) which does not substantially affect the nature of the works services goods, materials or services to be supplied to the Council and does not increase the payment to be made by the Council, or
 - (b) is made in accordance with paragraph (ii)

a contract shall not without the authority of the relevant Policy Committee or the Council depart from the description of the works, goods, materials or services for which the quotation or tender was received.
- ii) This paragraph applies where all of the tenders received exceed the budget allocated for the project and the Chief Officer and the Head of Service relevant to the contract consider that amendments may be made to the specification or procurement process which would result in a price in accordance with the budget. All Tenderers shall each be provided with a schedule of variations / revised instructions and invited to submit a revised bid.
- iii) Apart from discussions with contractors for the purpose of clarification of any element of a tender, or for the correction of arithmetic or other details, (but NOT the resolution of any qualified bids) negotiations following receipt of tenders shall only take place in the following circumstances: -
 - (a) where a single tender **or no acceptable tenders** have been received and the Chief Officer considers that negotiation may lead to more favourable terms **or an acceptable offer** to the Council, or
 - (b) when tenders cannot readily be evaluated and compared without discussion with the tenderers or

- (c) with the approval of the Chief Finance Officer and the Chief Solicitor and the Monitoring Officer (if different) and any negotiations shall be conducted in accordance with paragraph (iv)
- iv) Discussion with tenderers for the purpose of negotiations under paragraph (iii) shall
 - be attended by not less than 2 Council Officers
 - be at a pre-determined time during normal office hours
 - be the subject of a comprehensive written record, signed by the Council Officers in attendance and submitted to the Council's Corporate Lead for Procurement for approval.

20 Extensions to contracts

- i) Extensions to contracts are limited to no more than 12 months following conclusion of the original contract period (such period to include all extensions already allowed for in the original contract). In the event that an extension in excess of 12 months is required, the decision to implement such an extension must be approved by the relevant Chief Officer and the Council's Corporate Lead for Procurement.

Requests for a contract extension, as described above, must be documented using the template available on the Council's intranet. On completion of the template, a copy must be sent to the Corporate Procurement Team. The request will be checked for completeness and passed for review to:

the Chief Solicitor or representative,
 the Director of Regeneration and Neighbourhoods (as Corporate Lead for Procurement)
 the Chief Finance Officer or representative
 and;
 the Commissioning Officer requesting the exemption

- ii) In the event that a contract extension, as described above, represents a value greater than the applicable EU procurement threshold, then the available extension period will be limited to a time period which represents a level of expenditure below the applicable EU procurement threshold.

PART H - GLOSSARY

21. Interpretation

Unless the context otherwise indicates, the following terms used in these rules have the meanings stated: -

“Agreed Marking Mechanism” is the mechanism which (before the issue of any invitation to tender or attend interview) has been agreed

between the Chief Officer and the Council's Chief Internal Auditor for the allocation of marks making up the Price/Quality Score (see also Rule 14).

“Chief Officer” is the Chief Officer of the Council who is responsible for letting and supervising the completion of a contract or of contracts of a particular nature. (Director or Assistant Director)

“Electronic Procurement (e-Procurement)” is a fully electronic procure-to pay process from initial requisition and ordering through to invoicing and payment, and can include e-Auctions, e-Purchasing, e-Tendering and Procurement Cards.

“e-Auctions” is the means of carrying out purchasing negotiations via the Internet. A real time event that occurs online allowing multiple suppliers in different geographic locations to place and modify bids simultaneously.

“e-Tendering” is systems or solutions to enable the tendering process to be conducted via the Internet. Including advertisement of requirement, documentation production, supplier registration, electronic exchange of documents between supplier and buyer, opening of tenders, evaluation of submissions, contract award and publication.

“Policy Committee” is a Committee of the Council acting together in accordance with the Council's Delegation Scheme currently applicable.

“Price/Quality Score Matrix” is a matrix showing in respect of all contractors each element of their Price/Performance Score and their total scores.

“Price/Quality Contract” is a contract for which the contractor is to be chosen on the basis of a combination of price and performance.

“Price/Quality Ratio” is the comparative importance of price and performance of the product or service expressed as a percentage ratio.

“Procurement Cards” are charge cards which work in a similar way to credit cards and can be used to purchase goods and services. Can be open to use by any suppliers or have controls placed upon them by the issuer to limit their use to certain suppliers and/or commodities. They are usually used to process low-value, high-volume transactions.

“Public Services (Social Value) Act 2012” is an Act which places a number of statutory obligations on the Council, in relation to certain elements of its procurement practices, specifically to consider:

- How, what is being proposed to be procured might improve the economic, social and environmental wellbeing of the relevant

area (and this is the Authority's own area (or combined areas if it is a joint procurement) in which it 'primarily exercised its functions')

- How, in conducting the procurement process, it might act with a view to securing that improvement (although the Act makes it clear, in order to remain in line with EU law, that anything under this limb must be relevant and proportionate in respect of the proposed contract);
- Whether they need to undertake any consultation about the two limbs of the duty as set out above.

FINANCE AND POLICY COMMITTEE

15 February 2016



Report of: Assistant Chief Executive

Subject: WORKERS MEMORIAL DAY

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key decision.

2. PURPOSE OF REPORT

- 2.1 To present a request from the Hartlepool Joint Trades Union Committee for the Council to continue to recognise and support Workers Memorial Day on Thursday 28 April 2016.

3. BACKGROUND

- 3.1 A letter from the Hartlepool Joint trades Union Committee is attached (**Appendix A**) which includes information about arrangements for Workers Memorial Day.

4. RECOMMENDATIONS

- 4.1 To consider the request from the Hartlepool Joint Trades Union Committee that:
- a) The Authority considers promoting a minutes silence in all public buildings and to Council staff at 12.30pm on Thursday 28th April 2016, in remembrance of 'those workers who have lost their lives through industrial accident or disease.
 - b) The Authority gives consideration to authorising the lowering of flags on public buildings on Thursday 28th April 2016.
 - c) The Authority gives consideration to allowing the sale of the Workers Memorial Day Remembrance forget-me-not purple ribbons on Council premises to staff and public.

- d) The Authority gives consideration to assisting in promoting / publicising the event to the wider public
- e) The Authority authorizes the use of Council Premises on Thursday 28th April 2016 for the service and for guests before / after the Workers Memorial Day Service & Wreath Laying Ceremony.

5. CONTACT OFFICER

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HARTLEPOOL JOINT TRADES UNION COMMITTEE

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Cllr Christopher Akers-Belcher

Chairman

Finance & Policy Committee

Hartlepool Borough Council

Report to HBC Finance & Policy Committee.

April 28th - Workers Memorial Day

Please see attached an updated report from Hartlepool Trades Union Council on arrangements for the Workers Memorial Day Service, Thursday 28th April 2016, 12.30pm, Christ Church TIC & Art Gallery, Church Square, Hartlepool with guest speakers including Matt Wrack, General Secretary, FBU; Dr Andrew Watterson, Professor and Head of the Occupational and Environmental Health Research Group, Stirling University, Scotland; Chris Knighton, Mick Knighton Mesothelioma Research Fund and Laurie Kazan-Allen, Coordinator, International Ban Asbestos Secretariat.

HJTUC recognize the importance of these events and request that the Finance & Policy Committee give consideration to the following:-

- a) The Authority considers promoting a minutes silence in all public buildings and to Council staff at 12.30pm on Thursday 28th April 2016, in remembrance of 'those workers who have lost their lives through industrial accident or disease.
- b) The Authority gives consideration to authorising the lowering of flags on public buildings on Thursday 28th April 2016
- c) The Authority gives consideration to assisting in promoting / publicising the event to the wider public
- d) The Authority authorizes the use of Council Premises on Thursday 28th April 2016 for the service and for guests before / after the Workers Memorial Day Service & Wreath Laying Ceremony.

The Theme for this year's Workers Memorial Day is "Strong Laws - Strong enforcement - Strong Unions".

Everybody Welcome

The service is especially open to all family, friends, colleagues who wish to remember loved ones who have died or been injured, or made ill through their work.

Employees who have died through Industrial Accident or Disease whilst trying to earn an honest living for themselves and their families are not publicly remembered on any other day

Edwin Jeffries
Secretary.

Hartlepool Trades Union Council

President:- Edwin Jeffries

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WORKERS MEMORIAL DAY (28TH APRIL 2016)

Report by Hartlepool Trades Union Council (HTUC)

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to update Hartlepool Borough Council Finance & Policy Committee on the arrangements for the Workers Memorial Day Remembrance Service & Wreath Laying Ceremony and other events to be held around Workers Memorial Day, April 28th 2016. To highlight the ongoing requirement for partnership working to aid the improvement of Health & Safety to reduce the number of workplace accidents, injuries, diseases and deaths, that in the majority of cases are avoidable, across the employment sector as a whole and to request that the Finance & Policy Committee agrees to a) to e) as outlined in item 4 as recommended.

2.0 BACKGROUND

- 2.1 International Workers Memorial Day takes place around the world on the 28th April each year. The slogan for the Day is "Remember the Dead, Fight for the Living."

The purpose of Workers Memorial Day is two-fold. First, we remember the dead, because those who have died, been injured, or made ill through their work; deserve not to be forgotten. Secondly, we fight by campaigning for the living, so that people can go to work and provide for themselves and their family, without risk to their health and safety.

Each year more people are killed by work than in wars. Most do not die of mystery ailments, or in tragic incidents. They die because of a health and safety failure. Every year worldwide, over 2 million people are killed by their own, or someone else's work - that's about 5,000 per day.

A Workers Memorial Day Service and Wreath Laying Ceremony organised by Hartlepool Trades Union Council has been held in Hartlepool since 1999 and has been held on the official day of 28th April since 2000.

Yvette Cooper, Work and Pensions Secretary of State, announced on 28th January 2010 that the UK will give official recognition to Workers Memorial Day to commemorate thousands of people who have died, been seriously injured or made ill through their work.

It is only with enforceable and enforced legislation and the Employers working together with the Trade Unions to improve Health & Safety in all workplaces that we can ever hope to reduce the number of workplace accidents, injuries, diseases and deaths that, in the majority of cases, are avoidable.

2.2 In 2014/15 (UK) according to the Health & Safety Executive.

Fatalities

“Every fatality is a tragic event and our commitment to preventing loss of life in the workplace remains unaltered. All workplace fatalities drive HSE to develop even more effective interventions to reduce death, injury and ill health.”

The new figures show the rate of fatal injuries in several key industrial sectors:

- **35 fatal injuries** to **construction** workers were recorded – a rate of 1.62 deaths per 100,000 workers, compared to an average of 45 deaths in the past five years and a decrease from the 44 deaths recorded in 2013/14.
- **33 fatal injuries** to **agricultural** workers were recorded – a rate 9.12 deaths per 100,000 workers, the same as the average of 33 deaths in the past five years and an increase from the 27 deaths recorded in 2013/14.
- **Five fatal injuries** to **waste and recycling** workers were recorded – a rate of 4.31 deaths per 100,000 workers, compared to an average of six deaths in the past five years and an increase from the four deaths recorded in 2013/14.

Key Figures for Great Britain (HSE) (2014/15)

- **1.2 million** working people suffering from a work-related illness.
- **2,538** mesothelioma deaths due to past asbestos exposures (2013).
- **142** workers killed at work.
- **76,000** other injuries to employees reported under RIDDOR.
- **611,000** injuries at work from the Labour Force Survey.
- **27.3 million** working days lost due to work-related illness and workplace injury.
- **£14.3 billion** estimated cost of injuries and ill health from current working conditions (2013/14).

Mesothelioma

The asbestos-related cancer mesothelioma is one of the few examples where deaths can be counted directly. There were 2,538 such deaths in GB in 2013 – Deaths from other diseases that can be caused by both occupational and non-occupational factors - such as most other occupational cancers - usually have to be estimated rather than counted. Each year around 13,000 deaths from occupational lung disease and cancer are estimated to have been caused by past exposure, primarily to chemicals and dusts, at work (this estimate includes the mesothelioma deaths mentioned above). For more details see www.hse.gov.uk/statistics/

Fatal accidents involving workers travelling on a public highway (a 'road traffic accident'). Such incidents are enforced by the police and reported to the Department for Transport. Likewise fatal accidents involving workers travelling by air or sea; these incidents are the responsibility of the Air and Marine Accident Investigation Branches of the Department for Transport, and reported accordingly.

Society no-longer finds drink-driving or domestic violence acceptable. It is time for work-related ill-health, injury, and death to also become unacceptable rather than a tragic but accepted part of the world of work.

The HSE has in the past stated that about 70% of workplace "accidents" are due to the poor management of health and safety.

Worldwide, hundreds of thousands die in workplace "accidents" and millions die of occupational diseases every year. Employers working together with the Trade Unions is the remedy. Prevention is the only cure.

To remember those who died at work we organise the Workers Memorial Day Remembrance Service on 28th April (International Workers Memorial Day) of each year.

3.0 Workers Memorial Day 2016 – Event arrangements.

3.1 Remembrance Service & Wreath Laying Ceremony

The service will take place on Thursday 28th April 2016, 12.30pm, Christ Church TIC & Art Gallery, Church Square, Hartlepool and the laying of the wreaths will follow at the Workers Memorial in Church Square, Hartlepool.

Officiates – Revd Janet Burbury (Dean of Hartlepool) and Revd Nicholas Moore.

Guest speakers:-

Matt Wrack, General Secretary, FBU

Dr Andrew Watterson, Professor and Head of the Occupational and Environmental Health Research Group, Stirling University, Scotland.(member of the Collegium Ramazzani)

Chris Knighton, Mick Knighton Mesothelioma Research Fund

Laurie Kazan-Allen, Coordinator, International Ban Asbestos Secretariat

Iain Wright MP, Shadow Minister for Industry, will give a 'reading' at the service.

Over 40 wreaths will be laid by Individuals and Organisations to remember all those who have died, been injured, or made ill through their work.

Individual flowers will also be made available for anyone present to lay a flower at the Workers Memorial in Church Square in memory of a loved one.

The Café Area, Christchurch TIC & Art Gallery, will be available from 12 noon and after for people to congregate. Tea / Coffee etc will be available before the service and also be available after the service where tea / coffee and a light buffet will be available.

A lone Scottish piper will be playing in Church Square from 11.45am and will 'pipe' guests and attendees from / to Christchurch at 12.20pm to take their seats in time for the minutes silence at 12.30pm at the start of the service.

Following the formal service the Wreath Laying Ceremony will take place at the Workers Memorial in Church Square. *(Individual flowers will be made available for anyone present to lay a flower at the Workers Memorial in Church Square in memory of a loved one).*

In 2009, and 2012 and 2014 HTUC commissioned a DVD from Hartlepool College of Further Education (HCFE) to promote Workers Memorial Day and highlight the need for health & safety in the workplace - (https://www.youtube.com/watch?v=RJ_imukkQkA) – A further DVD for 2016 has been commissioned and is being produced by Hartlepool College of Further Education (HCFE) and the link will be circulated on completion.

The Theme for this year's Workers Memorial Day is "Strong Laws - Strong enforcement - Strong Unions".

Employees who have died through Industrial Accident or Disease whilst trying to earn an honest living for themselves and their families are not publicly remembered on any other day.

Everybody Welcome

The service is especially open to all family, friends, colleagues who wish to remember loved ones who have died or been injured, or made ill through their work.

3.2 Eve of WMD 'Gig'

An inaugural event was held in 2015 on 27th April and it is anticipated that an Eve of WMD 'Gig' will be held at The Studio on 27th April in 2016. (Further details to follow)

3.3 Memorial Service for Students – Hartlepool College of Further Education.

The memorial service for students in 2016 will be held on Thursday 28th April, 11.00am, in Hartlepool College of Further Education. Speakers include Nigel Byson, Bryson Consulting and Trevor Hall, Counted4. Following the conclusion of the service a wreath will be laid at the 'Tree of Remembrance' in Hartlepool College of Further Education.

Hartlepool College of Further Education (HCFE) has ran competitions to design the cover of the Order of Service for the Workers Memorial Day service over recent years and they have again agreed to run the competition but this year (2016) in line with the theme for Workers Memorial Day 2016 ("Strong Laws - Strong enforcement - Strong Unions"). An update report of the outcome of the competition will be given to Finance & Policy Committee in April.

3.4 NTUC / HTUC Health & Safety Seminar

This year's event (2016), sponsored by Thompsons Solicitors, will take place at the Hartlepool College of Further Education at 9.00am to 12noon and will be followed at 12.30pm by the main Workers Memorial Day Service & Wreath Laying Ceremony at Christ Church, Hartlepool

Speakers / presentations from:-

Laurie Kazan-Allen, Coordinator, International Ban Asbestos Secretariat;
Dr Andrew Watterson, Professor and Head of the Occupational and Environmental Health Research Group, Stirling University, Scotland; (member of the Collegium Ramazzini)
Chris Knighton, Mick Knighton, Mesothelioma Research Fund
Rachel Price, Health & Safety Advisor, Hartlepool Borough Council.

Invitations will be circulated to Trade Unions / Employers Organisations / Local Authorities / Teesside Safety Group etc..

Recognised TUC Health & Safety representatives / Councillors / Managers & Employer Representatives are invited to attend.

3.5 Radio Hartlepool.

HTUC is currently working with Radio Hartlepool to promote the service including a periodic presence on a mid-morning show, inclusion in the What's Happening Guide, and to have a dedicated broadcast on Workers Memorial Day.

As part of the broadcast (pre-recorded) it is the intention to give anyone who may have lost a loved one, friend or colleague through a work related 'accident' the opportunity to have their say and to choose their, or their loved ones, favourite piece of music to be played. It is also intended to synchronise the timing of the broadcast with the service at Christ Church.

4 **Recommendations:-**

The Finance & Policy Committee agrees to:-

- a) Promoting a minutes silence in all public buildings and to Council staff at 12.30pm on Thursday 28th April 2016, in remembrance of 'those workers who have lost their lives through industrial accident or disease.
- b) Authorising the lowering of flags on public buildings on Thursday 28th April 2016.
- d) Assisting in promoting / publicising the event to the wider public
- e) The use of Council Premises on Thursday 28th April 2016 for the service and for guests before / after the Workers Memorial Day Service & Wreath Laying Ceremony.

The Theme for this year's Workers Memorial Day is "Strong Laws - Strong enforcement - Strong Unions".

Employees who have died through Industrial Accident or Disease whilst trying to earn an honest living for themselves and their families are not publicly remembered on any other day.

Remember the Dead & Fight for the Living

Edwin Jeffries
President
Hartlepool Trades Union Council
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Email:- ejeffries73@gmail.com

FINANCE AND POLICY COMMITTEE

15th February 2016



Report of: Director of Regeneration and Neighbourhoods

Subject: **CORPORATE PROCUREMENT QUARTERLY
REPORT ON CONTRACTS**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 For information.

2. PURPOSE OF REPORT

2.1 To satisfy the requirements of the Council's Contract Procedure Rules with regard to the Finance & Policy Committee:

- Receiving and examining quarterly reports on the outcome of contract letting procedures including those where the lowest/highest price is not payable/receivable.
- Receiving and examining reports on any exemptions granted in respect of the Council's Contract Procedure Rules.

3. BACKGROUND

3.1 The Council's Contract Procedure Rules require that the following information be presented to the Finance & Policy Committee on a quarterly basis:

Section of Contract Procedure Rules		Information to be reported
Introduction	Para 8 iii & Para 8 vi	Outcome of contract letting procedures
Part G	Para 12 v	

Introduction Part B	Para 8 iii Para 3 v	Basis of award decision if not lowest/highest price payable/receivable
Introduction	Para 8 vi	Contract Name & Reference Number
Part G	Para 12 v	
Introduction	Para 8 vi	Description of Goods/Services being procured
Part G	Para 12 v	
Introduction	Para 8 vi	Department/Service area procuring the goods/services
Part G	Para 12 v	
Introduction	Para 8 vi	Prices (separate to Bidders details to preserve commercial confidentiality)
Part G	Para 12 v	
Part G	Para 12 v	Details of Bidders

- 3.2 In addition to tender related information, details of exemptions granted to the Contract Procedure Rules are also reportable quarterly.

4. INFORMATION FOR REVIEW

4.1 Tender information

The table at **Appendix A** details the required information for each procurement tender awarded since the last quarterly report.

- 4.2 The Committee may within the Contract Procedure Rules request further information or seek further monitoring reports on selected contracts.

- 4.3 In addition the Audit and Governance Committee may request a contract to be monitored under their specific responsibilities relating to the scrutiny of contracts.

4.4 Exemption information

Appendix B provides details of the required information in relation to Contract Procedure Rules exemptions granted since the last Corporate Procurement Quarterly Report on Contracts.

- 4.5 The table at confidential **Appendix C** includes the commercial information in respect of the tenders received.

This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, Appendix C.

5. RISK IMPLICATIONS

- 5.1 This report is for information only. There are no risk implications attached to this report.

6. FINANCIAL CONSIDERATIONS

- 6.1 This report is for information only. There are no financial considerations attached to this report.

7. LEGAL CONSIDERATIONS

- 7.1 This report is for information only. There are no legal considerations attached to this report.

8. CHILD AND FAMILY POVERTY

- 8.1 This report is for information only. There are no child and family poverty implications attached to this report.

9. EQUALITY AND DIVERSITY CONSIDERATIONS

- 9.1 This report is for information only. There are no equality and diversity considerations attached to this report.

10. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 10.1 This report is for information only. There are no Section 17 considerations attached to this report.

11. STAFF CONSIDERATIONS

- 11.1 This report is for information only. There are no staff considerations attached to this report.

12. ASSET MANAGEMENT CONSIDERATIONS

- 12.1 This report is for information only. There are no asset management considerations attached to this report.

13. RECOMMENDATIONS

- 13.1 That the Committee note and comment on the contents of the report,

14. REASONS FOR RECOMMENDATIONS

- 14.1 The Committee is required to review the information supplied to ensure that monitoring in the award of contracts is carried out and evidenced.

15. BACKGROUND PAPERS

- 15.1 There are no background papers.

16. CONTACT OFFICER

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APPENDIX A

Tender Information

Date of Contract Award	Contract Name and Reference Number	Description of Goods / Services being procured	Department / Service area procuring the goods / services	Details of Bidders	Location of Bidder	Basis of award decision if not lowest/highest price payable / receivable	Outcome of contract letting procedures
8 TH January 2016	800 – 2015 Supply & Delivery of Refuse Vehicles	The supply and delivery of 4 Refuse Collection Vehicles with the option to purchase a further 3 vehicles at a later date if required. Using Pro 5 Framework Agreement.	R&N	CP Davidson & Sons Ltd Dennis Eagle Ltd FAUN Zoeller (UK) Limited Heil Europe Ltd	Chorley, Lancashire Warwick Llangefni, Gwynedd Dalgety Bay, Fife	Most economically advantageous tender	Heil Europe Ltd

APPENDIX A

8 th January 2016	736-2015 Emotional Wellbeing Support for Parents	The council was looking to appoint appropriately qualified and experienced organisations with the capacity to deliver emotional wellbeing support to parents living in the Hartlepool area	C&A – Commissioning	Alliance Psychological Services Family Lives Hartlepool Mind I.M.P.A.C.T Northeast Rainbows End Coaching Limited	Stockton on Tees Hatfield, Hertfordshire Hartlepool Hendon, Tyne and Wear Stonebridge, Durham	100% Quality	Alliance Psychological Services with Mindful North East
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APPENDIX B

Appendix B

Procurements Exempted from Council Contract Procedure Rules

Dept	Service Unit	Company Name	Company Based at	Estimated Expenditure	Description	Approval
R&N	Cleveland Emergency Planning Unit	EPC Serco	York	£18,000.00 Based upon course fee of £3600 per day training for up to 16 staff (3 x strategic / tactical training, 1 x Business Continuity, 1 x Emergency Social Media),.	The procurement relates to specialist training provided by Serco for the Emergency Planning Unit	Denise Ogden, Peter Devlin & Chris Little on 19.10.2015
CEX	Finance Division	CAPITA	Oldham	£156000 for four years	Capita Payment Processing System to enable HBC customers to make payments via the Post Office and Pay Point	Denise Ogden, Peter Devlin & Chris Little on 09.12.2015
R&N	Estates & Regeneration	Placefirst Ltd / Penine Lancashire Construction Services Ltd	Manchester	£164,000.00	HBC Contribution to a Feasibility Study for the demolition and clearance of a central block at Carr Hopps site.	Denise Ogden, Peter Devlin & Chris Little on 24.12.2015

Contracts Extended

Dept	Service Unit	Company Name	Description	Approval	Contract Extension Start	Contract Extension End	Estimated Expenditure
R&N	R&N - Culture & Information	Hartlepool Aspire Trust (Catcote Special School)	Licence to Hartlepool Aspire Trust to occupy Hartlepool Art Cafe for a period of 5 years.	05.10.2015	01.04.2016	31.03.2012	£0