

# Council

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**Wednesday 2 July 2014**

**2.05 pm** (or at the conclusion of the Special Meeting of the Council, whichever should be the later)

**Council Chamber, Town Hall,  
Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

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## COUNCIL

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**Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH**

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### MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Peter Rippon)

THE DEPUTY LORD MAYOR (Councillor Talib Hussain)

1	<i>Arbourthorne Ward</i> Julie Dore Mike Drabble Jack Scott	10	<i>Dore &amp; Totley Ward</i> Joe Otten Colin Ross Martin Smith	19	<i>Mosborough Ward</i> David Barker Isobel Bowler Tony Downing
2	<i>Beauchief &amp; Greenhill Ward</i> Simon Clement-Jones Roy Munn Richard Shaw	11	<i>East Ecclesfield Ward</i> Pauline Andrews Steve Wilson Joyce Wright	20	<i>Nether Edge Ward</i> Nasima Akther Nikki Bond Qurban Hussain
3	<i>Beighton Ward</i> Helen Mirfin-Boukouris Chris Rosling-Josephs Ian Saunders	12	<i>Ecclesall Ward</i> Penny Baker Roger Davison Diana Stimely	21	<i>Richmond Ward</i> John Campbell Lynn Rooney Paul Wood
4	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	13	<i>Firth Park Ward</i> Sheila Constance Alan Law Chris Weldon	22	<i>Shiregreen &amp; Brightside Ward</i> Peter Price Sioned-Mair Richards Peter Rippon
5	<i>Broomhill Ward</i> Jayne Dunn Stuart Wattam Brian Webster	14	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	23	<i>Southey Ward</i> Leigh Bramall Tony Damms Gill Furniss
6	<i>Burngreave Ward</i> Jackie Drayton Ibrar Hussain Talib Hussain	15	<i>Gleadless Valley Ward</i> Steve Jones Cate McDonald Tim Rippon	24	<i>Stannington Ward</i> David Baker Katie Condliffe Vickie Priestley
7	<i>Central Ward</i> Jillian Creasy Robert Murphy Sarah Jane Smalley	16	<i>Graves Park Ward</i> Ian Auckland Steve Ayris Denise Reaney	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Richard Crowther Philip Wood
8	<i>Crookes Ward</i> Rob Frost Anne Murphy Geoff Smith	17	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Darnall Ward</i> Harry Harpham Mazher Iqbal Mary Lea	18	<i>Manor Castle Ward</i> Jenny Armstrong Terry Fox Pat Midgley	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Alf Meade
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Ray Satur

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John Mothersole

Chief Executive

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Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

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## **PUBLIC ACCESS TO THE MEETING**

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The Council is composed of 84 Councillors with one-third elected three years in four. Councillors are democratically accountable to the residents of their Ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints the Leader and at its Annual Meeting will appoint Councillors to serve on its Committees. It also appoints representatives to serve on joint bodies and external organisations.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Council meetings are normally open to the public but sometimes the Council may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**COUNCIL AGENDA  
2 JULY 2014**

**Order of Business**

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**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

Members to declare any interests they have in the business to be considered at the meeting.

**3. MINUTES OF PREVIOUS COUNCIL MEETINGS**

To receive the records of the proceedings of the ordinary meeting of the Council held on 2<sup>nd</sup> April 2014 and the annual meeting of the Council held on 4<sup>th</sup> June 2014, and to approve the accuracy thereof.

**4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS**

(a) To receive any questions or petitions from the public, or communications submitted by the Lord Mayor or the Chief Executive and to pass such resolutions thereon as the Council Procedure Rules permit and as may be deemed expedient.

(b) Petition Requiring Debate

The Council's Petitions Scheme requires that any petition containing over 5,000 signatures be the subject of debate at the Council meeting. A qualifying petition has been received as follows:-

Petition regarding Road Safety on Normanton Hill

To debate a combined paper and electronic petition containing approximately 11,800 signatures concerning road safety on Normanton Hill. The wording of the petition is as follows:-

*"We the undersigned, are concerned citizens and demand that Sheffield City Council (Highways Authority) install controlled crossing and speed restrictions, speed limits with immediate effect. We have grave concerns and have had concerns for many years regarding excessive speeds that vehicles achieve on Normanton Hill, which is a very busy stretch of road, compounded by narrow pavements and the concealed entrance to Richmond Park. This entrance is used Monday to Friday by local schoolchildren who attend Outwood Academy (former City School), dog walkers on a daily basis, teenagers use Friday evenings, weekends and holidays. All who wish to access this concealed entrance to Richmond Park have to negotiate Normanton Hill."*

## **5. MEMBERS' QUESTIONS**

- 5.1 Questions relating to urgent business – Council Procedure Rule 16.6(ii).
- 5.2 Supplementary questions on written questions submitted at this meeting – Council Procedure Rule 16.4.
- 5.3 Questions on the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions – Section 41 of the Local Government Act 1985 – Council Procedure Rule 16.6(i).

(NB. Minutes of recent meetings of the two South Yorkshire Joint Authorities have been made available to all Members of the Council via the following link -

<http://sheffielddemocracy.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13165&path=0>)

## **6. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES**

To consider any changes to the memberships and arrangements for meetings of Committees etc., delegated authority, and the appointment of representatives to serve on other bodies.

## **7. CHANGES TO THE CONSTITUTION**

Report of the Chief Executive.

## **8. JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (YORKSHIRE AND THE HUMBER) & THE NEW CONGENITAL HEART DISEASE REVIEW**

Report of the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee.

## **9. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE**

That this Council:

- (a) regrets that the Queens Speech completely failed to tackle the challenges facing Sheffield and the country as a whole, providing no vision and positive action to improve people's lives and simply offered more of the same, recycled measures already announced;
- (b) further regrets that the Government's Queens Speech failed to tackle the cost-of-living crisis, felt by people in Sheffield, with a plan to secure a strong and sustained recovery that delivers rising living standards for the many, not just a few at the top;

- (c) calls on the Government to:
- (i) act to boost housing supply and ensure at least 200,000 new homes are built each year;
  - (ii) introduce an independent infrastructure commission;
  - (iii) reform the energy and banking markets to make them more competitive for consumers and businesses;
  - (iv) make work pay by expanding free childcare for working parents;
  - (v) raise the value of the minimum wage over the next Parliament;
  - (vi) introduce a lower ten pence starting rate of tax;
  - (vii) introduce a Mansion Tax;
  - (viii) set out reforms to ban recruitment agencies from hiring solely from overseas and put in place tougher enforcement of minimum wage laws to tackle the exploitation of migrant workers that undercuts local workers;
  - (ix) introduce a compulsory jobs guarantee for young people and a new gold standard vocational qualification and give business a real say on apprenticeships in return for increasing their numbers to ensure that every young person gets the skills they need to succeed in the future;
  - (x) give local authorities and communities greater control over fracking in their areas and address the completely inadequate payments to communities in which fracking takes place, considering the enormous amount of revenue to be gained by the companies from fracking activities, in particular given the tax breaks awarded by the Government;
  - (xi) introduce an NHS Bill, to put a stop to its privatisation and improve access to GPs; and
  - (xii) give people a greater say over pay day lenders and betting shops on their high streets; and
- (d) believes that the country needs a new direction to deliver these changes and welcomes the agenda set out by the Labour Party to make work pay, reform the banks, freeze energy bills and build more homes.

**10. NOTICE OF MOTION GIVEN BY COUNCILLOR BEN CURRAN**

That this Council:

- (a) believes that work should pay and therefore opposes the introduction of schemes which force job seekers into unpaid work or face losing their benefits – schemes known popularly as workfare;
- (b) is concerned that there is no evidence workfare assists job seekers in finding work and in fact working a 30-hour week makes that more difficult; that workfare is replacing paid work; and that workfare stigmatises benefits claimants and locks them further into poverty; and
- (c) pledges not to use any workfare placements and will also encourage contractors not to use the schemes.

**11. NOTICE OF MOTION GIVEN BY COUNCILLOR JOE OTTEN**

That this Council:

- (a) notes the proposal of the Administration to remove 100 miles of road from Sheffield's gritting routes and cease the recruitment of new snow wardens;
- (b) believes that Labour politicians have decided to hit the west of the city and rural areas hardest while protecting their own favoured areas;
- (c) regrets that these plans could put local residents' safety at risk, while leaving some elderly and vulnerable people trapped in their homes for days;
- (d) furthermore notes with concern the impact these changes will have on rural businesses, in particular farms, and the damage this could cause to their trade;
- (e) recalls that the main opposition group opposed these plans at the Council's Budget Meeting in March and identified alternative funds to meet these savings; and
- (f) calls upon the Administration to drop these proposals and maintain a safe and comprehensive gritting service for the city.

**12. NOTICE OF MOTION GIVEN BY COUNCILLOR LEIGH BRAMALL**

That this Council:

- (a) welcomes the recent steps the Council has taken to drive forward the city's New Retail Quarter through securing the land and

property needed to develop the scheme;

- (b) notes that this is the latest of a series of actions by the present Administration to unlock this crucial project for Sheffield including:
  - (i) securing the New Development Deal to inject funds into the retail quarter to bridge the financial gap facing the scheme;
  - (ii) subsequently re-starting work with Hammerson to re-confirm retailer appetite to locate in a New Retail Quarter;
  - (iii) parting company with Hammerson when they would not commit to start construction; and
  - (iv) taking control of the scheme as a Council, working to redesign a new scheme that is viable and fit for purpose in the long term, and taking real action to make the scheme happen;
- (c) welcomes the news that over 20 developers have expressed an interest in the retail quarter and believes this is positive news which demonstrates viability and confidence in the new scheme;
- (d) contrasts this action to the claims of inaction by the new leader of the Liberal Democrat Group on the Council, and regrets that once more, this shows how the Liberal Democrats talk Sheffield down rather than welcome positive news;
- (e) notes that the leader of the largest opposition group's comments are all the more incredible given the three wasted years of inaction, delay and dither of the previous Administration between 2008 and 2011 when barely anything happened;
- (f) welcomes comments by the Executive Director of the Sheffield Chamber of Commerce "The Chamber is absolutely delighted to see such a positive move on this project. It is a critical development for the city and we applaud the extremely positive message this sends and the ambitious timescale it lays out.";
- (g) also welcomes the continued development underway on The Moor;
- (h) further welcomes the news that a new IKEA store will be coming to Sheffield; and
- (i) believes that these are important positive developments for the city's economy and looks forward to more details of how the Retail Quarter will be progressed being submitted to the July Cabinet meeting.



### **13. NOTICE OF MOTION GIVEN BY COUNCILLOR HARRY HARPAM**

That this Council:

- (a) supports the Orgreave Truth and Justice Campaign in its aim of securing a full public inquiry into the policing at the Orgreave Coking Plant, South Yorkshire, during the 1984-85 miners' strike;
- (b) notes with some disappointment the unacceptably slow pace of the current scoping exercise being conducted by the Independent Police Complaints Commission (IPCC) to determine whether an investigation into police misconduct should take place;
- (c) also notes that the remit of the IPCC does not extend to cover the political context that this Council believes empowered the police and facilitated their actions and conduct;
- (d) condemns any actions that may subsequently be found to have constituted police brutality and arrests of miners on "trumped up" charges;
- (e) believes that only a full public inquiry will have the capacity to reveal the truth about policing of Orgreave, and enable any injustices committed there to be acknowledged and addressed; and
- (f) calls on the Government to support now, and instigate, a full public inquiry into the policing of the 1984-85 miners' strike.

### **14. NOTICE OF MOTION GIVEN BY COUNCILLOR IAN AUCKLAND**

That this Council:

- (a) notes that the Government's current proposals for a new High Speed Rail line include a station in Sheffield and highlights this as a key achievement of Liberal Democrats in Government;
- (b) recalls that the main opposition group were the first councillors to champion Sheffield Victoria as a potential location for a High Speed Rail station;
- (c) notes with disappointment the original Government proposal, which recommended a station at Meadowhall, but confirms that Liberal Democrat councillors have continued to lobby for a city-centre location and have kept officers informed on any progress;
- (d) welcomes statements from Liberal Democrats in Government that the location remains under consideration, including Transport Minister, Baroness Kramer, who said the location was "up for debate" and Deputy Prime Minister, The Rt. Hon. Nick Clegg MP, who said "the door isn't closed on the possibility of a city centre

location”;

- (e) regrets that South Yorkshire Labour politicians remain hopelessly divided on the proposed location, with damaging spats reported in the local media;
- (f) expresses dismay that one Sheffield City Region Labour MP is opposing the entire High Speed Rail project and furthermore believes the Shadow Chancellor is threatening the future of the project with his cavalier outbursts; and
- (g) calls upon all Members to unite behind the High Speed Rail project which, regardless of the final location, will bring significant benefits to Sheffield and to continue to lobby for a city-centre location.

#### **15. NOTICE OF MOTION GIVEN BY COUNCILLOR ROBERT MURPHY**

That this Council:-

- (a) notes the Foreign and Commonwealth Office calls on “businesses and civil society” to help give effect to its “Good Business” action plan, which includes the aim that:

“... human rights related matters are reflected appropriately when purchasing goods, works and services.

Under the public procurement rules public bodies may exclude tenderers from bidding for a contract opportunity in certain circumstances, including where there is information showing grave misconduct by a company in the course of its business or profession. Such misconduct might arise in cases where there are breaches of human rights. In addition, UK public bodies are required to have due regard for equality-related issues in their procurement activity.”

- (b) is concerned at significant reports of human rights breaches across the world by large corporations; and
- (c) confirms that this Council, in so far as it is legally able to do so, should exclude from contract opportunities any company where there is evidence of a poor track record of breaches of human rights and equality laws.

#### **16. NOTICE OF MOTION GIVEN BY COUNCILLOR STEVE WILSON**

That this Council:

- (a) notes that August marks the centenary of the outbreak of the First World War and that the 70<sup>th</sup> anniversary of D-Day was held in June;

- (b) reiterates previous resolutions passed by the Council placing on record the recognition and appreciation of the Council to everyone involved in both World Wars and remembers the sacrifices made by Sheffield people to protect the freedom of future generations;
- (c) welcomes the range of activities being held across the city between 2014 and 2018 to commemorate the event, which include:
  - (i) War Work – Sheffield Industry and the First World War exhibition between 4 August 2014 – 31 July 2015 at Kelham Island Museum;
  - (ii) Sheffield Remembers – War Memorials from the First World War on display from 9 November 2014 at Kelham Island Museum;
  - (iii) First World War Learning Programme at Sheffield Industrial Museums Trust family activities during August 2014; and
  - (iv) the Sheffield and the First World War Exhibition at Weston Park Museum run by Museums Sheffield;
- (d) also welcomes the webpage hosted by the Council’s Archives and Local Studies department, which can be visited at [www.sheffield.gov.uk/1914-1918](http://www.sheffield.gov.uk/1914-1918), and includes:
  - (i) WW1 Sheffield timeline – 25 page timeline relating to Sheffield;
  - (ii) Index to Sheffield soldiers, 1914 – 1915 (from the Sheffield Daily Independent);
  - (iii) Research guide on Sheffield and WW1 – 50 page guide to Sheffield - related sources;
  - (iv) Research guide on Sheffield’s armaments industry; and
  - (v) Sheffield war memorial information; and
- (e) thanks all the organisations across the city that are involved in the work commemorating the centenary and believes that this important landmark provides a pertinent opportunity to remember and recognise the historical significance of the First World War and the sacrifices made by many people between 1914 and 1918.

**17. NOTICE OF MOTION GIVEN BY COUNCILLOR COLIN ROSS**

That this Council:

- (a) believes that apprenticeships are one of the best ways to support young people into long-term careers;
- (b) is proud that The Rt. Hon. Nick Clegg MP and other Liberal Democrats have helped build a strong economy and a fairer society by delivering more apprenticeships in Government;
- (c) recalls that one of the first acts of this Government was to increase spending on apprenticeships by £250 million – a 50% increase on the previous Government's commitments;
- (d) further notes that under this Government the number of people starting apprenticeships in Sheffield has increased by 54%;
- (e) welcomes the latest announcement within the 2014 Queen's Speech that the total number of apprenticeship places will increase to 2 million by 2015; and
- (f) backs the Government's latest announcement and supports all measures to help young people in Sheffield into apprenticeships.

**18. NOTICE OF MOTION GIVEN BY COUNCILLOR SIMON CLEMENT-JONES**

That this Council:

- (a) welcomes measures to support businesses and create jobs across Sheffield;
- (b) notes the proposal to develop an online market for the Kirkgate Market in Leeds so that shoppers can purchase products from independent traders online; and
- (c) believes this would be a positive proposal to support traders in Sheffield and therefore recommends that the Administration brings a proposal to a Cabinet meeting within the next six months to consider the idea.



Chief Executive

Dated this 24 day of June 2014

**The next ordinary meeting of the Council will be held on 3 September 2014 at the Town Hall**

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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# Agenda Item 3

Minutes of the Meeting of the Council of the City of Sheffield held in the Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 2 April 2014, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

## PRESENT

THE LORD MAYOR (Councillor Vickie Priestley)  
THE DEPUTY LORD MAYOR (Councillor Peter Rippon)

1	<i>Arbourthorne Ward</i> Julie Dore Mike Drabble Jack Scott	10	<i>Dore &amp; Totley Ward</i> Keith Hill Joe Otten Colin Ross	19	<i>Mosborough Ward</i> David Barker Isobel Bowler Tony Downing
2	<i>Beauchief &amp; Greenhill Ward</i> Simon Clement-Jones Roy Munn Clive Skelton	11	<i>East Ecclesfield Ward</i> Garry Weatherall Steve Wilson Joyce Wright	20	<i>Nether Edge Ward</i> Nikki Bond Anders Hanson Qurban Hussain
3	<i>Beighton Ward</i> Helen Mirfin-Boukouris Chris Rosling-Josephs Ian Saunders	12	<i>Ecclesall Ward</i> Penny Baker Roger Davison	21	<i>Richmond Ward</i> John Campbell Martin Lawton Lynn Rooney
4	<i>Birley Ward</i> Bryan Lodge Karen McGowan	13	<i>Firth Park Ward</i> Sheila Constance Alan Law Chris Weldon	22	<i>Shiregreen &amp; Brightside Ward</i> Peter Price Sioned-Mair Richards Peter Rippon
5	<i>Broomhill Ward</i> Jayne Dunn Shaffaq Mohammed Stuart Wattam	14	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	23	<i>Southey Ward</i> Leigh Bramall Tony Damms Gill Furniss
6	<i>Burngreave Ward</i> Jackie Drayton Ibrar Hussain Talib Hussain	15	<i>Gleadless Valley Ward</i> Steve Jones Cate McDonald Tim Rippon	24	<i>Stannington Ward</i> David Baker Katie Condliffe Vickie Priestley
7	<i>Central Ward</i> Jillian Creasy Mohammad Maroof Robert Murphy	16	<i>Graves Park Ward</i> Bob McCann Denise Reaney	25	<i>Stockbridge &amp; Upper Don Ward</i> Philip Wood
8	<i>Crookes Ward</i> Sylvia Anginotti Rob Frost Geoff Smith	17	<i>Hillsborough Ward</i> Janet Bragg Bob Johnson George Lindars-Hammond	26	<i>Walkley Ward</i> Ben Curran Neale Gibson
9	<i>Darnall Ward</i> Harry Harpham Mazher Iqbal Mary Lea	18	<i>Manor Castle Ward</i> Jenny Armstrong Pat Midgley	27	<i>West Ecclesfield Ward</i> Trevor Bagshaw Adam Hurst Alf Meade
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Ray Satur

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ian Auckland, Alison Brelsford, Richard Crowther, Denise Fox, Terry Fox and Diana Stimely.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest from Members of the City Council.

**3. MINUTES OF PREVIOUS COUNCIL MEETINGS**

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Gill Furniss, that the minutes of the ordinary meeting of the Council held on 5 February 2014 and minutes of the Special Meeting (Budget) of the Council held on 7 March 2014 be approved as a correct record.

**4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS**

**4.1 Former Councillor Nikki Sharpe**

The Lord Mayor (Councillor Vickie Priestley) moved a vote of thanks to former Councillor Nikki Sharpe for her contribution to the work of the Council since May 2011. She had resigned from her office as a Member for the Walkley Ward with effect from 31 March 2014 in the light of her continuing ill health and the demands of her full-time employment. Later in the meeting, Members of the Council paid tribute to her.

RESOLVED: That this Council thanks former Councillor Nikki Sharpe for her contribution to the work of the Council since May 2011.

**4.2 Petitions**

- (a) Petition Requesting a Plaque, and the Naming of a Street in the City Centre, in Memory of the Late El-Hajj Malik El-Shabazz (Malcolm X)

The Council received a joint paper and electronic petition containing 1641 signatures and requesting a plaque, and the naming of a street in the City Centre, in memory of the late El-Hajj Malik Shabazz (Malcolm X).

Representations on behalf of the petitioners were made by Mohammed Fiaz Hafiz. He referred to the visit to Sheffield by El-Hajj Malik El-Shabazz (Malcolm X) in December 1964, at which time he gave a speech at Sheffield University Students Union and to his contribution to human rights and his stance against exploitation and racism. The petition requested the City Council to place a permanent plaque in Sheffield City Centre in memory of El-Hajj Malik El-Shabazz (Malcolm X) and requested that a road in Sheffield City Centre to be

named after him.

The Council referred the petition to Councillor Jack Scott, Cabinet Member for Environment, Recycling and Streetscene. Councillor Scott thanked the petitioners and set out current policy guidance relating to street naming, which advised that names should have a proven relevance to the history of the area and any personality must have made a significant contribution to the community or have a historical connection to the area.

Street names should also be easily understood and recognised in the event of an emergency and by the emergency services and they should generally be easy to pronounce and this may rule out the use of the name "Malcolm X" because a single letter could not be used. Any choice of street name would have to be considered carefully. The Council would not rename an existing street, because of the confusion that can create.

Whilst there were the significant achievements of Malcolm X, he was also, in some respects, a controversial figure and a balanced judgment was needed of his role as an activist and other aspects of his life.

A plaque could be placed on a building, provided the permission of the owner was given and, if necessary, planning permission. Councillor Scott suggested he meet with the petitioners and relevant parties to see how the request might best be accommodated in an appropriate way.

(b) Petition Objecting to the Proposed Closure of Broomhall Nursery and Children's Centre

The Council received an electronic petition, containing 203 signatures, objecting to the proposed closure of Broomhall Nursery and Children's Centre.

Representations on behalf of the petitioners were made by Naomi Watkins. She made reference to an Ofsted Inspection which had reported that the Nursery was outstanding. It promoted the all-round development of children, including their physical and emotional needs. Parental comments on the Nursery and Children's Centre were positive and there was an exceptional team of passionate and dedicated people working there. It was a surprise then that the Centre was faced with closure because of Council budget cuts. It was suggested that there was over-provision, although that did not account for the waiting list of children for the Nursery which offered high quality provision.

The possibility of developing a social enterprise was being explored and she invited the Council to look at this issue to retain the provision, which was of an exceptional standard and to visit the Nursery and Children's Centre.

The Council referred the petition to Councillor Jackie Drayton, Cabinet Member for Children, Young People and Families. Councillor Drayton thanked the petitioners for the invitation to visit the Nursery and Children's Centre and said she would welcome the opportunity. She explained that a number of years ago, the Government changed the way in which nursery schools were funded. Previously, funding was based on the number of places. It was now based on

the number of children. Therefore, some centres were financially unviable. In Broomhill, there were three organisations doing different things for children and young people – these were the Nursery School, City Council Childcare provision and Surestart. In order to protect provision, all of the existing provision would be brought together.

Councillor Drayton explained that she and the Executive Director of Children, Young People and Families had met with the governing body of Broomhill Nursery School to discuss the future following Government changes in funding to Nursery Schools, which made all three Nursery Schools in the City financially unviable. The two other nursery schools had decided to merge with other local schools. However, the governors at Broomhill Nursery decided not to do this but carry on as an independent nursery.

The Government's new policy of providing free early learning for two, three and four year olds and the funding for that provision was attached to the individual child and Broomhill would receive this funding for the children who attended the nursery.

The Council officers were working hard to ensure there would continue to be provision in Broomhill. Councillor Drayton confirmed that she would be pleased to meet with representatives of the petitioners should they wish.

(c) Petition Supporting Fir Vale Welfare Centre

The Council received an electronic petition containing 51 signatures and supporting the building of a new Community Welfare Centre in Fir Vale and the surrounding areas.

Representations on behalf of the petitioners were made by Rabia Mirza who stated that the petition was to ask the Council to support the provision of a new Community Welfare Centre in Fir Vale. The aim was to provide welfare in the community and to make optimum use of the facilities to enrich local residents' lives. It was intended to foster social inclusion and to encourage participation, educate and tackle social issues.

Working with Sheffield City Council aimed to promote the wellbeing and quality of life of the residents in line with the Council's strategic objectives to provide accessible social, recreational, educational and cultural facilities. The group wished to work with others in the community and the third sector and believed that Burngreave will benefit socially, culturally and economically. There was not a building from which the Welfare Centre could be run and the petitioners would like the Council to help to provide such a place.

The Council referred the petition to Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion. Councillor Iqbal stated that the Council does invest in a number of community buildings in the City. He referred to the financial constraints on the Council and to the context of Government funding cuts. The Council was encouraging community groups to work together. He had,

with Burngreave Ward Members and Cabinet Members, worked in Page Hall with the Pakistan Advice Community Association (PACA) Centre and there was community space there. The Council wanted to utilise space in existing buildings and to make sure that everybody had access.

- (d) Petition Concerning Somaliland – Supporting the Campaign for Sovereign State Recognition on Behalf of the Burngreave Community

The Council received a petition, containing 130 signatures, supporting the campaign for sovereign state recognition of Somaliland on behalf of the Burngreave Community.

Representations on behalf of the petitioners were made by Mohamed Issa. He urged the Council to support the Notice of Motion at item 15 on the Summons and thanked Councillor Mohammad Maroof for bringing the Motion to Council. He also thanked Burngreave Ward Councillors for their support in bringing the matter to Council and the community for lobbying and campaigning. He stated that the petition also requested that the Motion be brought to the attention of the Foreign Secretary, Leaders of Opposition parties in Parliament, the European Parliament and the United Nations.

The Council referred the petition to the Leader of the Council, Councillor Julie Dore.

- (e) Petition Concerning Somaliland - Supporting the Campaign for Sovereign State Recognition

The Council received a petition, containing 1,745 signatures, supporting the campaign for sovereign state recognition of Somaliland.

Representations on behalf of the petitioners were made by Adam Yusuf who thanked all of the people, including City Councillors, who had been involved in bringing the issue of Somaliland to the attention of the Council. Sheffield was the first place to recognise Somaliland, which was of great significance. People in the Somali community believed Sheffield was welcoming and hospitable and people had settled and had families here. There was a strong culture among the community and also respect for the culture in the UK. The Somali community also had good role models, for example, the previous President of the University Student Union was a young Somalian. The Somaliland Foreign Minister had come to Sheffield, travelling from Australia to be at this Council meeting. Somaliland had co-existed peacefully for 23 years and had developed a strong civil society and had held peaceful elections. It was testament to Sheffield that the City was the first place prepared to support the recognition of Somaliland.

The Council referred the petition to the Leader of the Council, Councillor Julie Dore.

- (f) Petition Concerning Somaliland – Supporting the Campaign for Sovereign State Recognition

The Council received a petition, containing 68 signatures, supporting the campaign for sovereign state recognition of Somaliland.

On behalf of the petitioners, Ibrahim Jama Ali, MP, addressed the Council. He stated that he hoped there would be international recognition of Somaliland as a sovereign state and nation. In 1990 Somaliland declared unilateral independence from Somalia and since that time it had been a de facto independent state. The people of Somaliland had tried to build a peaceful democracy comprising a separation of government into legislative, executive and judicial functions and had achieved much in the past two decades, including holding peaceful elections and a peaceful transfer of power. Somaliland had also developed an active civil society. However, due to a lack of international recognition, the area suffered financial and economic hardship, which he stated, without such international recognition, could not be overcome. He expressed his deep gratitude to people in Sheffield, including Councillors who supported the Motion on the Council Summons and said that he hoped other places would follow Sheffield City Council's example.

The Council referred the petition to the Leader of the Council, Councillor Julie Dore.

#### 4.3 Public Questions

(a) Public Questions Concerning Somaliland

Kaltun Elmi asked why the international community was reluctant to recognise Somaliland as a sovereign state.

Mubarak Ismail expressed thanks to the Council and to individual Members who had been especially supportive in supporting the Motion regarding Somaliland and stated that he hoped there was unity in the Council on this matter.

The Lord Mayor welcomed distinguished guests from the Somaliland Parliament, the Right Honorable Abdirahman Mohamed Jama, the Right Honorable Ibrahim Jama Ali and the Right Honorable Nasir Hagi Shire. The distinguished guests addressed the Council:-

The Council was informed that people from Somaliland fought with the British in both the First and Second World Wars and came to Sheffield after the Second World War to support the steel industry. It was felt that Somaliland had fulfilled the requirements of a democratic nation and lived side by side with neighbouring countries. What was required was international recognition, of which the Motion as presented at Council today was an important part. The community in Sheffield was also grateful for the support given to them. Somaliland had been a de facto independent state for over 20 years and had lived in peace and stability. This was an historic day for the Somaliland community.

Thanks were given to members of the Somaliland community in Sheffield who had helped to organise the petitions and to Councillors and Members of Parliament. The historical ties with Sheffield and other cities in the UK were

noted. Some of the early African settlers in Sheffield were from Somaliland. Somaliland was independent for a very short time at the end of British colonial rule in 1960 and was then joined with the former Italian colony of Somalia. It declared independence following the overthrow of Siad Barre in 1991. Since then, it had run its own affairs but without international recognition. It was hoped that this would be the start of recognition as a sovereign state by the UK.

The Leader of the Council, Councillor Julie Dore, spoke in response to the petitioners and all those who had addressed the Council meeting. Firstly, she thanked those who had attended the meeting and particularly people who had spoken. She welcomed the Ministers and UK Ambassador to Sheffield and people from the Somaliland community to the Town Hall. Councillor Dore stated that thousands of people from Somaliland had settled in Sheffield and it was especially pleasing to see the celebrations which were taking place in the Peace Gardens. Sheffield has always welcomed the Somaliland community.

In reference to international recognition of Somaliland, she understood that Somaliland was a self-declared, de facto autonomous state. The decision regarding the international recognition of Somaliland was a decision for the United Nations. The Council's role was to take part in making representations on behalf of its local community. The Council was supportive of the Somaliland community's cause and would make sure to forward the Motion at item 15 on the Summons to the relevant people, including the Foreign Secretary, as had been requested.

(b) Public Question Concerning Pay Negotiations

Josie Paszek made reference to public sector pay negotiations and stated that the Government had attempted to denigrate public sector workers. She stated that the cuts and pay freezes were being imposed at the same time as tax cuts were being given to millionaires. She asked if an update could be provided on the pay negotiations between the Council and the unions. She also asked about the impact of a proposal to cut the pay of other staff, including social workers.

Councillor Ben Curran, the Cabinet Member for Finance and Resources, responded that he agreed that the Government had made an attack on public sector workers. He referred to issues relating to pay in the wider public sector, including for NHS employees.

Negotiations were taking place with the trades unions and the principles for the negotiations included the national pay bargaining framework and the protection of jobs and protection of low paid workers. The Council had sought to protect incremental progression within a 4 year pay deal. The Council was a responsible employer and wished to remain an employer of choice. He stated that a workforce which was well looked after was ultimately better for services.

(c) Public Question Concerning Answers to Questions

Peter Hartley asked why he had not received written answers to his last two sets of questions to full Council.

In response, Councillor Julie Dore, the Leader of the Council, stated that she had asked the Cabinet Members to whom Mr Hartley's questions had been addressed and they had confirmed that written responses had been sent. She would make sure that another copy of the letters was sent to him.

(d) Public Question Concerning Libraries

Pauline Rosser stated that in the proposed cuts to libraries, it had been understood that changes would mainly affect branch libraries. However, she was aware that 35 posts were to go in the Central Library. She asked what services were being cut in the Central Library to allow for the reduction in staffing levels; and how can the central services provide support for the rest of the library system if it was losing so many staff?

Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion, responded that the Council was in the fourth year of budget cuts and jobs had been lost across the Council. £1.7 million savings were being made to the Libraries budget and the detail of the decision was available on the Council's website. Part of the saving was a reduction of 75 full time equivalent posts across the service.

(e) Public Question Concerning Stocksbridge Youth Centre

Lisa Banes referred to a rumour that the Stocksbridge Youth Centre was to close and asked if this was true. There was reference to closure of the Youth Centre in the minutes of a recent meeting of Stocksbridge Town Council. There was some confusion and young people were not certain whether or not the Youth Centre was open. She asked the Cabinet Member to clarify the matter.

Councillor Jackie Drayton, the Cabinet Member for Children, Young People and Families responded that, despite the cuts, through Sheffield Futures, the Council had managed to maintain certain services across the City and especially those for young people in Stocksbridge. There were sessions on Mondays and Tuesdays from 6pm until 8pm with a professional youth worker. Also, another voluntary youth organisation was delivering activities at the Youth Centre at other times during the week.

There had been damage to some windows at the Youth Centre and the windows had been boarded up, which might explain why some people believed it was closed.

Due to Government cuts to the budget the Council was under considerable financial pressure. It was working with partner organisations to maintain services, often in a different way and with a range of providers and wanted the Youth Centre in Stocksbridge to continue to be a resource for the area.

(f) Public Questions Concerning Council Funding and the 'City Centred Campaign'

Nigel Slack stated that at the turn of the year 2012/13, the Commons Political



and Constitutional Reform Committee produced a plan to give Councils throughout England a comprehensive and permanent solution to Council funding being used as a 'political football' by all parties when in Government. This was for a settlement based in law and therefore a permanent rebalancing of the relationship between Town Hall and Whitehall. At the time, the Leader supported the proposal in general, despite that she felt unable to offer the Council's support to the report, as the financial model was not sufficiently developed.

Mr Slack continued that the Council was being asked to support a plan, promulgated by the Mayor of London, for the 'City Centred campaign', which was, by its own admission, only a partial solution to the conundrum of English devolution, will be revenue neutral so will not address the under-funding of those areas with the greatest need and, since it suggests no legal framework for this fiscal model, will be just as vulnerable to changes in Government as the current arrangements.

He asked: (1) why is the Council backing this report and (2) why is the Council supporting a plan that will create an elite league of rich and powerful City Councils, whilst leaving their neighbours to 'wallow in the mud' of Central Government control.

Councillor Julie Dore, the Leader of the Council, stated that the issue of the City Centred campaign was also the subject of the Notice of Motion numbered 12 on the Council Summons. The Powerful Cities report not only concerned the campaign. It also recognised that the UK was centralised and the Core Cities performed below national averages. The vast majority of revenue from taxation went to central government and was then redistributed. The Core Cities had demonstrated that when this redistribution took place, it was done unfairly and did not recognise local need. It also put forward that cities should have some control of their own economic destiny. The Minister for Cities, Greg Clark MP had worked with the City Council in relation to the transfer of some powers, which represented small steps in the right direction. The City Deal was for the Sheffield City economic Region, which included 9 local authorities.

(g) Public Question Concerning the Police and Crime Commissioner

Nigel Slack stated that the Police and Crime Commissioner had been in post for some time and, presumably, the Scrutiny Panel has been meeting with him on a regular basis. He said that, throughout, there has been no report back from Councillors on that Panel as to the business conducted and how they have represented the public, at those meetings. He asked if that was ever likely to happen.

Councillor Harry Harpham, the Deputy Leader and Cabinet Member for Homes and Neighbourhoods, responded that the role of the Police and Crime Panel was quite different from that of the former Police Authority. The Panel's role was one of scrutiny and it had little direct power with respect to the Police and Crime Commissioner. The Panel had the power to veto the proposed precept and may make recommendations with regard to the proposed appointment of the Commissioner's Chief Executive. The Panel had relatively few other powers.

Rotherham Borough Council was the local authority in South Yorkshire with responsibility for the administration of the Police and Crime Panel and details such as agenda documents and independent and elected Panel Members, including their interests, were available to view on Rotherham Borough Council's website.

Sheffield City Council meetings included an agenda item giving the opportunity for Members' questions on such matters. The Government established the Police and Crime Commissioner model and the Commissioner was directly accountable to the electorate, which would have the opportunity to judge them at the end of their term of office. This represented a shift of power from the previous Police Authority model. Councillor Harpham suggested that if people had questions, they should contact him or one of the other members of the Police and Crime Panel.

(h) Public Questions Concerning Tenants and Residents Participation

Martin Brighton asked the following questions:

- 1 Does this Council believe that it is respecting democracy at its lowest practicable level when volunteer residents who are also levy payers, and who are elected to a Tenants and Residents Association (TARA) committee and also to represent a tenant and resident community, are excluded from sitting on the Council's various city-wide tenant and resident management groups?
- 2 If the new Council housing consultations are claimed by the Council to be tenant-led, and residents are to be excluded from their previously held equivalent positions as described above, does this Council believe it is respectful of tenants if any elected member driving the Council's agenda can also be a resident?
- 3 There are volunteer residents, often past tenants, who have given decades of service to their community via their respective TARAs, to the extent that several TARAs would have folded long ago but for their dedication. What does it say about this Council when those residents are to be excluded from the same level of engagement, and to the serious detriment of their communities?
- 4 Will this Council please provide an explanation as to why it refuses to allow the District Auditor to inspect the books of a TARA, when such an action would show once and for all that, even as publicly admitted by this Council, there is no evidence whatsoever to justify the allegations made against the TARA.
- 5 Does this Council have any plans, however tentative, for the management of, or which effect in any way, TARAs – that it has not yet shared with TARAs – and if so, what are these plans?

Councillor Harry Harpham, the Deputy Leader and Cabinet Member for Homes and Neighbourhoods, responded to the questions.

He stated that the newly established Housing and Neighbourhood Advisory Panel would be limited to tenants and leaseholders. These were the people that paid rent and which funded housing services. It was right that those people should be the decision makers. There were many opportunities for citizens to get involved in other aspects of service delivery.

If there are any concerns about the conduct of an elected Member, these should be brought to the attention of the appropriate officer and the matter would be investigated. If there were concerns about the service not meeting the required standard, these should be brought to the attention of the Housing Ombudsman.

There was currently a review of the Recognition Policy and the Council was talking to partners and others. The review is ongoing and when there is more detail, the Council will speak with the TARAs, tenants and others.

4.4 Petition Requesting a Pedestrian Crossing on Beech Hill Road/Glossop Road

The Council received an electronic petition containing five signatures requesting a pedestrian crossing on Beech Hill Road/Glossop Road.

The Council referred the petition to Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development.

4.5 Order of Business

In accordance with the Council Procedure Rule 9.1, the order of business as published on the Council Summons was altered and item 15, the Notice of Motion given by Councillor Mohammad Maroof concerning Somaliland, was taken as the next item of business.

**5. NOTICE OF MOTION GIVEN BY COUNCILLOR MOHAMMAD MAROOF**

**Somaliland – Campaign for Sovereign State Recognition**

**RESOLVED:** On the Motion of Councillor Mohammad Maroof, seconded by Councillor Ben Curran, that this Council:-

- (a) notes that thousands of people from Somaliland live in Sheffield and recognise and appreciate the important contribution they make to the City and the close ties Sheffield has with Somaliland;
- (b) supports the Somaliland community in Sheffield and their campaign to have Somaliland recognised as a sovereign state and gain a seat in the UN, with reasons for recognition including:
  - (i) the Somaliland government believes that recognition would entrench

- democracy in the Horn of Africa;
- (ii) recognising Somaliland will aim to strengthen cooperation in the fight against terrorism, extremism, piracy, illegal fishing, toxic dumping, and other serious crimes; and
  - (iii) the marketing of Somaliland as a safe tourist destination, primarily cultural and eco-tourism could also emerge as an important segment of the Somaliland economy;
- (c) notes that since 1991 Somaliland have had a democratically elected Government and President, in this time there have been 4 elections and changes of president, it looks after international waters with no piracy, it has opposition parties and is not a recipient of international aid;
- (d) believes that recognition will help to bring about stability in Somaliland, creating a situation where people can live in peace and harmony with the support of the International Community, and that recognition would bring international banks, jobs and finance;
- (e) welcomes the support for this campaign by local MP's Paul Blomfield and Clive Betts and the work they are doing with the Cross Party Somaliland Group and would encourage other local MP's to also support this Group; and
- (f) calls upon the Government to recognise Somaliland as an independent state and to encourage other Governments around the world to do the same.

(Note: Councillor Trevor Bagshaw abstained from voting on the above Motion and asked for this to be recorded.)

## **6. MEMBERS' QUESTIONS**

### Urgent Business

- 6.1 There was one item of urgent business asked by Councillor Shaffaq Mohammed and answered by Councillor Julie Dore (The Leader of the Council) under the provisions of Council Procedure Rule 16.6 (ii) and concerning the Syrian Refugee Programme.

### 6.2 Questions

A schedule of questions to Cabinet Members, submitted in accordance with Council Procedure Rule 16, and which contained written answers, was circulated and supplementary questions under the provisions of Council Procedure Rule 16.4 were asked and were answered by the appropriate Cabinet Members.

### 6.3 South Yorkshire Joint Authorities

Pursuant to Council Procedure Rule 16.7 relating to the time period allocated for Members' questions, the item concerning Questions on the Joint Authorities was not considered.

**7. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES**

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Gill Furniss, that this Council notes that the Senior Officer Employment Committee, at its meeting held on 14 March 2014, appointed Mr Antony Hughes to the post of Children's Commissioner for Sheffield.

**8. CHANGES TO THE CONSTITUTION**

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Gill Furniss, that this Council adopts the changes to Parts 4, 5 and 7 of the Council's Constitution, as set out in the report of the Chief Executive now submitted and Appendices 1 to 4, and notes the minor/consequential changes to the Constitution made by the Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, outlined at section 4 of the report and Appendices 5 and 6.

**9. NOTICE OF MOTION GIVEN BY COUNCILLOR LEIGH BRAMALL**

**Fixed Odds Betting Terminals**

It was moved by Councillor Leigh Bramall, seconded by Councillor Sioned-Mair Richards, that this Council:-

- (a) is concerned that the clustering of betting shops in or close to deprived communities is being driven by increasing revenue from fixed odds betting terminals (FOBT) rather than traditional over the counter betting and recognises that this is an issue facing Sheffield and many other towns and cities across the country;
- (b) believes that this has encouraged betting shop operators to open more than one premises in close proximity to one another;
- (c) is aware of the growing concern of many communities about the detrimental effect this is having on the diversity and character of UK high streets;
- (d) is alarmed that people can stake as much as £100 every 20 seconds on these machines;
- (e) is further concerned that the practice of single staffing in betting shops leaves staff vulnerable and deters them from intervening if customers suffer

heavy losses;

- (f) further believes that local authorities should be able to establish a separate planning class for betting shops and that they should be given additional licensing powers to determine the number of FOBT machines within existing and proposed shops and to require that the machines are modified to slow the rate of play and to interrupt when people play for long periods; and
- (g) calls on the Government to put local people before the interests of the betting shop operators and give local authorities the powers they need to respond to concerns from their local communities and stop the proliferation of FOBT machines and betting shops.

Whereupon, it was moved by Councillor Andrew Sangar, seconded by Councillor Shaffaq Mohammed, as an amendment, that the Motion now submitted be amended by:-

1. the re-lettering of paragraphs (b) to (f) as new paragraphs (d) to (h) and paragraph (g) as a new paragraph (j); and
2. the addition of new paragraphs (b), (c) and (i) as follows:-
  - (b) believes this is a direct consequence of the Gambling Act 2005, introduced by the last Government, which removed the need for operators to prove unmet demand;
  - (c) notes the comments of the Labour MP, Tom Watson, who stated the Labour Party 'dropped the ball' over the 2005 Gambling Act;
  - (i) therefore welcomes the motion passed by the Liberal Democrat Conference in September 2013 on High Street Gambling, which called for a separate planning use class for betting shops;

On being put to the vote, the amendment was negatived.

(Note: Councillors Jillian Creasy and Robert Murphy voted for Paragraph (b) and abstained on Paragraphs (c) and (i) of the above amendment and asked for this to be recorded.)

Whereupon, it was moved by Councillor Jillian Creasy, seconded by Councillor Robert Murphy, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (h) and (i) as follows:-

- (h) notes the proposal for a separate use class for betting shops made by Hackney Council under the Sustainable Communities Act, which has been supported by 62 other councils, the Greater London Authority and the Local Government Association and which is currently being considered by Government;

- (i) therefore also calls on the Secretary of State for Communities and Local Government, The Rt. Hon. Eric Pickles MP, to agree to this proposal and directs that a copy of this motion be forwarded to him and to Local Works who are orchestrating this aspect of the campaign to control betting shops.

On being put to the vote, the amendment was carried.

After a Right of Reply by Councillor Leigh Bramall the original Motion, as amended, was put as a Substantive Motion in the following form and carried:-

**RESOLVED:** That this Council:-

- (a) is concerned that the clustering of betting shops in or close to deprived communities is being driven by increasing revenue from fixed odds betting terminals (FOBT) rather than traditional over the counter betting and recognises that this is an issue facing Sheffield and many other towns and cities across the country;
- (b) believes that this has encouraged betting shop operators to open more than one premises in close proximity to one another;
- (c) is aware of the growing concern of many communities about the detrimental effect this is having on the diversity and character of UK high streets;
- (d) is alarmed that people can stake as much as £100 every 20 seconds on these machines;
- (e) is further concerned that the practice of single staffing in betting shops leaves staff vulnerable and deters them from intervening if customers suffer heavy losses;
- (f) further believes that local authorities should be able to establish a separate planning class for betting shops and that they should be given additional licensing powers to determine the number of FOBT machines within existing and proposed shops and to require that the machines are modified to slow the rate of play and to interrupt when people play for long periods;
- (g) calls on the Government to put local people before the interests of the betting shop operators and give local authorities the powers they need to respond to concerns from their local communities and stop the proliferation of FOBT machines and betting shops;
- (h) notes the proposal for a separate use class for betting shops made by Hackney Council under the Sustainable Communities Act, which has been supported by 62 other councils, the Greater London Authority and the Local Government Association and which is currently being considered by Government; and
- (i) therefore also calls on the Secretary of State for Communities and Local

Government, The Rt. Hon. Eric Pickles MP, to agree to this proposal and directs that a copy of this motion be forwarded to him and to Local Works who are orchestrating this aspect of the campaign to control betting shops.

**10. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE**

**Business Support and Economic Development**

It was moved by Councillor Julie Dore, seconded by Councillor Isobel Bowler, that this Council:-

- (a) continues to support the priorities of the present Administration of focusing on jobs and being a business friendly Council;
- (b) welcomes the recent success of the city being named in the Financial Times' FDI Magazine's top 10 northern European cities for foreign direct investment and Breeze Investment recognising Sheffield as its 'location of the year 2013';
- (c) welcomes the Administration building on this momentum by announcing the creation of a Sheffield city centre investment fund for the Council to bring forward major regeneration projects in the city centre, including a new retail quarter, in an innovative partnership with private sector investment partners;
- (d) further welcomes existing business-focused policies from the present Administration to grow the local economy, particularly small and medium enterprises, through initiatives such as the Keep Sheffield Working Fund, which has funded:
  - (i) RISE Graduate Programme
  - (ii) Export Pilot Project
  - (iii) Threshold Company Programme
  - (iv) Summer Saturday's
  - (v) Business Loan Fund
  - (vi) Work Programme Start Up Project
- (e) welcomes recent analysis that shows the Keep Sheffield Working Fund has:
  - (i) supported over 90 businesses, due to increase to 130 by the end of December 2014;
  - (ii) seen £740,000 invested into supporting business growth and job creation, of which £342,500 has been direct investment into small and medium sized enterprises (SMEs) to support companies' growth or export plans;



- (iii) supported companies to extend trade relationships to 17 different countries;
  - (iv) levered in a further £2,110,000 funding from the initial £800,000 investment through partners and private sector match, and that this will increase to an estimated £2,300,000 by December 2015; and
  - (v) seen the Fund on target to deliver 86 jobs over the course of the project's life;
- (f) therefore welcomes that a further £200,000 has been allocated to the Keep Sheffield Working Fund to continue supporting local businesses and economic development;
- (g) welcomes the work of the present Administration to continue to support Sheffield's Events Programme, despite the unprecedented level of cuts that the Government is making to the Council's budget, thereby making it increasingly difficult to support city centre vibrancy and the considerable economic benefits this brings;
- (h) welcomes the Sheffield Events Programme 2014 and recognises the estimated economic benefit of some of the events on the local economy including:
- (i) Sports events, including British Indoor Athletics, British University and College Sport Finals £4m
  - (ii) World Snooker £1.9m
  - (iii) Sheffield Doc Fest £1.2m
  - (iv) Tramlines £443k
  - (v) Off The Shelf £119k
- (i) welcomes the £270,000 cultural destinations funding from Arts Council England to improve the profile and economic impact of 5 key cultural events (Art Sheffield, Doc Fest, Off the Shelf, Tramlines and Festival of the Mind);
- (j) welcomes the current Administration's role, along with partners, in bringing the Tour de France to Sheffield this year and notes that this will bring significant benefits to the local economy both in 2014 and in years to come; and
- (k) resolves to continue to take proactive action to build a strong economy in the city, welcoming recent developments around the Keep Sheffield Working Fund and Events Programme, and looks forward to the International Trade Strategy, to further drive economic growth, being submitted to the Cabinet in April.

Whereupon, it was moved by Councillor Shaffaq Mohammed, seconded by Councillor Colin Ross, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraphs (a) and (e) to (k);
2. the re-lettering of paragraphs (b) to (d) as new paragraphs (c) to (e); and
3. the addition of new paragraphs (a) and (b) and (f) to (j) as follows:-
  - (a) praises the action of the previous Administration, which took Sheffield – in the words of local businesses – from “the worst place to do business in South Yorkshire to the best”;
  - (b) underlines the importance of the Council continuing to work by the business-friendly principles introduced by the previous Administration;
  - (f) however, regrets that the actions of the current Administration do not live up to their rhetoric and notes the following as examples of the anti-business sentiments held by members of the ruling group:
    - (i) rejecting a proposal by NEXT to locate a new department store in Sheffield;
    - (ii) providing a lukewarm reception to the proposal for an IKEA superstore;
    - (iii) failing to hold the full MADE entrepreneur festival in 2013;
    - (iv) introducing city-centre parking charges on evening and Sundays, which was opposed by many city-centre retailers;
    - (v) ignoring appeals from traders in Millhouses for additional parking over the Christmas period; and
    - (vi) a bizarre attempt to ban ice cream vans more than 5 years old;
  - (g) believes these examples have helped contribute to the following comments made by businesses that Sheffield City Council is:
    - (i) “closing its doors” to business;
    - (ii) “out of touch with the business reality of the 21st Century”; and
    - (iii) “killing us”;
  - (h) in contrast endorses the action that Liberal Democrats in Government have helped to secure to support Sheffield businesses, including:
    - (i) providing business rate discounts and enhanced capital allowances in Enterprise Zones;
    - (ii) cutting National Insurance contributions to give businesses an ‘employment allowance’ of £2,000;
    - (iii) supporting businesses to take on apprenticeships through the Apprenticeship Grants scheme;

- (iv) capping business rates at Consumer Price Index (CPI) in 2014 and providing new rebates and discounts;
- (v) reducing business energy costs by freezing the Carbon Price Support rate and giving special help to companies who are 'energy intensive';
- (vi) doubling the amount of money that companies can set off against tax for investing in new equipment; and
- (vii) reducing corporation tax to 20%;
- (i) furthermore, thanks the Government for enabling £30 million of investment to allow the New Retail Quarter to proceed but regrets that so little progress has been made in the past year by the current Administration;
- (j) implores the Administration to drop their anti-business attitude and work towards a genuinely business-friendly Council.

On being put to the vote, the amendment was negated.

After a Right of Reply by Councillor Julie Dore, the original Motion was then put to the vote and carried, as follows:-

**RESOLVED:** That this Council:-

- (a) continues to support the priorities of the present Administration of focusing on jobs and being a business friendly Council;
- (b) welcomes the recent success of the city being named in the Financial Times' FDI Magazine's top 10 northern European cities for foreign direct investment and Breeze Investment recognising Sheffield as its 'location of the year 2013';
- (c) welcomes the Administration building on this momentum by announcing the creation of a Sheffield city centre investment fund for the Council to bring forward major regeneration projects in the city centre, including a new retail quarter, in an innovative partnership with private sector investment partners;
- (d) further welcomes existing business-focused policies from the present Administration to grow the local economy, particularly small and medium enterprises, through initiatives such as the Keep Sheffield Working Fund, which has funded:
  - (i) RISE Graduate Programme
  - (ii) Export Pilot Project
  - (iii) Threshold Company Programme
  - (iv) Summer Saturday's
  - (v) Business Loan Fund
  - (vi) Work Programme Start Up Project

- (e) welcomes recent analysis that shows the Keep Sheffield Working Fund has:
  - (i) supported over 90 businesses, due to increase to 130 by the end of December 2014;
  - (ii) seen £740,000 invested into supporting business growth and job creation, of which £342,500 has been direct investment into small and medium sized enterprises (SMEs) to support companies' growth or export plans;
  - (iii) supported companies to extend trade relationships to 17 different countries;
  - (iv) levered in a further £2,110,000 funding from the initial £800,000 investment through partners and private sector match, and that this will increase to an estimated £2,300,000 by December 2015; and
  - (v) seen the Fund on target to deliver 86 jobs over the course of the project's life;
- (f) therefore welcomes that a further £200,000 has been allocated to the Keep Sheffield Working Fund to continue supporting local businesses and economic development;
- (g) welcomes the work of the present Administration to continue to support Sheffield's Events Programme, despite the unprecedented level of cuts that the Government is making to the Council's budget, thereby making it increasingly difficult to support city centre vibrancy and the considerable economic benefits this brings;
- (h) welcomes the Sheffield Events Programme 2014 and recognises the estimated economic benefit of some of the events on the local economy including:
  - (i) Sports events, including British Indoor Athletics, British University and College Sport Finals £4m
  - (ii) World Snooker £1.9m
  - (iii) Sheffield Doc Fest £1.2m
  - (iv) Tramlines £443k
  - (v) Off The Shelf £119k
- (i) welcomes the £270,000 cultural destinations funding from Arts Council England to improve the profile and economic impact of 5 key cultural events (Art Sheffield, Doc Fest, Off the Shelf, Tramlines and Festival of the Mind);
- (j) welcomes the current Administration's role, along with partners, in bringing the Tour de France to Sheffield this year and notes that this will bring significant benefits to the local economy both in 2014 and in years to come;

and

- (k) resolves to continue to take proactive action to build a strong economy in the city, welcoming recent developments around the Keep Sheffield Working Fund and Events Programme, and looks forward to the International Trade Strategy, to further drive economic growth, being submitted to the Cabinet in April.

(Note: Councillors Simon Clement-Jones, Shaffaq Mohammed, Robert Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Keith Hill, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Bob McCann, Anders Hanson, Katie Condliffe, David Baker and Trevor Bagshaw voted for Paragraphs (b), (c), (d), (h), (i), (j) and against Paragraphs (a), (e), (f), (g) and (k) of the Motion and asked for this to be recorded.)

## **11. NOTICE OF MOTION GIVEN BY COUNCILLOR COLIN ROSS**

### **Apprenticeships**

It was moved by Councillor Colin Ross, seconded by Councillor Andrew Sangar, that this Council:-

- (a) believes that apprenticeships are one of the best ways to support young people in long-term careers;
- (b) is proud that Liberal Democrats have campaigned for better apprenticeships in Government and highlights that one of the first acts of this Government was to increase spending on apprenticeships by £250 million – a 50% increase on the previous Government's commitments;
- (c) notes that under this Government the number of people starting apprenticeships in Sheffield has increased by 54%;
- (d) welcomes the latest announcements set out in the Budget, which will help to create another 100,000 apprenticeships, including the extension of the Apprenticeship Grants for Employers scheme;
- (e) is pleased that a radical apprenticeship programme forms part of the Sheffield City Deal pioneered by Nick Clegg MP and welcomes the further allocation of £5 million to support apprenticeships in Sheffield City Region through the Youth Contract;
- (f) expresses extreme concern at the Labour Party policy review paper which argued that Intermediate Apprenticeships (level two) are 'of no value to either employers or learners', and also claimed scrapping them 'would minimise deadweight';
- (g) notes that 3,200 young people in Sheffield are on level two apprenticeships

and is appalled that Labour Party documents have branded these 'deadweight';

- (h) fears that under a Labour Government level two apprenticeships could be scrapped, resulting in the loss of almost 60% of apprenticeships in Sheffield; and
- (i) is committed to supporting young people into work, underlines the importance of apprenticeships and calls on Labour politicians to apologise for these crass and uninformed comments.

Whereupon, it was moved by Councillor Leigh Bramall, seconded by Councillor Chris Rosling-Josephs, as an amendment, that the Motion now submitted be amended by the deletion of paragraphs (b) to (i) and the addition of new paragraphs (b) to (j) as follows:-

- (b) therefore welcomes the record of the present Administration in ensuring that Sheffield has the best record of apprenticeships of all the Core Cities and notes recent figures for the Core Cities are as follows:

•	Sheffield	7.8%
•	Liverpool	5.6%
•	Nottingham	5.2%
•	Leeds	5.0%
•	Bristol	4.9%
•	Newcastle	3.5%
•	Manchester	2.5%
•	Birmingham	2.4%

- (c) believes that the commitment to apprenticeships made by the present Administration has played a significant role in helping to achieve this success with policies such as:
  - (i) a One Hundred Apprenticeship Programme for young people furthest from the jobs market which has now operated successfully for three years;
  - (ii) a locally developed Skills Made Easy apprenticeship programme, which this Council played a key role in designing, that seeks to create 4000 additional apprenticeships across the Sheffield City Region and uniquely puts the purchasing power for skills in the hands of business, thereby meeting the needs of the local economy, young people and the business community far better than national programmes;
  - (iii) the RISE graduate internship programme, which encourages small and medium sized enterprises (SMEs) to take on graduates; and
  - (iv) piloting a recent hugely successful Employment and Skills event that has matched young people with real jobs and advice on apprenticeships and other training offers;

- (d) recalls that when the present Administration first introduced the Sheffield Apprenticeship Programme, the former Leader of the Council publically criticised the scheme in a local business magazine;
- (e) remembers the previous Administration's appalling record at tackling youth unemployment and particularly the broken promise made by the previous Leader of the Council who publically pledged to commit £1 million of Council funding to the previous Government's Future Jobs Fund, only to scrap this commitment;
- (f) reiterates its opposition to the Liberal Democrat complicity in abolishing the previous Government's Future Jobs Fund;
- (g) notes with interest the article on the respected Channel 4 Fact Check Website entitled "Factcheck: Lib Dem spin out of control on apprenticeships";
- (h) notes that the Factcheck article states "There is no suggestion in the paper that a Labour government should scrap the funding for people who want to do the equivalent of an intermediate qualification. This would simply be an exercise in rebranding.

It also specifically says a Labour government should not do what is set out in that Lib Dem bar chart and just axe the intermediate apprenticeship overnight.

The report states: 'These measures would inevitably lead to a dramatic fall in apprenticeship numbers if introduced suddenly. Employers and providers should therefore be given time to improve the quality of their apprenticeships over an agreed period.'";

- (i) is appalled at Liberal Democrat attempts to scaremonger and notes that the Factcheck article states "Another piece of mischief here is the use of the word "deadweight" in the press release, as though Labour are saying the people doing those apprenticeships are a weight dragging on society. In policy circles, deadweight or "additionality" is simply a technical term for 'what would have happened anyway if we had done nothing'."; and
- (j) believes that the motion is attempting to mislead the Council, for which the mover of the motion should apologise, and furthermore, that the main opposition group are equally as untrustworthy as the Leader of the Liberal Democrat Party and considers that this is just a latest example of what the Deputy Prime Minister meant when he said "read the small print" when trying to explain Liberal Democrat literature.

On being put to the vote, the amendment was carried.

Whereupon, it was moved by Councillor Joe Otten, seconded by Councillor Shaffaq Mohammed, as an amendment, that the Motion now submitted be

amended by the re-lettering of paragraphs (h) and (i) as new paragraphs (i) and (j) and the addition of a new paragraph (h) as follows:-

- (h) furthermore, notes that 90% of young people that passed through the Sheffield Apprenticeship Programme completed Level 2 qualifications and regrets that a Labour policy review is in effect rubbishing this important local scheme;

On being put to the vote the amendment was negatived.

The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

**RESOLVED:** That this Council:-

- (a) believes that apprenticeships are one of the best ways to support young people in long-term careers;
- (b) therefore welcomes the record of the present Administration in ensuring that Sheffield has the best record of apprenticeships of all the Core Cities and notes recent figures for the Core Cities are as follows:
- Sheffield 7.8%
  - Liverpool 5.6%
  - Nottingham 5.2%
  - Leeds 5.0%
  - Bristol 4.9%
  - Newcastle 3.5%
  - Manchester 2.5%
  - Birmingham 2.4%
- (c) believes that the commitment to apprenticeships made by the present Administration has played a significant role in helping to achieve this success with policies such as:
- (i) a One Hundred Apprenticeship Programme for young people furthest from the jobs market which has now operated successfully for three years;
  - (ii) a locally developed Skills Made Easy apprenticeship programme, which this Council played a key role in designing, that seeks to create 4000 additional apprenticeships across the Sheffield City Region and uniquely puts the purchasing power for skills in the hands of business, thereby meeting the needs of the local economy, young people and the business community far better than national programmes;
  - (iii) the RISE graduate internship programme, which encourages small and medium sized enterprises (SMEs) to take on graduates; and



- (iv) piloting a recent hugely successful Employment and Skills event that has matched young people with real jobs and advice on apprenticeships and other training offers;
- (d) recalls that when the present Administration first introduced the Sheffield Apprenticeship Programme, the former Leader of the Council publically criticised the scheme in a local business magazine;
- (e) remembers the previous Administration's appalling record at tackling youth unemployment and particularly the broken promise made by the previous Leader of the Council who publically pledged to commit £1 million of Council funding to the previous Government's Future Jobs Fund, only to scrap this commitment;
- (f) reiterates its opposition to the Liberal Democrat complicity in abolishing the previous Government's Future Jobs Fund;
- (g) notes with interest the article on the respected Channel 4 Fact Check Website entitled "Factcheck: Lib Dem spin out of control on apprenticeships";
- (h) notes that the Factcheck article states "There is no suggestion in the paper that a Labour government should scrap the funding for people who want to do the equivalent of an intermediate qualification. This would simply be an exercise in rebranding.  
  
It also specifically says a Labour government should not do what is set out in that Lib Dem bar chart and just axe the intermediate apprenticeship overnight.  
  
The report states: 'These measures would inevitably lead to a dramatic fall in apprenticeship numbers if introduced suddenly. Employers and providers should therefore be given time to improve the quality of their apprenticeships over an agreed period.'";
- (i) is appalled at Liberal Democrat attempts to scaremonger and notes that the Factcheck article states "Another piece of mischief here is the use of the word "deadweight" in the press release, as though Labour are saying the people doing those apprenticeships are a weight dragging on society. In policy circles, deadweight or "additionality" is simply a technical term for 'what would have happened anyway if we had done nothing'."; and
- (j) believes that the motion is attempting to mislead the Council, for which the mover of the motion should apologise, and furthermore, that the main opposition group are equally as untrustworthy as the Leader of the Liberal Democrat Party and considers that this is just a latest example of what the Deputy Prime Minister meant when he said "read the small print" when trying to explain Liberal Democrat literature.

(Note: Councillors Jillian Creasy and Robert Murphy voted for Paragraphs (a), (b)

and (c) and abstained on Paragraphs (d) to (j) of the Substantive Motion and asked for this to be recorded.)

## **12. NOTICE OF MOTION GIVEN BY COUNCILLOR BEN CURRAN**

### **Cost of Living**

It was moved by Councillor Ben Curran, seconded by Councillor Adam Hurst, that this Council:-

- (a) believes that the recent budget proves that Sheffield people are worse off under the current government who are taking no action to deal with the cost-of-living crisis;
- (b) regrets that wages are down £1,600 a year since Nick Clegg MP became Deputy Prime Minister;
- (c) notes that the Office of Budget Responsibility have confirmed that people will be worse off in 2015 than they were in 2010 and energy bills are up by almost £300 since Nick Clegg MP became Deputy Prime Minister;
- (d) regrets the Government of which Nick Clegg MP is Deputy Prime Minister has overseen the slowest recovery for 100 years and acknowledges that Italy is the only G7 country to recover at a slower rate than the UK;
- (e) regrets that George Osborne MP has borrowed more since becoming Chancellor than Labour did in 13 years of Government
- (f) is alarmed that that the Government has forecast to borrow over £190 billion more than it initially planned;
- (g) completely condemns the decision taken by the Government, including the Deputy Prime Minister, to cut the top rate of tax for people earning over £150,000;
- (h) believes Sheffield needs a Labour Government which will:
  - (i) freeze energy bills until 2017 and reform the broken energy market;
  - (ii) put young people back to work, with a job the young unemployed have to take – paid for by a tax on bank bonuses;
  - (iii) expand free childcare for working parents to 25 hours a week for 3 and 4 year olds;
  - (iv) cut taxes for 24 million working people on middle and low incomes with a lower 10p starting rate of income tax;

- (v) cut business rates for small firms and a plan to get 200,000 homes built a year by 2020; and
- (vi) balance the books in a fairer way by reversing the £3 billion tax cut for people earning over £150,000;
- (i) specifically supports the policy of taxing bank bonuses to put young people back to work;
- (j) is appalled at the recent Conservative Party poster from the budget which states that “Cutting the Bingo Tax & Beer Duty: To help Hardworking People Do More Of The Things They Enjoy” and believes that this is just the latest example of how out of touch this Government is; and
- (k) believes this is reminiscent of reported comments by a Government minister three years ago that “We don’t want more people from Sheffield flying away on cheap holidays.”, and believes it is unbelievable that these ministers are only able to continue in Government because of the support of Nick Clegg MP.

Whereupon, it was moved by Councillor Roger Davison, seconded by Councillor Penny Baker, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the substitution of the following words therefor:-

- (a) recalls the record of the last Government who built up a record deficit year-on-year from 2001 onwards and oversaw the biggest collapse in this country’s economy in recent memory;
- (b) notes that the Organisation for Economic Co-operation and Development (OECD) now expects the UK economy to grow faster than any other G7 economy in the first six months of this year and believes that Liberal Democrats in Government have been crucial in securing this economic recovery;
- (c) furthermore notes figures from the Office of National Statistics that demonstrate that the number of people claiming jobseekers allowance has fallen for the fifteenth consecutive month;
- (d) asks Members to consider the following facts:
  - (i) Employment – May 2010: 28.93 million; Now: 30.15 million; Result: 1.22 million more people in work;
  - (ii) Unemployment – May 2010: 7.9%; Now: 7.2%; Result: 0.7% reduction in unemployment; and
  - (iii) Inflation – May 2010: 3.4%; Now: 1.7%; Result: Inflation halved;
- (e) contrasts the wild predictions of Labour politicians with the economic reality of the country;

- (i) STATEMENT – The Rt. Hon. Ed Miliband MP: [The Government] have a programme which will lead to the disappearance of a million jobs; REALITY – More than one million more people in work than 2010;
- (ii) STATEMENT – The Rt. Hon. Ed Balls MP: [The Government] have turned Britain’s recovery into ... a deep and deepening recession; REALITY – OECD expects the UK economy to grow faster than any other G7 economy in the first six months of this year; and
- (iii) STATEMENT – Councillor Julie Dore: [Government policies] will contribute to the break-up of civil society if we do not turn back; REALITY – State of Sheffield Report 2013 claims “It is widely argued that the look and feel of the city, and its quality of life and place has never been stronger for many people”;
- (f) recognises that as a result of the massive economic crash this country faced, many families have seen their household budgets stretched and continue to struggle to make ends meet;
- (g) therefore welcomes the action of this Government and believes Liberal Democrats in Government have been vital in securing policies to support local people with the cost of living, including:
  - (i) giving 24 million ordinary workers an £800 tax cut;
  - (ii) increasing the state pension by £650 thanks to the ‘triple lock’;
  - (iii) supporting Council Tax freezes, saving the average Sheffield household £185 this year;
  - (iv) delivering an average saving of £50 on household energy bills;
  - (v) freezing fuel duty, saving motorists £170 per year;
  - (vi) introducing 15 hours free childcare for disadvantaged two-year-olds; and
  - (vii) delivering free school meals for all infant pupils from this September;
- (h) contrasts this action with the appalling record of the last Government, who:
  - (i) scrapped the 10p tax, leaving half a million of the lowest paid workers worse off; and
  - (ii) increased the state pension by an insulting 75p;
- (i) notes that British workers – excluding the richest 10% – saw their take-home pay rise in real terms in the past year;
- (j) furthermore welcomes news that inflation has fallen again to 1.7%, the lowest level for four years, and confirms that this could not have been achieved without tough action on the massive deficit that the last Government left behind; and

- (k) notes that the national Labour Party has changed its policy on bankers' bonuses on a staggering eleven occasions since 2011 and believes this confirms their complete ineptitude.

On being put to the vote, the amendment was negated.

The original Motion was then put to the vote and carried, as follows:-

**RESOLVED:** That this Council:-

- (a) believes that the recent budget proves that Sheffield people are worse off under the current government who are taking no action to deal with the cost-of-living crisis;
- (b) regrets that wages are down £1,600 a year since Nick Clegg MP became Deputy Prime Minister;
- (c) notes that the Office of Budget Responsibility have confirmed that people will be worse off in 2015 than they were in 2010 and energy bills are up by almost £300 since Nick Clegg MP became Deputy Prime Minister;
- (d) regrets the Government of which Nick Clegg MP is Deputy Prime Minister has overseen the slowest recovery for 100 years and acknowledges that Italy is the only G7 country to recover at a slower rate than the UK;
- (e) regrets that George Osborne MP has borrowed more since becoming Chancellor than Labour did in 13 years of Government
- (f) is alarmed that that the Government has forecast to borrow over £190 billion more than it initially planned;
- (g) completely condemns the decision taken by the Government, including the Deputy Prime Minister, to cut the top rate of tax for people earning over £150,000;
- (h) believes Sheffield needs a Labour Government which will:
- (i) freeze energy bills until 2017 and reform the broken energy market;
  - (ii) put young people back to work, with a job the young unemployed have to take – paid for by a tax on bank bonuses;
  - (iii) expand free childcare for working parents to 25 hours a week for 3 and 4 year olds;
  - (iv) cut taxes for 24 million working people on middle and low incomes with a lower 10p starting rate of income tax;
  - (v) cut business rates for small firms and a plan to get 200,000 homes built a year by 2020; and

- (vi) balance the books in a fairer way by reversing the £3 billion tax cut for people earning over £150,000;
- (i) specifically supports the policy of taxing bank bonuses to put young people back to work;
- (j) is appalled at the recent Conservative Party poster from the budget which states that “Cutting the Bingo Tax & Beer Duty: To help Hardworking People Do More Of The Things They Enjoy” and believes that this is just the latest example of how out of touch this Government is; and
- (k) believes this is reminiscent of reported comments by a Government minister three years ago that “We don’t want more people from Sheffield flying away on cheap holidays.”, and believes it is unbelievable that these ministers are only able to continue in Government because of the support of Nick Clegg MP.

(Note: Councillors Jillian Creasy and Robert Murphy voted for Paragraph (g) and abstained on Paragraphs (a) to (f) and (h) to (k) of the Motion and asked for this to be recorded.)

### 13. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE

#### **City Centred Campaign for Decentralised Fiscal Reform**

**RESOLVED:** On the Motion of Councillor Julie Dore, seconded by Councillor Jackie Drayton, that this Council:-

- (a) notes that English cities have a proud tradition of independence, ambition and innovation, but that the ability of cities to act on their ambition is undermined by the high levels of central Government control over public finances, which is out of step with international comparisons and constrains their ability to drive economic growth or meet local need;
- (b) believes that major cities worldwide outperform their national economies, but that in England only the capital city is consistently able to achieve this;
- (c) confirms that there is robust international evidence to show that cities with more local control over funding and policy achieve better economic results;
- (d) regrets that English cities have control over a very small share of their funding when compared to their international counterparts, with direct control over as little as 5% of the taxes raised within them and restrictions on how funding can be spent;
- (e) believes that in order to drive national economic growth and to remain competitive on a global stage, cities require the freedom to invest in the levers of growth;

- (f) further believes that the current situation for cities leads to inefficient use of public money and missed opportunities for local reforms of the public sector and for national economic growth;
- (g) notes that together the Core Cities and London represent more than half of the national economy and almost half of the population;
- (h) believes that the devolution of financial freedoms would enable cities to be more competitive and would incentivise cities to drive growth, increase job creation, reduce dependency and improve lives;
- (i) welcomes that the Core Cities Group, London Councils and Mayor of London have jointly launched a City Centred campaign to call for decentralised fiscal reform, beginning with the devolution of property taxes, in order to enable cities to drive economic growth; and
- (j) resolves to endorse and support the City Centred Campaign and to continue to call for the devolution of increased fiscal controls to the Core Cities and London, starting with the implementation of the London Finance Commission recommendations.

(Note: Councillors Jillian Creasy and Robert Murphy voted for Paragraphs (a) to (h) and abstained on Paragraphs (i) and (j) of the Motion and asked for this to be recorded.)

#### **14. NOTICE OF MOTION GIVEN BY COUNCILLOR ANDREW SANGAR**

##### **Shared Services**

It was moved by Councillor Andrew Sangar, seconded by Councillor Colin Ross, that this Council:-

- (a) stresses that a time when budgets are reducing the Administration need to work innovatively and find ways of doing things differently;
- (b) notes that there are clear financial benefits to be delivered from sharing services with other local authorities and highlights in particular:
  - (i) the Tri-borough initiative in London which aims to save £40 million by 2015-16;
  - (ii) the joint working of Cambridgeshire and Northamptonshire, which achieved savings of £3.79 million in its first full year; and
  - (iii) the co-operation between Vale of White Horse and South Oxfordshire, which achieved staff savings of £3.9 million in the first two years of sharing services;

- (c) notes research from the Local Government Association that shows there are only fifteen shared services projects in Yorkshire & Humber compared to sixty-four in the East Midlands;
- (d) recalls the main opposition group's budget amendment, which was signed off by finance officers with a modest savings target for shared services, but confirms that the potential for savings is far greater;
- (e) regrets that despite consistent calls from opposition councillors the current Administration have failed to deliver significant savings from additional shared services;
- (f) believes the current Administration simply prefer to blame someone else, rather than looking to more innovative ways of reducing costs; and
- (g) calls upon the Chief Executive to hold an immediate review into the potential for shared services, which will report back to this Council within three months.

Whereupon, it was moved by Councillor Ben Curran, seconded by Councillor Cate McDonald, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the substitution of the following words therefor:--

- (a) regrets that the reason that "budgets are reducing" is that the Government are making unprecedented cuts to the Council's budget and by 2015/16 the Council will have had an overall reduction in Government formula funding by 50%;
- (b) confirms that since this Government came to power, the Council has had to make savings of over £230 million with more cuts to come in future years and regrets that at the same time as Sheffield has to make these savings some of the wealthiest areas of the country receive just a fraction of the cuts;
- (c) welcomes that the present Administration have attempted to deal with this unprecedented budget gap as far as possible through finding efficiencies within the Council including:
  - (i) reducing spending on computers and technology by 30%;
  - (ii) reducing the number of offices occupied by the Council, saving £34 million;
  - (iii) reducing staff in corporate services, for example the finance department's budget has already been cut by 45% since 2010/11; and
  - (iv) saving £1 million through a review of senior management in addition to the management savings that are made year upon year;



- (d) resolves to continue to work innovatively to make savings that reduce the impact of cuts on front line services, however, regrets that the level of cuts that the Government have made to the Council's budget means it is not possible to achieve the savings targets through efficiencies alone and believes it is impossible to take the amount of money the Government is cutting from the Council without impacting on front line services;
- (e) recalls that when the previous Administration entered into a shared service with Rotherham Council for the Emergency Planning Service, there was an increase in costs not a reduction and is shocked at the hypocrisy of the main opposition group who criticise the present Administration for not reducing costs through sharing services, when they increased costs through sharing services, not reduced them;
- (f) notes that despite claiming that their budget would save money through sharing services, the main opposition group failed to identify a single service where savings could be made through this practice and fears that like all of the policies of the main opposition group when you "read the small print" you discover the gap between the rhetoric and the reality; and
- (g) resolves to continue to do everything to make savings to reduce the impact of cuts on front line services as the Council continues to deal with the unprecedented and unfair cuts imposed by the Government, however, will take no lessons from the main opposition group who have not put forward a single service that could be shared.

On being put to the vote, the amendment was carried.

The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

**RESOLVED:** That this Council:-

- (a) regrets that the reason that "budgets are reducing" is that the Government are making unprecedented cuts to the Council's budget and by 2015/16 the Council will have had an overall reduction in Government formula funding by 50%;
- (b) confirms that since this Government came to power, the Council has had to make savings of over £230 million with more cuts to come in future years and regrets that at the same time as Sheffield has to make these savings some of the wealthiest areas of the country receive just a fraction of the cuts;
- (c) welcomes that the present Administration have attempted to deal with this unprecedented budget gap as far as possible through finding efficiencies within the Council including:
  - (i) reducing spending on computers and technology by 30%;

- (ii) reducing the number of offices occupied by the Council, saving £34 million;
  - (iii) reducing staff in corporate services, for example the finance department's budget has already been cut by 45% since 2010/11; and
  - (iv) saving £1 million through a review of senior management in addition to the management savings that are made year upon year;
- (d) resolves to continue to work innovatively to make savings that reduce the impact of cuts on front line services, however, regrets that the level of cuts that the Government have made to the Council's budget means it is not possible to achieve the savings targets through efficiencies alone and believes it is impossible to take the amount of money the Government is cutting from the Council without impacting on front line services;
- (e) recalls that when the previous Administration entered into a shared service with Rotherham Council for the Emergency Planning Service, there was an increase in costs not a reduction and is shocked at the hypocrisy of the main opposition group who criticise the present Administration for not reducing costs through sharing services, when they increased costs through sharing services, not reduced them;
- (f) notes that despite claiming that their budget would save money through sharing services, the main opposition group failed to identify a single service where savings could be made through this practice and fears that like all of the policies of the main opposition group when you "read the small print" you discover the gap between the rhetoric and the reality; and
- (g) resolves to continue to do everything to make savings to reduce the impact of cuts on front line services as the Council continues to deal with the unprecedented and unfair cuts imposed by the Government, however, will take no lessons from the main opposition group who have not put forward a single service that could be shared.

(Councillors Jillian Creasy and Robert Murphy voted for Paragraphs (a), (b), (c) and (d) and abstained on Paragraphs (e), (f) and (g) of the Substantive Motion and asked for this to be recorded.)

## 15. NOTICE OF MOTION GIVEN BY COUNCILLOR JILLIAN CREASY

### Financial Transaction Tax Extension

**RESOLVED:** On the Motion of Councillor Jillian Creasy, seconded by Councillor Robert Murphy, that this Council:-

- (a) deplores the cuts being imposed on Sheffield City Council by central

- government against a background of cuts to public services, job and benefits facing the city as a whole;
- (b) notes that extending the current Financial Transaction Tax (FTT) or “Robin Hood Tax” on shares to other asset classes such as bonds and derivatives could raise £20bn of additional annual revenue in the UK;
  - (c) believes that this could be used to offset cuts to public services and local authorities, including in Sheffield;
  - (d) also believes that whilst extending the FTT would have a negligible effect on jobs in the city of London, investing the additional revenue elsewhere would see a significant increase in employment levels in other sectors and in other parts of the country;
  - (e) notes that at least 11 European nations including France, Germany, Italy and Spain favour an extended FTT;
  - (f) notes that nearly 50 councils have joined the campaign for an extended FTT;
  - (g) therefore calls on the Government to work towards the implementation of an extended FTT by international agreement to ensure that all major financial centres are subject to the tax and that additional revenues are available for domestic public services and international development; and
  - (h) directs that a copy of this motion be sent to the Prime Minister and Chancellor of the Exchequer.

**16. NOTICE OF MOTION GIVEN BY COUNCILLOR DAVID BAKER**

**Library Services**

It was moved by Councillor David Baker, seconded by Councillor Shaffaq Mohammed, that this Council:-

- (a) notes that more than 32,000 signatures have been presented to the Council regarding the Administration’s disastrous review of library services;
- (b) confirms that under the Administration’s current plans sixteen community libraries remain under threat of closure;
- (c) believes the Administration’s attitude has been an insult to local campaigners with genuine concerns snubbed and simple questions ignored;
- (d) recognises that the Council need to make savings and do things differently but believes that local people have been clear that closing libraries is not the right way forward;
- (e) believes that every library deserves access to professional staff;

- (f) recalls the budget amendment of the main opposition group, which was signed off by Council finance officers, and identified sensible savings which, if implemented, would mean reductions in funding to the libraries service could be restored; and
- (g) urges the Administration to listen to local residents and re-think their plans for local libraries to ensure that no library is under threat of closure.

Whereupon, it was moved by Councillor Mazher Iqbal, seconded by Councillor Geoff Smith, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the substitution of the following words therefor:-

- (a) recognises that the Council is facing an unprecedented level of cuts from Central Government, meaning that by 2015/16 the Council will have had an overall reduction in Government formula funding by 50% and recognises that with this level of funding reductions all services across the Council will be seriously affected;
- (b) further recognises that over the past three years, the Council has done everything possible to make budget reductions in libraries without making substantial changes to the service, however recognises that with the level of cuts now facing the Council, this is no longer possible;
- (c) welcomes that the Council is looking to find new ways of delivering library services given the serious situation facing libraries nationally and notes reports stating that over 400 libraries have closed nationally and 1000 are estimated to close by 2016;
- (d) welcomes the changes to the proposals for associate libraries recently announced which will now ensure that they have all running costs met and will continue to offer internet access and be on the Council's catalogue;
- (e) recognises that this extra support is based on the feedback from what community groups said that they need to operate associate libraries and appreciates that the proposals offer a genuine opportunity to keep all libraries open at a time when libraries across the country are closing due to the unprecedented and unfair cuts that the Government is making to cities such as Sheffield; and
- (f) resolves to continue to do everything possible to work with local community groups to support them to keep all libraries open in the city, in the face of unprecedented Government cuts.

On being put to the vote, the amendment was carried.

The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

**RESOLVED:** That this Council:-

- (a) recognises that the Council is facing an unprecedented level of cuts from Central Government, meaning that by 2015/16 the Council will have had an overall reduction in Government formula funding by 50% and recognises that with this level of funding reductions all services across the Council will be seriously affected;
- (b) further recognises that over the past three years, the Council has done everything possible to make budget reductions in libraries without making substantial changes to the service, however recognises that with the level of cuts now facing the Council, this is no longer possible;
- (c) welcomes that the Council is looking to find new ways of delivering library services given the serious situation facing libraries nationally and notes reports stating that over 400 libraries have closed nationally and 1000 are estimated to close by 2016;
- (d) welcomes the changes to the proposals for associate libraries recently announced which will now ensure that they have all running costs met and will continue to offer internet access and be on the Council's catalogue;
- (e) recognises that this extra support is based on the feedback from what community groups said that they need to operate associate libraries and appreciates that the proposals offer a genuine opportunity to keep all libraries open at a time when libraries across the country are closing due to the unprecedented and unfair cuts that the Government is making to cities such as Sheffield; and
- (f) resolves to continue to do everything possible to work with local community groups to support them to keep all libraries open in the city, in the face of unprecedented Government cuts.

(Note: Councillors Jillian Creasy and Robert Murphy voted for Paragraphs (a) and (f), against Paragraphs (b) and (e) and abstained on Paragraphs (c) and (d) of the Substantive Motion and asked for this to be recorded.)

## **17. NOTICE OF MOTION GIVEN BY COUNCILLOR SUE ALSTON**

### **Bus Fares/Sheffield Bus Partnership**

It was moved by Councillor Sue Alston, seconded by Councillor Penny Baker, that this Council:-

- (a) notes the latest announcement by First buses that fares will rise in the city by as much as 13%;
- (b) highlights that these changes come in the context of average profit margins for bus operators in South Yorkshire which are double those in London;

- (c) believes these hikes are unnecessary and unfair on many local residents, particularly hard working people who continue to struggle with finances;
- (d) holds this up as another example of the failure of the Sheffield Bus Partnership, which has delivered worse services for higher charges; and
- (e) believes the Administration should call time on their disastrous Bus Partnership and begin immediate work on developing Quality Contracts which will finally restore power to local people.

Whereupon, it was moved by Councillor Leigh Bramall, seconded by Councillor Mick Rooney, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the substitution of the following words therefor:-

- (a) agrees with comments from Liberal Democrat Minister, Norman Baker MP, "The Sheffield Bus Agreement is good news for the city and shows what can be achieved when local councils, bus operators and transport authorities work together for the benefit of passengers. This partnership will transform passengers' experience by making bus travel easier and cheaper";
- (b) confirms that since its launch in October 2012, the Partnership has seen:
  - (i) 3.99 million more fare-paying passengers on Sheffield's buses;
  - (ii) over 60% of adult fare paying customers benefitting from cheaper fares;
  - (iii) improvements in customer satisfaction by up to 45%;
  - (iv) 50,000 bus users benefitting from new links and better frequencies;
  - (v) significantly improved reliability month on month to 98.6%;
  - (vi) 80 new buses provided in 2013/14 together with £4.7m of improved infrastructure; and
  - (vii) two UK Bus Awards won;
- (c) confirms that many prices are still below what they were before the Bus Partnership Agreement was introduced and in particular welcomes the new reductions in prices for children and young people;
- (d) confirms that if the bus partnership agreement were to be scrapped, fares could go back up to their higher levels making passengers pay more and the millions of investment secured would be put at risk; and
- (e) believes that the main opposition group should put the interests of passengers before their own narrow political interest and support the

Partnership which has been described by a senior Liberal Democrat as “good news for the city”.

On being put to the vote, the amendment was carried.

It was then moved by Councillor Robert Frost, seconded by Councillor Colin Ross, as an amendment, that the Motion now submitted be amended by:-

1. the insertion of the words “and Stagecoach” after the word “First” in paragraph (a); and
2. the re-lettering of paragraph (e) as a new paragraph (f) and the addition of a new paragraph (e) as follows:-
  - (e) furthermore regrets the collapse of the Optio ticket range, which was introduced with a fanfare just two years ago, and believes it was a half-hearted attempt at cross-ticketing, which failed to simplify the ticketing system;

On being put to the vote the amendment was negated.

The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

**RESOLVED:** That this Council:-

- (a) agrees with comments from Liberal Democrat Minister, Norman Baker MP, “The Sheffield Bus Agreement is good news for the city and shows what can be achieved when local councils, bus operators and transport authorities work together for the benefit of passengers. This partnership will transform passengers’ experience by making bus travel easier and cheaper”;
- (b) confirms that since its launch in October 2012, the Partnership has seen:
  - (i) 3.99 million more fare-paying passengers on Sheffield’s buses;
  - (ii) over 60% of adult fare paying customers benefitting from cheaper fares;
  - (iii) improvements in customer satisfaction by up to 45%;
  - (iv) 50,000 bus users benefitting from new links and better frequencies;
  - (v) significantly improved reliability month on month to 98.6%;
  - (vi) 80 new buses provided in 2013/14 together with £4.7m of improved infrastructure; and
  - (vii) two UK Bus Awards won;

- (c) confirms that many prices are still below what they were before the Bus Partnership Agreement was introduced and in particular welcomes the new reductions in prices for children and young people;
- (d) confirms that if the bus partnership agreement were to be scrapped, fares could go back up to their higher levels making passengers pay more and the millions of investment secured would be put at risk; and
- (e) believes that the main opposition group should put the interests of passengers before their own narrow political interest and support the Partnership which has been described by a senior Liberal Democrat as “good news for the city”.

(Note: Councillors Jillian Creasy and Robert Murphy voted against Paragraphs (a), (d) and (e) and abstained on Paragraphs (b) and (c) and asked for this to be recorded.)

## **18. NOTICE OF MOTION GIVEN BY COUNCILLOR ROBERT FROST**

### **Income Tax**

It was moved by Councillor Robert Frost, seconded by Councillor Andrew Sangar, that this Council:-

- (a) notes the Liberal Democrat policy of raising the income tax threshold from £6,475 to £10,000, to which the now-Prime Minister said “we cannot afford it”;
- (b) confirms that the Liberal Democrat plan for a £700 tax cut has been surpassed and an £800 tax cut for 27 million ordinary workers has been delivered, including for 195,000 people in Sheffield;
- (c) compares this tax cut for ordinary workers with the record of the Labour Party, who scrapped the 10p tax, and the priorities of the Conservative Party, who wanted more tax cuts for the wealthiest; and
- (d) commends Liberal Democrat action in Government, which is helping to build a stronger economy and a fairer society.

Whereupon, it was moved by Councillor Ben Curran, seconded by Councillor Martin Lawton, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the substitution of the following words therefor:-

- (a) welcomes any moves to give much needed support to people on low incomes, however, regrets that people are worse off under this Government and wages are down £1,600 a year due to the Government’s failure to tackle the cost of living crisis;



- (b) regrets that at the same time as people on low and average incomes are losing out, people earning over £150,000 have been singled out for a tax cut and reiterates its opposition to the 'millionaires tax cut';
- (c) is disappointed that the Government has chosen its flagship budget announcement as an increase of the ISA limit to £15,000, at a time when workers on the minimum wage and the living wage won't even earn £15,000;
- (d) believes this is evidence that the Government is not serious about helping people on low incomes;
- (e) welcomes the policy of the Labour Party to reintroduce the 10p tax rate which will give support to people on low incomes;
- (f) further supports the Labour Party policy of introducing a mansion tax on high value properties and regrets that the Liberal Democrats have failed to deliver this policy in Government;
- (g) regrets that this Government cannot tackle the cost of living crisis because they do not believe there is one and recalls that this is best highlighted through their opposition to Labour's energy price freeze policy; and
- (h) believes it is unbelievable of the main opposition group to celebrate the record of the Government on living standards when people are worse off and believes that this is just a further example of how out of touch they are.

On being put to the vote, the amendment was carried.

The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

**RESOLVED:** That this Council:-

- (a) welcomes any moves to give much needed support to people on low incomes, however, regrets that people are worse off under this Government and wages are down £1,600 a year due to the Government's failure to tackle the cost of living crisis;
- (b) regrets that at the same time as people on low and average incomes are losing out, people earning over £150,000 have been singled out for a tax cut and reiterates its opposition to the 'millionaires tax cut';
- (c) is disappointed that the Government has chosen its flagship budget announcement as an increase of the ISA limit to £15,000, at a time when workers on the minimum wage and the living wage won't even earn £15,000;
- (d) believes this is evidence that the Government is not serious about helping

people on low incomes;

- (e) welcomes the policy of the Labour Party to reintroduce the 10p tax rate which will give support to people on low incomes;
- (f) further supports the Labour Party policy of introducing a mansion tax on high value properties and regrets that the Liberal Democrats have failed to deliver this policy in Government;
- (g) regrets that this Government cannot tackle the cost of living crisis because they do not believe there is one and recalls that this is best highlighted through their opposition to Labour's energy price freeze policy; and
- (h) believes it is unbelievable of the main opposition group to celebrate the record of the Government on living standards when people are worse off and believes that this is just a further example of how out of touch they are.

Minutes of the Annual Meeting of the Council of the City of Sheffield held in the Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 4 June 2014, at 11.30 am, pursuant to notice duly given and Summonses duly served.

**PRESENT**

THE LORD MAYOR (Councillor Peter Rippon)  
THE DEPUTY LORD MAYOR (Councillor Talib Hussain)

1	<i>Arbourthorne Ward</i> Julie Dore Mike Drabble Jack Scott	10	<i>Dore &amp; Totley Ward</i> Joe Otten Colin Ross Martin Smith	19	<i>Mosborough Ward</i> David Barker Isobel Bowler Tony Downing
2	<i>Beauchief &amp; Greenhill Ward</i> Simon Clement-Jones Roy Munn Richard Shaw	11	<i>East Ecclesfield Ward</i> Steve Wilson Joyce Wright Pauline Andrews	20	<i>Nether Edge Ward</i> Nikki Bond Qurban Hussain Nasima Akther
3	<i>Beighton Ward</i> Helen Mirfin-Boukouris Chris Rosling-Josephs Ian Saunders	12	<i>Ecclesall Ward</i> Penny Baker Roger Davison Diana Stimely	21	<i>Richmond Ward</i> John Campbell Lynn Rooney Paul Wood
4	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	13	<i>Firth Park Ward</i> Sheila Constance Alan Law Chris Weldon	22	<i>Shiregreen &amp; Brightside Ward</i> Peter Price Sioned-Mair Richards Peter Rippon
5	<i>Broomhill Ward</i> Jayne Dunn Stuart Wattam Brian Webster	14	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	23	<i>Southey Ward</i> Leigh Bramall Tony Damms Gill Furniss
6	<i>Burngreave Ward</i> Jackie Drayton Ibrar Hussain Talib Hussain	15	<i>Gleadless Valley Ward</i> Steve Jones Cate McDonald Tim Rippon	24	<i>Stannington Ward</i> David Baker Katie Condliffe Vickie Priestley
7	<i>Central Ward</i> Jillian Creasy Robert Murphy Sarah Jane Smalley	16	<i>Graves Park Ward</i> Ian Auckland Denise Reaney Steve Ayris	25	<i>Stocksbridge &amp; Upper Don Ward</i> Richard Crowther Philip Wood Jack Clarkson
8	<i>Crookes Ward</i> Rob Frost Geoff Smith Anne Murphy	17	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	26	<i>Walkley Ward</i> Ben Curran Neale Gibson Olivia Blake
9	<i>Darnall Ward</i> Harry Harpham Mazher Iqbal Mary Lea	18	<i>Manor Castle Ward</i> Jenny Armstrong Terry Fox Pat Midgley	27	<i>West Ecclesfield Ward</i> Adam Hurst Alf Meade John Booker
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Ray Satur



**1. APOLOGIES FOR ABSENCE**

Councillors Terry Fox, Adam Hurst and Jack Scott submitted apologies for absence for the first part of the meeting (relating to items 1-4). There were no apologies for absence or Members absent for the meeting when it reconvened at 2.00pm.

**2. TO ELECT A LORD MAYOR FOR THE ENSUING YEAR**

Councillor Vickie Priestley, the retiring Lord Mayor, took the Chair and the Chief Executive announced that the first business to be transacted was the election of a Lord Mayor for the ensuing year.

Whereupon it was:-

**RESOLVED UNANIMOUSLY:** On the Motion of Councillor Sioned-Mair Richards, seconded by Councillor Colin Ross, that Councillor Peter Rippon be elected Lord Mayor of the City of Sheffield for the Municipal Year 2014/2015.

Councillor Peter Rippon, the Lord Mayor Elect, then made and subscribed to the declaration required by law to qualify him to act as Lord Mayor.

Whereupon the retiring Lord Mayor vacated the Chair, which was then taken by Councillor Peter Rippon, the Lord Mayor.

**3. TO MOVE A VOTE OF THANKS TO THE RETIRING LORD MAYOR AND CONSORT**

**RESOLVED UNANIMOUSLY:** On the Motion of Councillor David Baker, seconded by Councillor George Lindars-Hammond, that the best of thanks of this Council under the Common Seal be presented to Councillor Vickie Priestley and Mr Lloyd Priestley for the able and very satisfactory manner in which they have performed their various official duties as Lord Mayor and Consort of this City during the past year.

**4. TO ELECT A DEPUTY LORD MAYOR FOR THE ENSUING YEAR**

**RESOLVED:** On the Motion of Councillor Pat Midgley, seconded by Councillor Penny Baker, that Councillor Talib Hussain be appointed Deputy Lord Mayor of the City of Sheffield for the Municipal Year 2014/2015.

Councillor Talib Hussain, the Deputy Lord Mayor Elect, then made and subscribed to the declaration required by law to qualify him to act as Deputy Lord Mayor.

**5. TO APPOINT A LEADER OF THE COUNCIL FOR THE ENSUING YEAR**

**RESOLVED:** On the motion of Councillor Pat Midgley, seconded by Councillor Gill Furniss, that Councillor Julie Dore be appointed Leader of the Council for the ensuing year.

**6. TO RECEIVE NOTIFICATION OF CABINET AND CABINET ADVISER APPOINTMENTS, THE LEADER'S SCHEME OF DELEGATION FOR THE DISCHARGE OF EXECUTIVE FUNCTIONS, AND SHADOW CABINET APPOINTMENTS FOR THE ENSUING YEAR**

**RESOLVED:** On the Motion of Councillor Pat Midgley, seconded by Councillor David Baker, that the City Council:-

- (a) notes the Leader's notification of the appointment of a Deputy Leader and Cabinet Members, including their portfolio areas of responsibility, and the appointment of Cabinet Members to serve on the Cabinet Highways Committee (including substitutes), and approves the appointment of Cabinet Advisers, all as detailed in the schedule circulated at the meeting;
- (b) notes that the Leader's scheme of delegation currently in operation for the discharge of Executive functions will continue, other than in relation to the Portfolios of the Cabinet Members where the former Communities and Inclusion Portfolio will become the Communities and Public Health Portfolio with minor changes being required to some of the Portfolio remits, and these will be published and circulated to all Members in the near future;
- (c) notes the main opposition group's notification of the Leader of the Opposition and approves the appointment of Shadow Cabinet Members, as detailed in the schedule circulated at the meeting; and
- (d) notes that the effect of these appointments upon the Special Responsibility Allowance element of the budget for Members' Allowances is cost neutral.

**APPOINTMENT OF CABINET MEMBERS, CABINET ADVISERS AND MEMBERS OF THE CABINET HIGHWAYS COMMITTEE 2014/15**

<b>Title/Post</b>	<b>Name</b>	<b>Ward</b>
<b>Cabinet:-</b>		
<b>Portfolio:-</b>		
<b>Leader</b>	Councillor Julie Dore	Arbourthorne

<b>Finance and Resources</b>	Councillor Ben Curran	Walkley
<b>Homes and Neighbourhoods</b>	Councillor Harry Harpham (Deputy Leader)	Darnall
<b>Children, Young People and Families</b>	Councillor Jackie Drayton	Burngreave
<b>Business, Skills and Development (including Transport)</b>	Councillor Leigh Bramall	Southey
<b>Health, Care and Independent Living</b>	Councillor Mary Lea	Darnall
<b>Culture, Sport and Leisure (including Parks)</b>	Councillor Isobel Bowler	Mosborough
<b>Communities and Public Health</b>	Councillor Mazher Iqbal	Darnall
<b>Environment, Recycling and Streetscene</b>	Councillor Jack Scott	Arbourthorne
<b>Cabinet Committee Highways</b>	Councillors Leigh Bramall, Isobel Bowler, Ben Curran and Harry Harpham	
<i>Cabinet Highways Committee Substitute Members:-</i>	Councillors Julie Dore, Jackie Drayton, Mazher Iqbal, Mary Lea and Jack Scott	
<b>Cabinet Advisers:-</b>		
<b>Portfolio:-</b>		
<b>Finance and Resources</b>	Councillor Ian Saunders	Beighton
<b>Business, Skills and Development</b>	Councillor Chris Rosling-Josephs	Beighton

<b>Homes and Neighbourhoods</b>	Councillor Tony Damms	Southey
<b>Children, Young People and Families</b>	Councillor Denise Fox	Birley
<b>Health, Care and Independent Living</b>	Councillors Jayne Dunn and Adam Hurst	Broomhill and West Ecclesfield
<b>Culture, Sport and Leisure</b>	Councillor Tony Downing	Mosborough
<b>Communities and Public Health</b>	Councillors Nikki Bond and Bob Johnson	Nether Edge and Hillsborough
<b>Environment, Recycling and Streetscene</b>	Councillor Karen McGowan	Birley

**APPOINTMENT OF SHADOW CABINET MEMBERS 2014/15**

<b>Title/Post</b>	<b>Name</b>	<b>Ward</b>
<b>Spokespersons (Shadow Cabinet):-</b>		
<b>Portfolio:-</b>		
<b>Leader (with Children, Young People and Families Portfolio)</b>	Councillor Colin Ross	Dore and Totley
<b>Deputy Leader (with Communities and Public Health Portfolio)</b>	Councillor Penny Baker	Ecclesall
<b>Business, Skills and Development (including Transport)</b>	Councillor Ian Auckland	Graves Park
<b>Culture, Sport and Leisure (including Parks)</b>	Councillor Vickie Priestley	Stannington
<b>Environment, Recycling and Streetscene</b>	Councillor Joe Otten	Dore and Totley



<b>Finance and Resources</b>	Councillor Andrew Sangar	Fulwood
<b>Health, Care and Independent Living</b>	Councillor Roger Davison	Ecclesall
<b>Homes and Neighbourhoods</b>	Councillor Steve Ayris	Graves Park

**7. ESTABLISHMENT OF COUNCIL COMMITTEES IN 2014/15 AND APPOINTMENT OF MEMBERS TO SERVE ON THOSE COMMITTEES**

**RESOLVED:** On the Motion of Councillor Pat Midgley, seconded by Councillor David Baker, that the City Council:-

- (a) notes the political proportionality framework and the illustrative example of how this may be applied in 2014/15, as set out in the report circulated with the agenda for this meeting;
- (b) agrees that the terms of reference of Council Committees in 2014/15 be as currently set out in the Constitution, but that the Overview and Scrutiny Management Committee becomes subject to proportional balance, whilst its membership is still to include the Chairs and Deputy Chairs of the other 4 Scrutiny and Policy Development Committees (as described in paragraph 3.1.2 of the report), and authority be given for consequential amendments to be made to the Constitution accordingly;
- (c) (i) approves the sizes of individual Committees to be subject to proportional balance and the initial allocation of seats to political groups on individual Committees before final adjustment, as set out in the report; (ii) agrees that, in order to ensure that each political group has the required number of seats overall in comparison to the total number of seats available on all Committees to reflect their composition on the Council as a whole, (A) the Labour Group's adjustment of one seat be from the Licensing Committee, with the seat being allocated to the UKIP Group, (B) the Liberal Democrat Group's adjustment of two seats be from the Admissions Committee and the Appeals and Collective Disputes Committee, with those two seats being allocated to the UKIP Group and (C) the Green Group's adjustment of two seats be from the Children, Young People and Family Support Scrutiny and Policy Development Committee and the Planning and Highways Committee, with those two seats being allocated to the UKIP Group; and (iii) approves the appointment of Members to all Council Committees to reflect the arrangements now agreed and the wishes of the political groups, in accordance with the schedule circulated at the meeting (and including substitutes where appropriate), and, for the purposes of Council Procedure Rule 25.4, the consent of the Council be given in any case

where a Member chooses not to be appointed to serve on any Scrutiny or Regulatory Committee;

- (d) agrees to disapply proportionality to the Senior Officer Employment Sub-Committees and the Appeals and Collective Disputes Sub-Committees for the reasons set out in paragraph 3.2.3 of the report, and to the Standards Committee for the reasons set out in paragraph 3.3.2 of the report;
- (e) notes that the effect upon the Special Responsibility Allowance element of the budget for Members' Allowances of the establishment of Council Committees for 2014/15 and the appointments proposed to be made later this day to the positions of Chairs of those Committees, is an increase of £2,688 over a full year (£2,240 + 20% NI & Superannuation costs - actual savings depend on the individual circumstances of the Members affected), due to the payment of a 2<sup>nd</sup> Chair of Licensing Committee allowance (£5,268.63pa) instead of a Deputy Chair of Licensing Committee allowance (3,027.95pa), with that cost being offset by much larger savings accruing to the 2014/15 Members' Allowances budget as a result of regulatory changes to Members' pensions entitlement; and
- (f) determines that in the event of any changes to the political composition of the Council occurring during the course of the Municipal Year, political proportionality be reviewed by the Council as soon as practicable thereafter.

**MEMBERSHIP OF COUNCIL COMMITTEES 2014/15**

Title/Post	Labour	Liberal Democrat	Green/UKIP/Other
<b>Scrutiny and Policy Development Committees:-</b>			
<b>(1) Overview &amp; Scrutiny Management Committee</b> (Chair = Lead Member for Scrutiny; membership includes the Chairs and Deputy Chairs of the 4 Scrutiny and Policy Development Committees)	Cllrs Denise Fox, Gill Furniss, Alan Law, Bryan Lodge, Cate McDonald, Pat Midgley, Mick Rooney, Jackie Satur and Chris Weldon (4 vacancies)	Cllrs Sue Alston, Ian Auckland, Steve Ayris and Cliff Woodcraft	Cllr Sarah Jane Smalley

<p><b>(2) Children, Young People and Family Support</b></p>	<p>Cllrs Nasima Akther, Mike Drabble, Gill Furniss, Talib Hussain, Karen McGowan, Sioned-Mair Richards, Ian Saunders and Stuart Wattam (1 vacancy)</p>	<p>Cllrs Colin Ross, Diana Stimely and Cliff Woodcraft</p>	<p>Cllr John Booker; Jules Jones (Parent Governor Representative - to 31/7/15), Gillian Foster, Joan Stratford (Diocese Reps) Alison Warner (School Governor Representative)</p>
<p><b>(3) Economic and Environmental Wellbeing</b></p>	<p>Cllrs Neale Gibson, Ibrar Hussain, Steve Jones, Alf Meade, Cate McDonald, Helen Mirfin-Boukouris, Ray Satur, Steve Wilson and Paul Wood</p>	<p>Cllrs Ian Auckland, Joe Otten and Martin Smith</p>	<p>Cllr Rob Murphy</p>
<p><b>(4) Healthier Communities &amp; Adult Social Care</b></p>	<p>Cllrs Jenny Armstrong, Olivia Blake, John Campbell, Qurban Hussain, Anne Murphy, Mick Rooney, Jackie Satur, Philip Wood and Joyce Wright</p>	<p>Cllrs Sue Alston, Katie Condliffe and Denise Reaney</p>	<p>Cllr Brian Webster; Alice Riddell and Helen Rowe (HealthWatch Representatives) (Observers)</p>
<p><b>(5) Safer and Stronger Communities</b></p>	<p>Cllrs David Barker, Sheila Constance, Richard Crowther, Bryan Lodge, George Lindars-Hammond, Roy Munn, Josie Paszek, Lyn</p>	<p>Cllrs Steve Ayris, Simon Clement-Jones and Richard Shaw</p>	<p>Cllr Sarah Jane Smalley</p>

	Rooney and Chris Weldon		
<i>Scrutiny Committee Substitute Members:-</i>	Cllrs John Campbell, Pat Midgley, Peter Price and Geoff Smith and 1 vacancy	Cllrs Penny Baker and Joe Otten	Cllrs Rob Murphy, Sarah Jane Smalley and Brian Webster; Cllrs Pauline Andrews, John Booker and Jack Clarkson
<b>Statutory/Regulatory Committees:-</b>			
<b>Planning and Highways Committee:-</b>	Cllrs Nasima Akther, Tony Downing, Terry Fox, Ibrar Hussain, Bob Johnson, Alan Law, Peter Price, Tim Rippon and Joyce Wright	Cllrs David Baker, Roger Davison and Denise Reaney	Cllr Jack Clarkson
<i>Planning and Highways Committee Substitute Members:-</i>	Cllrs Tony Damms, Jayne Dunn and Bryan Lodge and 2 vacancies	Cllrs Joe Otten and Andrew Sangar	1 UKIP vacancy

<p><b>Licensing Committee</b></p>	<p>Cllrs Jenny Armstrong, David Barker, Olivia Blake, Nikki Bond, Neale Gibson, George Lindars-Hammond, Anne Murphy, Josie Paszek, Geoff Smith and Stuart Wattam</p>	<p>Cllrs Vickie Priestley, Denise Reaney and Cliff Woodcraft</p>	<p>Cllr Jillian Creasy; Cllr Jack Clarkson</p>
<p><b>Audit Committee</b></p>	<p>Cllrs John Campbell, Helen Mirfin-Boukouris, Sioned-Mair Richards and Ray Satur</p>	<p>Cllrs Rob Frost and Joe Otten</p>	<p>Rick Plews (to 19<sup>th</sup> May 2015) and Elizabeth Stanley (to 17<sup>th</sup> May 2017)(Independent Co-optees)</p>
<p><b>Admissions Committee</b></p> <p><i>(Substitute Members to be appointed by the Chief Executive in consultation with the relevant Cabinet Portfolio Member or Opposition Spokesperson, as appropriate)</i></p>	<p>Cllrs Olivia Blake, Sioned-Mair Richards, Chris Rosling-Josephs and Ian Saunders and 1 vacancy</p>	<p>Cllr Andrew Sangar</p>	<p>Cllr Pauline Andrews</p>
<p><b>Senior Officer Employment Committee</b></p>	<p>Cllrs Leigh Bramall, Isobel Bowler, Ben Curran, Julie Dore, Jackie Drayton, Harry Harpham, Mazher Iqbal, Mary Lea and Jack Scott (2 vacancies)</p>	<p>Cllrs David Baker, Penny Baker and Colin Ross</p>	<p>Cllr Rob Murphy</p>
<p><b>Appeals and Collective Disputes Committee</b></p>	<p>Cllrs Terry Fox, Denise Fox, Neale Gibson, Cate McDonald, Pat Midgley and Geoff Smith and</p>	<p>Cllrs David Baker and Vickie Priestley</p>	<p>Cllr Jillian Creasy; 1 UKIP vacancy</p>

<p><b>Standards Committee</b></p>	<p>5 vacancies</p> <p>Cllrs John Campbell, Alan Law, Mary Lea, Bryan Lodge and Pat Midgley</p>	<p>Cllrs Penny Baker, Vickie Priestley and Colin Ross</p>	<p>John Atkinson, Alan Casbolt and Edward Fleming (Independent co-optees) and 1 Parish/Town Council co-optee (to be selected from a pool of 3 representatives – Councillors Malcolm Glover, Andy Bainbridge and Nigel Owen)</p>
<p><i>Standards Committee Substitute Members:-</i></p>	<p>Cllrs Talib Hussain and Peter Price</p>	<p>Cllrs David Baker and Andrew Sangar</p>	
<p><b>Health and Wellbeing Board</b></p>	<p>Cllrs Julie Dore, Jackie Drayton, Mazher Iqbal and Mary Lea</p>		
<p><b>Independent Remuneration Panel</b></p>			<p>Abtisam Mohammed (to 6/2/18), David Baldwin (to 6/2/15), Lynda Hinxman (to 6/2/16) and Mark Power (to 6/2/17)</p>

**8. APPOINTMENTS TO OTHER COUNCIL PANELS, GROUPS ETC AND TO**

**EXTERNAL BODIES**

**RESOLVED:** On the motion of Councillor Pat Midgley, seconded by Councillor David Baker, that:-

- (a) approval be given to the establishment, with the suggested memberships shown, of the Council panels, working groups etc set out in the schedule circulated at the meeting;
- (b) approval be given to the appointment of Members to serve on external bodies, also as set out in the schedule now circulated;
- (c) as respects the appointment of Members to its various bodies, where vacancies exist or in cases of urgency, the Chief Executive, in consultation with the relevant Cabinet Portfolio Member or Opposition Spokesperson(s), as appropriate, be authorised to appoint Members to serve on such bodies, as necessary, on the understanding that details of such appointments will be reported to the next or subsequent meetings of the Council; and
- (d) as respects the appointment of representatives to serve on outside bodies, where vacancies exist or in cases of urgency, the Chief Executive, in consultation with the relevant Cabinet Portfolio Member or Opposition Spokesperson(s), as appropriate, be authorised to nominate representatives to serve on such bodies, as necessary, on the understanding that details of such nominations will be reported to the next or subsequent meetings of the Council.

**APPOINTMENTS TO OTHER COUNCIL BODIES ETC AND EXTERNAL BODIES 2014/15**

<b>Title/Post</b>	<b>Labour</b>	<b>Liberal Democrat</b>	<b>Green/UKIP/Other</b>
<b>Complaints Review Panel</b>			1 independent Chair and 2 further independent members
<b>Standing Advisory Council for Religious Education</b>	(1) vacancy	Cllr Woodcraft	
<b>Local Area Partnership Chair's</b>			
North East	Cllr Peter Price	Cllr Cliff	
East	Cllr Pat Midgley		
South East	Cllr Ray Satur		

Central	Cllr Neale Gibson		
North	Cllr Richard Crowther		
South	Cllr Steve Jones		
South West		Cllr Andrew Sangar	
Local Area Partnership Chair's Group	Cllrs Richard Crowther, Neale Gibson, Mazher Iqbal, Steve Jones, Pat Midgley, Peter Price and Ray Satur	Cllr Andrew Sangar	
<b>Local Area Partnership Lead Ward Members:-</b>			
Arbourthorne	Cllr Jack Scott		
Beauchief and Greenhill		Cllr Simon Clement-Jones	
Beighton	Cllr Ian Saunders		
Birley	Cllr Karen McGowan		
Broomhill	Cllr Jayne Dunn		
Burngreave	Cllr Talib Hussain		
Central			Cllr Jillian Creasy
Crookes	(1) vacancy		
Darnall	Cllr Mary Lea		
Dore and Totley		Cllr Joe Otten	
East Ecclesfield	(1) vacancy		
Ecclesall		Cllr Roger	



Firth Park		Davison	
Fulwood	Cllr Alan Law	Cllr Andrew Sangar	
Gleadless Valley			
Graves Park	Cllr Steve Jones	Cllr Denise Reaney	
Hillsborough			
Manor Castle	Cllr George Lindars-Hammond		
Mosborough	Cllr Pat Midgley		
Nether Edge	Cllr David Barker		
Richmond	Cllr Nikki Bond		
Shiregreen and Brightside	(1) vacancy		
Southey	Cllr Peter Price		
Stannington	Cllr Gill Furniss	Cllr Vickie Priestley	
Stocksbridge and Upper Don			
Walkley	Cllr Richard Crowther		
West Ecclesfield	Cllr Neale Gibson		
Woodhouse	Cllr Adam Hurst		
	Cllr Ray Satur		
<b>Champions:-</b> Older People's Sexual Health Younger People's	(1) vacancy (1) vacancy (1) vacancy		
Access Liaison Group	(3) vacancies	Cllr Denise Reaney	

Adoptions and Fostering Panel	(3) vacancies	(3) vacancies	
Allotments and Leisure Gardens Advisory Group	(3) vacancies	Cllr Cliff Woodcraft	(1) Green vacancy
Castlegate Member Working Group	Cllr Chris Rosling-Josephs, (2) vacancies	Cllr Penny Baker Cllr Colin Ross	(1) Green vacancy
Corporate Joint Committee with Trade Unions	Cllrs Julie Dore, Isobel Bowler, Leigh Bramall, Ben Curran, Jackie Drayton, Harry Harpham, Mazher Iqbal, Mary Lea, Ian Saunders and Jack Scott		
Corporate Members Group	Cllrs Julie Dore, Harry Harpham and Pat Midgley	Cllrs David Baker, Penny Baker and Colin Ross	Cllr Jillian Creasy Cllr Jack Clarkson
Corporate Parenting Board	Cllrs Denise Fox, Jackie Drayton, Sioned-Mair Richards and Lynn Rooney, (1) vacancy	Cllr Sue Alston, (1) vacancy	
Cycle Forum	Cllr Peter Price	Cllr Diana Stimely	(1) Green vacancy
Portfolio Joint Consultative Committees:-			
<i>Communities</i>	Cllr Harry Harpham		
<i>Place</i>	Cllr Mazher Iqbal		
<i>Children, Young People and</i>	Cllr Jackie		

<i>Families</i>	Drayton		
Resources	Cllr Ian Saunders		
Environmental Performance Working Party	Cllr Alf Meade, (2) vacancies	(2) vacancies	(1) Green vacancy
Fairer Charging Commission	Cllr Mary Lea, (1) vacancy	Cllr Denise Reaney	
Fairtrade Working Group	(1) vacancy	(1) vacancy	(1) vacancy
Housing and Neighbourhoods Advisory Panel	Cabinet Member Cabinet Adviser		
Information Services Steering Group	Cllrs Jenny Armstrong, Neale Gibson, Ian Saunders and Stuart Wattam, (2) vacancies	Cllrs Simon Clement-Jones and Joe Otten	
Member Development Cross Party Working Group	Cllrs Richard Crowther, Gill Furniss, Cate McDonald, Pat Midgley and Geoff Smith	Cllrs David Baker and Vickie Priestley	(1) Green vacancy (1) UKIP vacancy
Monitoring and Advisory Board (Adult Services)	Cllrs Mary Lea and Adam Hurst, (1) vacancy	Cllr Denise Reaney	
Motorists Forum	Cllr Leigh Bramall	Cllr Ian Auckland	
Planning Policy Advisory Group	(6) vacancies	Cllrs David Baker, Roger Davison and Ian Auckland	(1) vacancy
Policy Working Group (Labour)	All Members of the Group		

Policy Working Group (Liberal Democrat)		All Members of the Group	
Policy Working Group (Green)			All Members of the Green Group
Policy Working Group (UKIP)			All Members of the UKIP Group
Sheffield Conservation Advisory Group	(1) vacancy	(1) vacancy	
<b>Joint Bodies (no. of places):-</b>			
South Yorkshire Joint Authorities:-  <i>Fire and Rescue (5)</i>  <i>Pensions (5)</i>  <i>South Yorkshire Police and Crime Panel (4)</i>	Cllrs Terry Fox, Ibrar Hussain, Sioned-Mair Richards and Jackie Satur  Cllrs John Campbell, Bryan Lodge and Lynn Rooney  Cllrs Harry Harpham, Talib Hussain, and Roy Munn	Cllr Colin Ross  Cllr Andrew Sangar  Cllr Roger Davison	Cllr Brian Webster
Sheffield City Region Combined Authority (1)	Cllr Julie Dore (Substitute Cllr Harry Harpham)		
Sheffield City Region Combined Authority Transport Committee (5)	Cllrs Leigh Bramall, George Lindars- Hammond, Helen Mirfin- Boukouris and Tim Rippon	Cllr Ian Auckland	

Emergency Planning Shared Services Joint Committee (2)	Cllrs Ben Curran and Jack Scott		
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<b>Other External Organisations</b>			
Charities/Educational Foundations:-			
Anne Reresby Trust, High Green (1)	Cllr Phillip Wood		
Church Burgess (1)	Cllr John Campbell		
The Bradfield Feoffee Educational Foundation Charity (1)	(1) vacancy		
Norton Educational Foundation and Non-Educational Trusts (2)	(1) vacancy	Cllr Ian Auckland	Rev. Joy Adams, Mrs Beverley Ashmore and Mr. Phillip Shaddock
Poors Land (Ecclesall Bierlow Charity) (2)	Cllr Peter Price	Cllr Roger Davison	Mr. John Neil and Mr. Mike Pye
Beighton Relief in Need Charity (1)	Cllr Ian Saunders		
ACIS Local Management Committee (2)	Cllr Terry Fox, (1) vacancy		
Chevin Housing Board (2)	Cllrs Bob Johnson and Pat Midgley		
Countryside and Rights of Way Act 2000 – Local Access Forum (2)	Cllr Peter Price	Cllr Martin Smith	
Creative Sheffield Board (1)	Cllr Leigh Bramall		
Duke of Edinburgh's Award Scheme – Sheffield Council (2)	Cllrs Alan Law and George Lindars-Hammond		

Environment Agency – Yorkshire Regional Flood Defence Committee (1)	Cllr Jack Scott		
Great Places Housing Group (2)	Cllrs Pat Midgley and Jackie Satur		
Groundwork Sheffield Trust (2)	(1) vacancy	(1) vacancy	
Joint Advisory Committee for the South Yorkshire Archaeology Service (2)	Cllr David Barker	Cllr Penny Baker	
Learning Disabilities Partnership Board (2)	Cllr Mary Lea	Cllr Diana Stimely	
Local Enterprise Partnership (1)	Cllr Julie Dore		
Local Government Yorkshire and Humber Employers Committee (1)	Cllr Ben Curran		
Longley Park Sixth Form College (1)	Cllr Alan Law		
Manor and Castle Development Trust (2)	Cllr Pat Midgley, (1) vacancy		
Mental Health Partnership Board (2)	Cllr Jayne Dunn	Cllr Diana Stimely	
National Association of British Market Authorities (1)	Cllr Chris Rosling-Josephs		
National Coal Mining Museum for England – Liaison Committee (1)	Mr Garry Weatherall		
Parking and Traffic Regulations Outside London (PATROL) Joint Committee (1)	Cllr Leigh Bramall		
Parkwood Landfill Liaison Group (4)	Cllrs Jackie Drayton, Hussain and Ibrar and	Cllr Joe Otten	

	Talib Hussain		
Peak District National Park Planning Authority (1)	Cllr Stuart Wattam		
Reserve and Cadet Forces Association – Yorkshire and Humber (1)	Mr Clive Skelton		
Seven Hills Leisure Trust (1)	Cllr Neale Gibson		
Sheffield City Trust Group Finances and General Purposes Committee (1)	Cllr Neale Gibson		
Sheffield Adult Safeguarding Partnership (SASP) Board (1)	Cllr Jayne Dunn		
Sheffield Business Adviser Panel (2)	Cllrs Julie Dore and Leigh Bramall		
Sheffield Carers and Young Carers Board (1)	Cllr Jenny Armstrong		
Sheffield City Trust (1) (1 Member observer)	Cllr David Barker		
Sheffield Clean Air Partnership (2)	Cllr Jack Scott	Cllr Ian Auckland	
Sheffield Compact (1)	(1) vacancy		
Sheffield Executive Board (1)	Cllr Julie Dore		
Sheffield 0-19+ Partnership Board (2)	Cllr Jackie Drayton	Cllr Colin Ross	
Sheffield 0-19+ Executive Board (1)	Cllr Jackie Drayton		
Sheffield Galleries and Museums Trust – Directors and Members (3)	Cllrs Cate McDonald and Adam Hurst		Mr Michael Day
Sheffield Health and Social	Cllr Mary Lea, (1)	(1) vacancy	

Care Foundation Trust - Council of Governors (3)	vacancy		
Sheffield Teaching Hospitals NHS Foundation Trust (1)	Cllr Mary Lea		
Sheffield Industrial Museums Trust – Directors and Members (3)	Cllr Geoff Smith and Vivian Kenneth Lockwood		
Sheffield International Venues Ltd – Board of Directors (1)	Cllr Neale Gibson		
Sheffield Lyceum Trust Ltd – Directors and Members (3)	Cllr Jackie Drayton		
Sheffield Media and Exhibition Centre Ltd – Directors and Members (2)	Cllrs Jayne Dunn and Tim Rippon		
Sheffield Safer and Sustainable Communities Partnership (2)	Cllr Mazher Iqbal	Cllr Steve Ayris	
Sheffield Tobacco Control Programme Accountable Board (2)	(1) vacancy	Cllr Joe Otten	
Sheffield Theatres Trust – Directors and Members (3)	Cllrs Pat Midgley and Mick Rooney Mr Clive Skelton		
Sanctuary Housing Local Board (2)	Cllr Sioned-Mair Richards, (1) vacancy		
South East Sheffield Eco Advisory Group (formerly South East Sheffield Countryside Advisory Group) (1)	Cllr Ray Satur		
South Yorkshire Forest Partnership Steering Group (1)	Cllr Leigh Bramall		



South Yorkshire Joint Advisory Committee on Archives (2)	Cllr David Barker	Cllr Penny Baker	
South Yorkshire Leaders' Group (1)	Cllr Julie Dore		
South Yorkshire Passenger Transport Users' Advisory Group (1)	Cllr Chris Rosling-Josephs		
South Yorkshire Trading Standards Joint Committee (2 and 1 observer)	Cllrs Chris Rosling-Josephs and Stuart Wattam	Cllr Colin Ross	
Southey/Owlerton Area Regeneration Board (4)	Cllrs, Adam Hurst, Alan Law, Peter Price and Sioned-Mair Richards		
University Technical College Trust Board (1)	Cllr Jackie Drayton		
Upperthorpe and Netherthorpe Healthy Living Centre Trust (1)	Cllr Neale Gibson		
Voluntary Action Sheffield (1)	Cllr Nikki Bond		
Welcome to Yorkshire Tourist Board (1)	Cllr Isobel Bowler		
Yorkshire Ambulance Service Trust (1)	Cllr Mary Lea		
Yorkshire and Humber Regional Migration Partnership (1)	Cllr Mazher Iqbal		
Yorkshire and Humber Grid for Learning Consortium Joint Committee	Cllr Ian Saunders		
Yorkshire and the Humber Tobacco Governance Board (1)	(1) vacancy		

University of Sheffield Enterprise Advisory Board (1)	Cllr Leigh Bramall		

## 9. ARRANGEMENTS FOR COUNCIL MEETINGS

**RESOLVED:** On the motion of Councillor Pat Midgley, seconded by Councillor David Baker, that:-

- (a) (i) ordinary meetings of Full Council in the Municipal Year 2014/15 be held in the Town Hall at 2.00 p.m. on the first Wednesday in every month except March, May and August (when no ordinary meeting will be held) and in April 2015 (when the meeting will be held instead on Wednesday 25<sup>th</sup> March 2015 in order to (A) accommodate the holding of a major conference in the Town Hall on the first Wednesday in April and (B) avoid a clash with the Easter holiday period and the Pre-Election Rules on Publicity period relating to the Municipal and General elections in May 2015, which would be the case(s) should the meeting be held later in April) and accordingly the meetings be held on the following dates:-

2nd July 2014; 3rd September 2014; 1st October 2014; 5th November 2014; 3rd December 2014; 7th January 2015; 4th February 2015; and 25<sup>th</sup> March 2015;

(ii) the special meeting of the Council for the purposes of approving a Revenue Budget and Capital Programme and setting the Council Tax for the Financial Year 2015/16 be held on Friday, 6<sup>th</sup> March 2015 at 2.00 p.m. in the Town Hall; and

(iii) the annual general meeting of the Council in 2015 be held on Wednesday, 20th May 2015 at 11.30 a.m. in the Town Hall; and

- (b) further to Council Procedure Rule 10.2, (i) the formula for the order in which Notices of Motion shall be listed on the Council Summons for the July and September 2014 ordinary meetings of the Council shall be as follows:-

July 2014 -

*Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green/UKIP, repeated*

September 2014 -

*LibDem/Labour/Labour/LibDem/Labour/Labour/Green/UKIP, repeated;*

and (ii) the formula for the remainder of the Municipal Year be the subject of discussion between the political groups with a view to identifying an order that reflects the political composition of the Council and be agreed at the July or September Council meeting.

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## Report to Council

**Report of:** Chief Executive

**Date:** 2 July 2014

**Subject:** Changes to the Constitution

**Author of Report:** Dave Ross – Democratic Services  
0114 273 5033

### Summary:

This report provides details of:-

- proposed changes to the Constitution
- a minor/consequential change to the Constitution approved by the Interim Director of Legal and Governance under delegated authority

### Recommendations:

That the Council:-

- (a) considers adopting the changes to the following Parts of the Constitution, as set out in the report and Appendices A to C:-
  - (i) Part 4 - Financial Procedure Rules (Financial Regulations); and
  - (ii) Part 6 - Members' Allowances Scheme
- (b) notes the minor/consequential change to the Members' Allowances Scheme made by the Interim Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, as outlined in the report and Appendix D.

### Background Papers:

None

**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial implications</b>
NO
<b>Legal implications</b>
YES
<b>Equality of Opportunity implications</b>
NO
<b>Tackling Health Inequalities implications</b>
N/A
<b>Human rights implications</b>
N/A
<b>Environmental and Sustainability implications</b>
N/A
<b>Economic impact</b>
N/A
<b>Community safety implications</b>
N/A
<b>Human resources implications</b>
N/A
<b>Property implications</b>
N/A
<b>Area(s) affected</b>
None
<b>Relevant Cabinet Portfolio Leader</b>
Cllr Julie Dore
<b>Relevant Scrutiny Committee if decision called in</b>
Not applicable
<b>Is the item a matter which is reserved for approval by the City Council?</b>
Yes
<b>Press release</b>
NO

**1. Introduction**

1.1 This report provides details of proposed changes to the Council's Constitution.

**2. Background**

2.1 To ensure that the Constitution is kept up to date, there is a regular review process and, where changes are required, these are submitted to Full Council for approval. Changes were last approved in April 2014.

2.2 In addition, the Interim Director of Legal and Governance, in consultation with the Lord Mayor, has delegated authority to make any minor and consequential drafting changes to the Constitution. A minor change was approved in April 2014 and further details are set out at paragraph 4.1.

**3. Proposed Changes and Reasons****3.1 Part 4 - Financial Procedure Rules (Financial Regulations)**

3.1.1 The Financial Procedure Rules (Financial Regulations) were last updated in June 2013 and are an important part of the Council's financial governance arrangements. They provide the rules for the Council to follow so as to protect public money and give clarity for both Members and Officers regarding responsibilities for financial management.

3.1.2 Following a review by Finance Officers, in consultation with the Cabinet Member for Finance and Resources, a number of changes are proposed to the Financial Regulations and include a number of relatively minor clarifications of, and changes to, the roles and responsibilities of officers. These include amendments to the management of reserves, the financial implications of decisions, external funding and the payment of sundry debt by direct debit. The changes also establish that those working for the Council on a voluntary basis are required to adhere to the Financial Regulations.

3.1.3 A summary of the proposed changes and a revised version of the Financial Regulations are attached at Appendices A and B.

**3.2 Part 6 – Members' Allowances Scheme**

3.2.1 Two minor changes are proposed to the Members' Allowances Scheme to reflect the subsistence rates for 2014/15 and the political groups on the Council as referred to in the exceptions under 'Duties Excluded'. These are set out in Appendix C.

**4. Minor/Consequential Changes to the Constitution**

4.1 The Interim Director of Legal and Governance, in consultation with the Lord Mayor, approved a consequential change to the Members' Allowances Scheme in April 2014 to reflect the changes arising from the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014. All Councillors were previously informed of this change which is set out in Appendix D.

**5. Legal Implications**

5.1 Except where delegated by Council (see paragraph 2.2 above), variations to the Constitution may only be made by Full Council.

**6. Financial Implications**

6.1 There are no financial implications.

**7. Recommendations**

7.1 That the Council:-

- (a) considers adopting the changes to the following Parts of the Constitution, as set out in the report and Appendices A to C:
  - (i) Part 4 - Financial Procedure Rules (Financial Regulations); and
  - (ii) Part 6 – Members' Allowances Scheme
- (b) notes the minor/consequential change to the Members' Allowances Scheme made by the Interim Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, as outlined in the report and Appendix D.

**Chief Executive**





# **Sheffield City Council Financial Regulations 2014**

**Summary of changes from the 2013 Regulations**

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**Foreword**

This document summarises the main changes from the 2013 to the 2014 Financial Regulations. It is not intended to replace due consideration of the current Regulations.

If you have any queries on the content of the Regulations please contact your [Finance Business Partner](#) or [Allan Rainford](#), Deputy Director of Finance.

**1. Background (Chapter 1)**

The requirement to adhere to the Financial Regulations, and the rules contained within them, has been amended to include those working for the Council on a voluntary basis.

**2. Financial Planning (Chapter 3)**

If external funding received by the Council, has specific conditions attached regarding how it may be spent, and the expenditure is expected to be incurred after the end of the current financial year, then the Director of Finance may approve the transfer of the grant to Reserves.

Furthermore, the amendments made clarify the authority of the Director of Finance to manage the use of reserves in year, in line with the Reserves Strategy approved by Full Council, and in consultation with the Cabinet Member for Finance.

**3. Financial Implications (Chapter 4)**

Executive Directors are responsible for ensuring that the following reports contain a section entitled 'Financial Implications';

- Executive Reports, supporting decisions taken by the Leader, the Cabinet, Individual Cabinet Members and Committees,
- Executive Reports supporting Officer Key Decisions,
- Executive Reports supporting Officer Non-Key Decisions, that require publication and
- Reports to the Cabinet Members Team and the Executive Management Team.

The financial implications section must summarise the capital and revenue implications of the proposals, together with details of any potential risks.

Officers involved in making Non-Key Decisions, that will not require publication, must also give proper consideration to the financial implications. This includes consultation with their Finance Business Partner where necessary. The implications identified should be documented and retained, in case of future challenge or audit requirement.

## **4. Capital Programme (Chapter 5)**

### **4.1. Project Stage Approval**

Only the Capital Programme Group may recommend to the Director of Commercial Services the award of the contract for capital works in accordance with the Council's standing orders.

### **4.2. Change of Scope**

Where the material output of a project will differ from the last fully approved version then this must be treated as if it were a new project and be subject to the same requirements for approval, as described in section 5.3.4 of the Financial Regulations.

## **5. External Funding (Chapter 6)**

This section now further clarifies that it is the responsibility of the Director of Finance to approve the acceptance of all offers of external funding made to the Council.

Executive Directors must pay due regard to risk and other relevant factors when considering whether to claim for a source of external funding.

## **6. Income Management (Chapter 7)**

### **6.1. Direct Debits**

The Director of Finance is responsible for having procedures and policies in place for the administration of Direct Debits for the collection of Sundry Debts.

Direct debits must only be used to collect payment

- for invoices that are raised on a regular basis (e.g. monthly rental agreements), or,
- where an arrangement to pay an invoice in instalments has been agreed by the Director of Finance or his/her designated Officer

Direct debits should not be used where the annual value to be collected is less than £100. This amount may be varied, from time to time, at the discretion of the Director of Finance.

Where a customer's Direct Debit fails twice in a 12 month period then the option to pay by Direct Debit must be withdrawn and may only be reinstated with the agreement of the Director of Finance or his/her designated Officer.

Under the Direct Debit Guarantee scheme, the Council must give customers at least 10 working days' notice if the amount that is due to be collected will change. For accounts where the amount billed varies on a regular basis, such as Home Support, an invoice must be issued, for information purposes only, to ensure compliance with this scheme.

**6.2. VAT Receipts**

The Council is legally required to provide a tax invoice, if requested to do so by a customer. Any requests received should be referred to the Taxation Team within the Finance Service.

**6.3. Authority to Collect Cash**

Only Officers with specific authorisation from their Manager, who have been issued with an appropriately endorsed "Style 1" photo identification card, may collect cash on behalf of the Council.

Before any new photo identification card may be issued authorising the holder to collect cash, the request must be approved by the Director of Finance or his/her designated Officer in line with the procedure for the issue of photo identification cards.

Managers should maintain a register containing details of the style of card held by each member of staff, and ensure that the card held is appropriate to the Officer's current duties.

**6.4. Separation of Duties**

Examples used in the collection and receipt of income section amended to include all forms of payment (i.e. cash/credit card) rather than just cash.

**Sheffield City Council  
Financial Regulations  
2014**

**VERSION:**  
**DATE OF ISSUE:**  
**AUTHOR:**  
**APPROVED BY:**



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## Key Terms and Definitions

Accountable Body (for external funding)	Grant funders expect that their money is well managed and used in line with their requirements The organisation whose financial services and financial rules and regulations will be used to manage the funding is called the <b>Accountable Body</b> . This Body is legally responsible for ensuring that these requirements are met, including, for example, that proper audit trails are in place, contracts with suppliers are effectively managed, that the project has sufficient cashflow and generally meeting the liabilities (e.g. clawback) that flow from the conditions of the funding
Annual Revenue Budget	This is the Council's total Revenue spending plans for the year including the level of Council Tax for the coming year. It is set by Council following receipt of the Annual Budget Report.
Asset(s)	The CIPFA Code of Practice on Local Authority Accounting in the UK 2010/11 defines an asset as 'a resource controlled by the authority as a result of past events and from which future economic benefits or service potential is expected to flow to the authority'.
Budget	As per Article 4 of the Council's Constitution the annual Budget includes the allocation of financial resources to different service and projects, including: <ul style="list-style-type: none"> <li>• Revenue expenditure</li> <li>• Proposed contingency funds including reserves and balances</li> <li>• Setting the Council Tax (and any other local tax which may be within the control of the Council)</li> <li>• Decisions relating to the control of the Council's borrowing requirement</li> <li>• Capital expenditure, and</li> <li>• The Treasury Management Strategy</li> </ul>
Budget carry forward	A budget carry forward is an underspend of a specified amount of budget which is planned for, and transferred to an earmarked reserve to be spent in a future year(s) for a specified purpose. For the purposes of these Regulations this is treated as a Virement (See below)
Budget Implementation Plan	Business planning is an ongoing process which ensures that we understand needs, agree priorities and strategic outcomes for the medium to long-term, and allocate and develop financial and non-financial resources needed to deliver them. The decisions and information from the process – both quantitative and qualitative - facilitate the production of the Budget Implementation Plans (BIPs) in the Council's Budget Book
Capital Programme	This is the sum of all the Council's individual capital projects and sub-programmes that the Council is planning to undertake during the <b>coming 5 years</b> , together with the funding that will support the Programme. The Capital Programme is made up of a number of different projects ranging from large scale projects such as Building Schools for the Future to smaller projects such as children's play equipment. The number and size of the projects may change which means that Capital Programmes may not be comparable in terms of size and scope over time.

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Capital Project	A project which uses capital resources to acquire assets, and /or build, improve, increase the market value of, or substantially lengthen the useful life of an asset.
Capital Reporting and Approval Timetable	This sets out the deadlines for submission of Capital Approval Forms, dates of review meetings, monitoring and forecasting cycles, reporting dates and finance system schedules.
Capital Spending	Spending to purchase, build, improve, increase the market value of or substantially lengthen the useful life of an asset. Examples include the Decent Homes Programme, Building Schools for the Future and the Local Transport Plan.
Chief Property Officer	This means the Director of Capital and Major Projects, or such other Director who may be nominated as such from time to time by the Executive Director, Place.
Corporate Plan	The <a href="#">Corporate Plan</a> sets out the vision for the Council and Sheffield. It includes what the Council will do over the next three years in order to deliver the vision.
Director	An Officer who is a member of the Council's Director's Group.
The Executive	The Executive means the Leader of the Council and the Members selected by him / her to form the Cabinet. In line with arrangements made by the Leader's Scheme, the members of the Executive, individually and / or collectively, discharge the Council's executive functions, either themselves or through further lawful delegations of authority.
Executive Director	For the purposes of these Regulations, 'Executive Director' means an Officer designated in the Council's staffing structure as an Executive Director.
Executive Functions	Those local authority powers and duties which in law are the responsibility of the Executive.
External Funding	As defined by the Chartered Institute of Public Finance and Accountancy, External Funding is "discretionary money not accounted for within the Formula Spending Share (the normal funding from central government) or equivalent, distributed by various UK and EU agencies on a business case and / or competitive basis requiring an application".
Finance Business Partners	Members of the Finance Service with specific responsibility for supporting Executive Directors and their teams through the provision of financial advice and decision support.

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Finance Service	The Council's consolidated financial support service led by the Director of Finance.
Financial Policies	The Council has a detailed set of financial policies which underpin these regulations.
Financial Protocol	The Financial Protocol summarises the relationship between Executive Directors and the Director of Finance and is signed annually by all parties.
Forward Capital Programme	This is the term used to describe the projects that are intended (planned) to be in the Council's Capital programme for the following financial year. Information is usually prepared and collated in the autumn / winter for presentation to Council in March.
Inclusion	This is the term used for the incorporation of approved capital projects in the Forward Capital Programme <b>and</b> the addition of projects to the Forward Capital Programme at any time in the financial year, e.g. where a stream of funding is identified in December that needs to be spent before the end of March.
Leader	The Leader of the Council or, if the Council's executive arrangements are changed to a mayoral model, the Mayor (but not the Lord Mayor) of the Council.
Leader's Scheme	The scheme of delegation and / or other arrangements for exercising the Council's executive functions made from time to time pursuant to Section 9E Local Government Act 2000 by the Leader.
Medium Term Financial Strategy	The Council's Medium Term Financial Strategy presents an overview of the Council's Financial position over at least the next three year period including revenue and capital spending plans linked to priorities.
Policy Framework	As per Article 4 of the Council's Constitution the Policy Framework means the following plans and strategies <ul style="list-style-type: none"> <li>• Development Plan documents (Section 15, Planning and Compulsory Purchase Act 2004)</li> <li>• Licensing Authority Policy Statements under the Licensing Act 2003 and the Gambling Act 2005</li> <li>• Local Transport Plan</li> <li>• Sustainable Community Strategy</li> </ul>
Portfolio	The name given to a group of departments managed by an Executive Director. The Executive Directors combine to make up the Council's Chief Officer Board (Executive Management Team).
Property Asset Management	CIPFA describes property asset management essentially a mechanism to enable and ensure that property assets are managed and used efficiently and effectively in support of the main objectives of an organisation. This will need to be undertaken within any financial constraints and statutory obligations

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Revenue Spending	Any expenditure by the Council that falls outside the definition of Capital Spending. Typically the day- to- day running costs of the Council such as salaries, rent, utility bills and payments to service providers.
Section 151 Officer	Under Section 151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988, the Chief Finance Officer has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of its financial affairs. The Executive Director – Resources is the responsible officer (Chief Finance Officer) for the purposes of s151.
Senior member of the Finance Service	These are the officers designated in <a href="#">para A3.5</a> of the Financial Protocol appended to these Regulations.
Sundry Debt	Miscellaneous income that is due to the Council that can be collected by payment up front or by raising a sundry debt invoice. Local taxation, housing benefit overpayments and rental income are not included in this definition.
Transfer to a specific reserve	A transfer to a specific reserve is funding that is being put to one side as part of the service’s budget strategy. The funding will be used in future years for reinvestment back into the service area. For the purposes of these Regulations this is treated as a Virement (See below)
Utilities / Utility Bill	As approved by the Director of Commercial Services, payments for the following services are considered to be Utilities. Gas, Electricity, Water, Telecomms, Mail Services and Photocopiers.
Variation / Change in Scope (Capital)	This is where there are changes in the agreed capital project cost or outputs. This could be an increase in the cost of the project, a change in available funding, or what will be delivered (the outputs). For example, funding to refurbish six schools is reduced such that only three can now be delivered. This would create a financial variation and change of scope which require approval in accordance with the Leader’s Scheme and / or the Constitution where applicable.
Variations (Revenue)	Variations are changes to the total amount of expenditure across either a Portfolio, Service or the Council as a whole <b>that result</b> in a change to the Council’s <b>overall level of resources</b> as set out in the Budget <b>approved by Council</b>
Virement	Virement is defined by CIPFA as the transfer of underspending on one budget head to finance additional spending on another budget head. Virements are also used to move budgets where a function is moved from one Portfolio or Service to another.
Write -Off	Removing a debt from the Council’s accounts using money that has been set aside as part of the bad and doubtful debt provision. It relates to debts that are correctly due to the Council but for whatever reason are no longer collectable.

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## 1. Background

### 1.1. The purpose and authority of the Financial Regulations

These Regulations form part of the Council's Constitution and as such carry with them the same authority. They set out the financial management policies of Sheffield City Council and are the key part of the Council's financial governance arrangements.

They are intended to help Members and Officers manage the Council's finances in line with best practice and should be read and implemented in the wider context of the Council's decision making framework including the Constitution and the Leader's Scheme.

As per [Section 2.2.7](#) of these Regulations, the Director of Finance is required to formulate and maintain any standards, procedures and processes as she / he deems necessary to support the effective implementation of these Regulations.

It is important that these Regulations are, and continue to be, relevant to the Council. They are regularly reviewed so as to be consistent with the Council's Constitution, Leader's Scheme of Delegation and all other related documentation. They are also reviewed in line with accounting best practice, legislation, and changing service needs.

Any changes to these Regulations must be proposed by the Director of Finance and approved by Council.

Officers should initially contact their Finance Business Partner if they wish to raise any issues with the content of these Regulations.

### 1.2. Accountability for compliance

All officers, including those working for the Council on a voluntary basis, are accountable for following the rules set out in these regulations. It is important that Managers at all levels in the Council ensure that they and the staff and volunteers under their control, are familiar with these Regulations and the rules they contain.

The Directors of Business Strategy are responsible, within their Portfolios, for ensuring compliance with these Regulations

These Regulations are a key element of the Council's governance arrangements. All Directors are required to sign the Annual Governance Statement (AGS) to confirm that they fully comply with the prescribed governance arrangements of the Council including these Regulations.

Non-compliance with these Regulations may result in the withdrawal of delegated financial authority and / or the application of disciplinary procedures.

Adherence to the processes associated with the Council's finance system (Oracle Enterprise One and Qtier) is also essential to ensuring that officers are complying with these Regulations.

The term "officers", where used in these regulations, refers to both Council employees and those working for the Council on a voluntary basis.

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### 1.3. Accounting Policies

The Director of Finance is responsible for selecting Accounting Policies and ensuring that they are applied consistently. The Accounting Policies are set out in the Statement of Accounts which is prepared as at 31<sup>st</sup> March each year. The key controls in Accounting Policies are that;

- Systems of internal control are in place to ensure that financial transactions are lawful,
- Proper accounting records are maintained
- Financial statements are prepared which present fairly the financial position of the authority and its expenditure and income

### 1.4. Risk management

These Financial Regulations and associated finance systems and processes are a key part of the Council's risk management framework and associated risk strategies. By following these Regulations, the Council's finance processes, and ensuring that the financial risks and opportunities of any activity are fully considered and recorded in line with the risk management framework Officers will demonstrate compliance with corporate risk management requirements.

### 1.5. Internal Control

Internal Control is the system put in place by the Council to conduct its business in an orderly and efficient manner. It is used to safeguard its assets and resources, to deter and detect errors, fraud and theft, to ensure accuracy and completeness of its accounting data, to produce reliable and timely financial and management information and ensure adherence to the Councils policies and plans.

As part of the Annual Governance process, Directors and Executive Directors must confirm that they have satisfactory arrangements in place to manage internal controls within their Portfolio. This includes the requirement for individual managers to be responsible for the effectiveness of the internal control system within their Service.

Directors and Executive Directors are also required to highlight deficiencies in the control framework and to identify significant incidents that have occurred.

An Annual Governance Statement is prepared and signed by the Council's Section 151 Officer, Chief Executive and Council Leader. The statement describes the Council's governance framework and highlights any significant deficiencies.

The Audit Committee (or any future committee that may be given this function) is responsible for approving the Annual Governance Statement which is published along with the Council's Annual Accounts.

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## 1.6. Training and development

### 1.6.1. Director of Finance and Executive Directors

These are jointly responsible for working co-operatively to ensure the effective implementation of these Regulations and management of the Council's financial arrangements. This will involve a commitment to;

- influencing the culture of financial management through training and development of Portfolio managers and Finance Service staff
- identifying any training requirements that their staff need to comply with these Regulations and to meet the required financial competencies.

### 1.6.2. Director of Finance

The Director of Finance is responsible for;

- producing documentation that supports these Regulations and which set out in more detail the Council's procedures and processes for carrying out work related to financial management and administration.
- ensuring that appropriate training is made available to support these Regulations and associated procedures and processes.
- Ensuring that the e training and guidance provided as part of the Council's finance system (Oracle Enterprise One and QTier) are in line with these Regulations.

### 1.6.3. Executive Directors

Executive Directors are responsible for ensuring that;

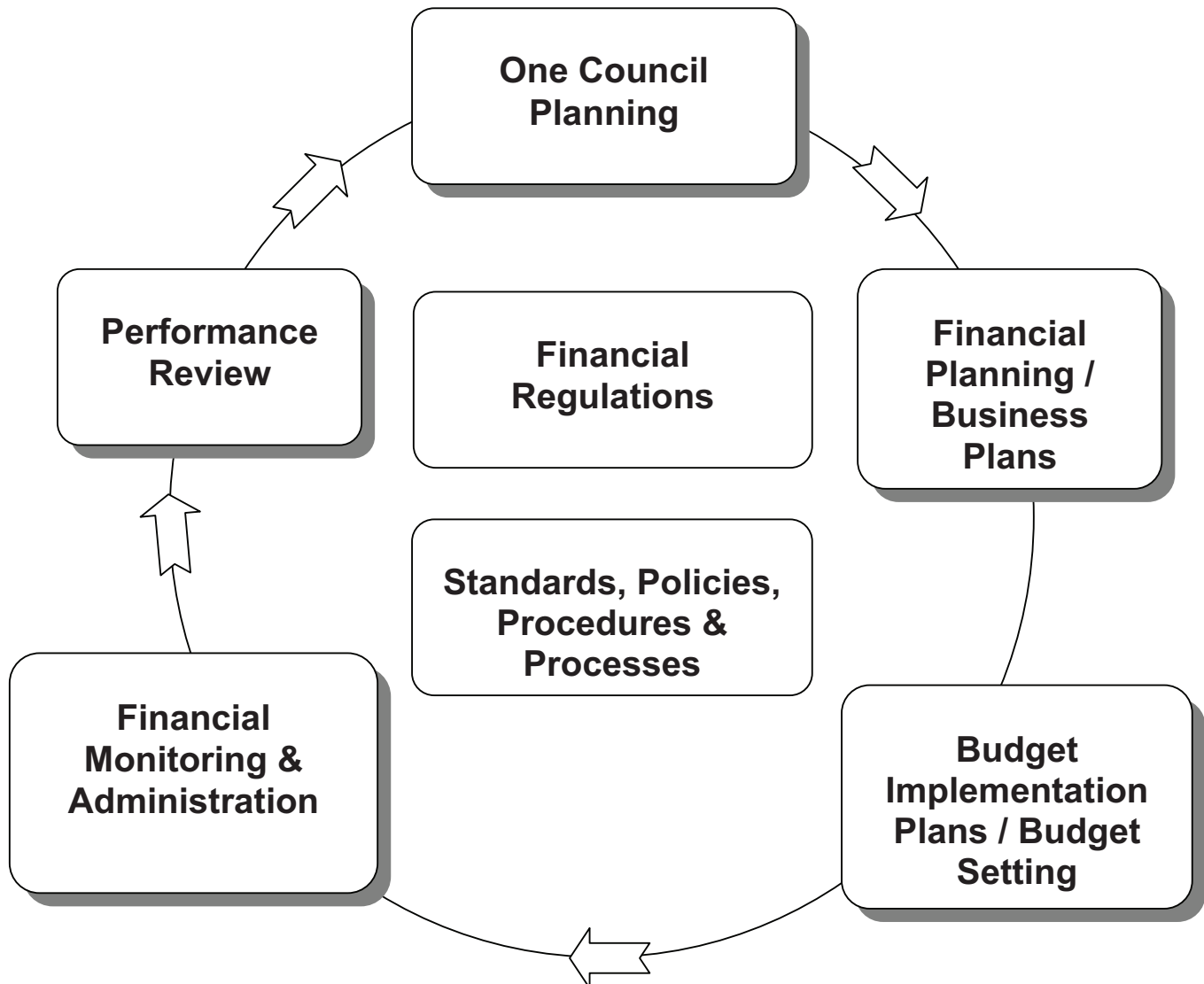
- the training opportunities which have been made available are taken up by their staff as required
- Their staff follow the guidance and other documentation that is made available to them

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## 2. Financial Management

### 2.1. The Cycle

The following diagram illustrates the financial management process starting with service planning and ending with the review of performance before the cycle starts again. These Financial Regulations and the financial policies and procedures issued by the Director of Finance are shown as supporting the financial management process.



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## 2.2. Responsibilities and Delegated Authority

Many of the Council's responsibilities for finances are delegated within a framework of powers from Full Council to its committees (e.g. Audit Committee) and Officers, or, in the case of Executive Functions, by the Leader, primarily through the Leader's Scheme (e.g. to Cabinet, Individual Cabinet Members, Area Committees and Officers). Scrutiny Committees also have a role in the Council's financial management process.

### 2.2.1. Full Council

Functions reserved to Full Council include setting the Council's Annual Revenue Budget, the Housing Revenue Account, the overall Capital Programme and Council Tax levels, and approving or adopting the Policy Framework.

Functions exercised by [Full Council](#) are set out in [Article 4 of the Council's Constitution](#) and/or prescribed by law.

If the Cabinet, individual Members of the Cabinet and any officers, area committees or joint arrangements which discharge Executive Functions have any doubt whether a proposed decision is in accordance with the approved, Revenue Budget or Capital Programme, they must take advice from the Director of Legal and Governance and the Executive Director – Resources or Director of Finance.

If the advice of either of those officers is that a decision would not be in line with the approved, Annual Revenue Budget or Capital Programme, then, subject to the rules of virement, ([See](#) Section 3.5) and subject to the urgency procedure the decision may only be taken by the Council.

### 2.2.2. The Executive

The [Executive](#) has overall responsibility for ensuring that the Council's expenditure remains within the resources available to it.

The Leader decides which parts of the Executive may exercise which executive functions and will generally do this through the Leader's Scheme.

**If any lawfully made provision of the Leader's Scheme contradicts any provision of these Regulations, the Leader's Scheme shall prevail.**

#### 2.2.2.1. Cabinet

The Cabinet will receive a monthly budget monitoring report outlining the financial position for the whole Council.

The Cabinet will receive the out-turn report following the end of the financial year to approve decisions on the carry-forward / carry-back of resources from one year to the next.

The Cabinet may receive financial information during the year if an in-year decision on the Council's budget is required.

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### 2.2.2.2. Individual Cabinet Members

Functions which may be exercised by individual Cabinet Members are set out in [the Leader's Scheme](#).

All Cabinet Members will receive monthly budget monitoring reports for their areas of responsibility, via the relevant Finance Business Partner.

### 2.2.3. Area committees

An Area Committee has executive powers to approve expenditure of any amounts delegated to it by the Executive. Area committees cannot spend money other than that allocated by Council or the Executive. Whenever an Area Committee spends money, it must comply with these Regulations, [Standing Orders](#), [Commissioning and Procurement Guidelines](#) and any other relevant policies or procedures.

Functions exercised by Area committees are set out in:

- Article 10 and Part 3 of the [Council's Constitution](#)
- the [Leader's Scheme](#)

### 2.2.4. Audit Committee

The Audit Committee of the Council forms a key part of the governance of the Council. The terms of reference for the Audit Committee are set out in the [Council's Constitution](#). The main financial duties are:

- To approve the Council's Statement of Accounts (which includes the Annual Governance Statement) in accordance with the Accounts and Audit (England) Regulations 2011 as amended from time to time.
- To consider the Annual Letter from the Auditor or the Audit Commission in accordance with the Accounts and Audit (England) Regulations 2011 as amended from time to time and to monitor the Council's response to any issues of concern identified.
- Monitoring the work of the Council's Internal Audit function

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### 2.2.5. Scrutiny Management Committees

Scrutiny Committees can make recommendations to the decision makers but they do not make resource allocation decisions and therefore cannot approve changes in the budget or financial actions such as transfers to or from reserves. Decisions such as this can only be taken by Full Council or in accordance with the Leader's Scheme or as otherwise directed by the Leader (section 14 Local Government Act 2000).

In relation to financial management and planning, the Scrutiny Management Committee (or any future committee that may be given this function) is responsible for exercising an overview and scrutiny function in respect of:

- all the Council's strategic and longer term planning and corporate development issues;
- the budget setting process and budget monitoring;
- financial processes and day-to-day management of all the Council's internal resources, including finance, staffing and property.

Where a scrutiny committee considers that a decision of the Executive is, or would be, contrary to, or not wholly in accordance with, the Council's, Annual Revenue Budget or Capital Programme, then it will seek advice from the Director of Legal and Governance and either the Executive Director of Resources or the Director of Finance.

### 2.2.6. Executive Directors

Each Executive Director will be responsible for ensuring;

- the proper financial management of their Portfolio services
- that a clear, written accountability framework is in place for the budgets held by each Service and Budget Manager.
- That appropriate arrangements are in place for the discharging of their financial responsibilities by Directors and Managers within their Portfolios
- compliance with these Regulations by staff within their Portfolio.

Any arrangements must be fully compliant with these Regulations and the Council's financial policies and procedures. They will not diminish the ultimate financial responsibilities of Executive Directors.

### 2.2.7. Executive Director of Resources

The Executive Director of Resources is the responsible officer (Chief Financial Officer - CFO) for the purposes of s151 of the Local Government Act 1972 and s114/114A of the Local Government Finance Act 1988. The Executive Director of Resources therefore has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of the Council's financial affairs. This includes ensuring the production and monitoring of these Regulations.

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The Executive Director of Resources, as a member of the Council's Executive Management Team will ensure that the s151 role is discharged at this strategic level. On a day-to-day basis all s151 responsibilities may be discharged by the Director of Finance, who will act on behalf of the Executive Director of Resources in ensuring proper discharge of these statutory responsibilities. Nothing in this paragraph diminishes the ultimate financial responsibilities of the Executive Director of Resources. Whenever these Regulations provide that something will, must or may be done by the Director of Finance, this may also be done instead by the Section 151 Officer.

#### 2.2.8. The Director of Finance

The Director of Finance is;

- authorised to sign any and all grant claims, statutory returns or other documents that require the authority of the s151 officer on behalf of the Council.
- responsible for recommending amendments to these Regulations to the Council where she / he considers these to be in line with any changes to recommended best practice or essential service requirements or as otherwise appropriate. Minor and consequential amendments may be made by the Director of Legal and Governance in consultation with the Lord Mayor.
- responsible for fully documenting financial standards, policies, procedures, forms, etc. which support these Financial Regulations by setting out in more detail the Council's procedures for carrying out finance work.
- responsible for ensuring that appropriate training is made available to support these procedures. Executive Directors are responsible for ensuring that these training opportunities are taken up by their staff.

#### 2.2.9. The Financial Protocol

The respective roles and responsibilities of Executive Directors and the Director of Finance in financial management are specified in a [Financial Protocol](#) document which will be signed annually by the Director of Corporate Resources, each Executive Director and their respective Director of Business Strategy.

### 2.3. **Asset Management**

The Executive is responsible for the Council's Asset Management Strategy and ensuring that the Council has an up-to-date Asset Register. Such responsibility is to be discharged in accordance with the Leader's Scheme.

#### 2.3.1. Director of Finance

The Director of Finance has overall responsibility for the financial elements of Council's Asset Register and for ensuring that it complies with all necessary accounting requirements.

The Director of Finance is responsible for approving the use of leases to finance purchases. Revenue costs will be met from within Portfolio cash allocations, agreed as part of the Annual Revenue Budget process.

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### 2.3.2. Chief Property Officer

The Chief Property Officer is responsible for Asset Management across the Council.

### 2.3.3. Executive Directors and the Chief Property Officer

Executive Directors and the Chief Property Officer are responsible for ensuring adequate arrangements are in place for maintaining and safeguarding the Council's property assets used for their Portfolios. When market conditions are favourable this includes consideration of the disposal of surplus capital assets as part of the Council's Asset Management Plan.

### 2.3.4. Acquisition and disposal of Capital Assets

Executive Directors and the Chief Property Office are responsible for ensuring that any acquisition of assets is approved in accordance with the requirements of the [Leader's Scheme](#).

Disposal of surplus assets must also be done in accordance with the requirements of the Leader's Scheme and the Council's Disposals Framework policy

## 2.4. **Financial Risk Management**

Specific responsibilities relating to risk management are set out in the Risk Management Framework and Guidance that was produced and agreed by Corporate Risk Management Group (CRMG).

Executive Directors are responsible for ensuring that risk management and business continuity are embedded at all levels within their area of responsibility in line with the Risk Management Framework and, in respect of financial risk management, ensuring the effective stewardship of public funds.

Financial Risk Management is built into these Regulations and many of the core processes that the Council expects managers to follow on a day-to-day basis. The Council's Risk Management strategy is based on good risk management being an integral part of good management and not a separate activity. Key mainstream processes that promote good risk management include, but are not limited to:

- Budget Monitoring
- The financial Administration processes in these Regulations
- The Council's Decision Making processes
- Programme and Project Risk Management
- Key Financial Risk Registers

In line with the requirements of the Risk Management Framework, Directors are responsible for maintaining and monitoring a Service Risks and Assurances log which must include financial risks.

Executive Directors are responsible for identifying and controlling risks in their area and significant financial risks should be reported to the Directors of Business Strategy.

The Director of Finance will report the most significant of these risks to the Council's Executive Management Team on a monthly basis and key risks will be summarised and reported to Members in monthly budget monitoring reports.

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#### 2.4.1. Money Laundering

Specific responsibilities relating to money laundering are set out in the Anti-Money Laundering Policy. This was produced by Internal Audit on behalf of the Director of Finance.

In line with the Anti-Money Laundering Policy, the Director of Finance is the Officer nominated to receive disclosures about Money Laundering activity within the Council – the MLRO.

The roles and responsibilities of the MLRO are set out in Appendix B to the Policy. Executive Directors are responsible for ensuring that this policy is adhered to.

#### 2.4.2. Fraud

Officer responsibilities in relation to fraud and corruption are set out in Appendix B of the Council's Code of Conduct: Policy Statement on Fraud and Corruption as set out in [the Council's Constitution](#).

In accordance with [Section](#) 17.1 of these Regulations, Executive Directors are responsible for notifying the Section 151 officer where there is any actual or suspected irregularity affecting the Council's assets.

### 2.5. Insurance

#### 2.5.1. Executive Directors

Executive Directors are responsible for:

- ensuring that prompt notification is given to the Executive Director - Resources of all circumstances involving both existing and new risk, the occurrence of which could result in the Council incurring a substantial liability. This will include details about Members, Officers, service users, third parties, property, vehicles, plant/ other assets, trading activities undertaken with organisations external to the Council, and any alterations affecting existing insurances, as well as potential insurance claims that may result from acts or omissions on the part of the Council.
- ensuring that the insurance cover chargeable to their Portfolio budgets is accurate and up to date.
- ensuring insurance renewal information is provided when requested annually by the Insurance & Risk team.
- immediately notifying the Insurance & Risk Team of any loss, liability or damage or any event likely to lead to a claim and take such action as may be necessary to satisfy any policy conditions.
- informing the Executive Director - Resources of any vehicle acquisitions/disposals or premises acquisitions or disposals and of any occupations or vacations of premises.

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### 2.5.2. The Executive Director - Resources

The Executive Director - Resources will arrange the insurances considered necessary to cover risks to which the Council is exposed.

The Executive Director - Resources will periodically review all insurances in consultation with Executive Directors and determine the premiums to be charged as part of the Annual Budget process.

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### 3. Financial Planning

There are 3 key elements to Financial Planning at Sheffield City Council:

- Medium Term Financial Strategy
- Annual Revenue Budget
- Capital Programme

Each element has a specific purpose and is designed to ensure the robustness of the Council's overall financial arrangements.

#### 3.1. Medium Term Financial Strategy

The Medium Term Financial Strategy (MTFS) is a key requirement of good governance and is a key tool to help the Council deliver its priorities.

In line with the [Leader's Scheme](#), the Cabinet is responsible for approving the Medium Term Financial Strategy and it will be refreshed and updated on an annual basis.

The Medium Term Financial Strategy links strongly to the Corporate Plan and the Corporate Plan drives the spending priorities that inform the Medium Term Financial Strategy. This will include allocating the overall expenditure limits for area committees. The Director of Finance will be responsible for producing the Medium Term Financial Strategy in conjunction with Executive Directors and will recommend measures to the Executive that will support the Corporate Plan. This will be supported by policy options, savings and efficiencies, and both financial and non-financial information to assist decision-making.

The Medium Term Financial Strategy will set an integrated financial plan for at least a three year period and will form the foundation of the Annual Revenue Budget and Capital Programme for the next year and projections for at least the following two years. This will include cash allocation or financial targets for Executive Directors for the forthcoming financial year and guideline allocations / targets for the following two years. The MTFS will also include projections of the Council's reserves and balances.

#### 3.2. Annual Revenue Budget

The Annual Revenue Budget sets the budget proposals for the Council for a one-year period and also sets the City Council element of the Council Tax for the following financial year.

Proposals and policy options for the Council's Annual Revenue Budget will be presented to Cabinet as part of the Medium Term Financial Strategy by the Director of Finance. The Director of Finance will then be responsible for preparing detailed proposals for the Annual Revenue Budget for the coming year in conjunction with Executive Directors.

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Financial estimates will be produced for, and on behalf of Portfolios by the Director of Finance through Finance Business Partners. Executive Directors and the Director of Finance will work collaboratively to agree final spending proposals for inclusion in the Annual Revenue Budget.

The Director of Finance will advise on the inclusion of contingencies to cover exceptional in-year price movements and potential commitments which are uncertain either in terms of their financial impact or timing. Executive Directors will notify the Director of Finance of such items as part of the budget setting process so that an appropriate level of contingencies can be approved by the Council.

As part of the Annual Revenue Budget, the Director of Finance will be responsible for ensuring that the budget proposed meets relevant statutory requirements.

### **3.3. Annual Revenue Budget Approval**

The Executive is responsible for agreeing the annual budget for services within Portfolios, including the overall capital programme, within the Budget and Policy Framework.

If agreed, the Executive will recommend the Budget to Full Council for final approval together with a recommended level of Council Tax to be set for the coming financial year.

As per Article 4 of the [Council's Constitution](#) the Council is required to set the Annual Revenue Budget and the appropriate level of Council Tax for the coming financial year by 11th March each year in line with statutory requirements.

Once the Annual Revenue Budget has been approved by the Council, Executive Directors may incur expenditure up to the amount approved for the period covered by that budget. Individual items of expenditure within the budget must still be approved in accordance with the Council's [Standing Orders, Commissioning and Procurement Policy](#) and any other relevant policies, and where the expenditure constitutes an executive function, in accordance with the Leader's Scheme.

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### 3.4. Annual Revenue Budget Monitoring

#### 3.4.1. Chief Executive and Executive Directors

The Chief Executive and Executive Directors, in consultation with the Cabinet Member for Finance, are responsible for taking appropriate action to ensure that the overall spending of the Council is within available resources.

Executive Directors;

- must not overspend the approved Revenue Budget for their Portfolio
- are responsible for managing their approved Revenue Budgets within the cash allocations and financial targets approved by the Council, unless specific additional resources are provided by the Cabinet during the year.
- must not make commitments relating to spending in future years without the agreement of the Director of Finance and consultation with the Cabinet Member for Finance. Any such commitments must be within the financial parameters set in the Medium Term Financial Strategy.
- are responsible for ensuring that managers within their Portfolios work within the timescales and procedures stipulated from time to time by the Director of Finance.

The Executive Management team may recommend that budget monitoring information is presented to the relevant Scrutiny and Policy Development Committees in consultation with the Chairs of those Committees.

#### 3.4.2. Director of Finance

The Director of Finance will prepare budget monitoring reports in consultation with Executive Directors. The Director of Finance will produce an annual timetable for budget monitoring reporting and the following principles will apply:

- Monitoring reports, prepared on an accrued basis, will be reported to Portfolio Management Teams on a monthly basis.
- Monthly monitoring reports will be presented to Executive Management Team.
- Monthly overall monitoring reports will be presented to the Cabinet.

Monthly monitoring reports will be prepared for the portfolio holding Cabinet Member(s) by the Director of Finance in consultation with the Executive Director.

Consolidated monitoring reports will be presented to the Scrutiny Management Committee if requested.

The relevant Scrutiny and Policy Development Committees of the Council may request more frequent budget monitoring information.

As soon as practical after the end of the financial year, the Director of Finance will report to Cabinet the overall Revenue out-turn position including details of reserves, balances and provisions held by Portfolios.. The report should include recommendations relating to the treatment of any under and over spending by Portfolios.



### 3.5. Virements and Variations to the Annual Revenue Budget

#### 3.5.1. Virements

Executive Directors are responsible for optimising resources and for managing their budgets prudently.

Virements are intended to enable the Executive and Executive Directors to manage budgets with a degree of flexibility, provided they remain within the overall Budget and Policy Framework as determined by full Council.

Key controls for virements are that:

- they must be approved in line with these Regulations,
- they must not create additional overall budget liability, for example by creating future commitments from one-off additional spending, and
- both parties to the virement must agree to it.

Virements will not be permitted from capital financing charges, levies or other areas of spending as prescribed by the Director of Finance without the specific approval of the Director of Finance.

Virements requested by area committees will be proposed by the relevant Director and the process and limits below followed.

#### 3.5.2. Variations

Variations are changes to the Council's overall level of resources as set out in the Revenue Budget Report that is approved by Council.

In accordance with Article 4.02f of the Council's Constitution, any decision about any matter **which would be contrary to or not wholly in accordance with the Budget** must be taken by Full Council. This requirement is subject to the urgency procedure in the Budget and Policy Framework Procedure Rules,

#### 3.5.3. Approval of Virements between Services and Portfolios

Approval of the virement must be in line with the limits shown below and the Leader's Scheme:

- Under £500,000: the virement may be approved by the Director of Finance.
- £500,000 and Over: the virement may only be approved by the Executive in line with the [Leader's Scheme](#)

Where a virement would represent a major change of policy it must be approved in accordance with the Leader's Scheme regardless of its value.

If the cumulative effect of virements is over £500,000 during a financial year, these must be approved by the Executive (as above).

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#### 3.5.4. Approval of Virements between reserves and Portfolios

The principle criterion for assessing requests for carry-forwards is that the overall budget of the Portfolio making the request must be underspending, i.e. the Portfolio cannot exceed its approved budget.

Carry-forwards or transfers to earmarked reserves should be linked to the annual revenue budget and, where possible, identified in the business planning process. Requests must be done in line with the financial procedure on such matters.

Requests by Executive Directors to carry forward underspends or establish earmarked reserves, may only be done following review by the Director of Finance and will be presented to the Executive as part of the monthly Revenue Budget Monitoring process. Approved requests will be included, where feasible, in the Budget Implementation Plan for the relevant Service.

The Director of Finance, or delegated Officer, may approve the transfer to reserves of a restricted grant received by the Council i.e. one which has either conditions attached or is ring-fenced, where the related expenditure is not expected to be incurred in the current financial year.

The Director of Finance is responsible for formulating an annual Reserves Strategy for approval in line with the Constitution. As part of their duty to make arrangements for the proper administration of financial affairs, the Director of Finance, or delegated Officer, will manage, in accordance with the approved strategy, the need for transfers to and from reserves, in consultation with the Cabinet Member for Finance. Where the proposed transfer is not consistent with the approved strategy, and does not relate to a restricted grant then, subject to the urgency procedure, the decision may only be taken by Full Council.

Revenue Budget allocations and Budget Implementation Plans are approved in accordance with the [Council's Constitution](#)

#### 3.5.5. Approval of Variations

Any change to the overall level of available resources as set out in Budget must be approved by Full Council in line with the [Council's Constitution](#).

Requests for variations may be submitted to the Council for approval as detailed below:-

- Under £500,000 **and** not representing a major change of policy: The submission of a request for the variation may be approved by an Executive Director in consultation with the Director of Finance and the relevant portfolio holding Cabinet Member.
- £500,000 and over **or** representing a major change of policy: The submission of a request for the variation may only be approved by the Executive in line with the [Leader's Scheme](#)

Variations to the Annual Revenue Budget that require Executive support will be proposed by the Executive Director and actioned by the Director of Finance.

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Variations requiring Cabinet support will normally be presented to Cabinet as part of the normal budget monitoring cycle and in line with the requirements of the [Leader's Scheme](#).

Any report to the Executive or to the Council recommending a variation to the Annual Revenue Budget must comply with [Section 4](#) of these regulations in respect of the reporting and approval of Financial Implications.

#### 3.5.6. Recording Virements and Variations

All approved Virements and Variations must be recorded on the Council's Finance System.

### **3.6. Borrowing and Investment (Treasury Management)**

Only the Director of Finance may enter into any borrowing or investment on behalf of the Council.

The Director of Finance is responsible for formulating an annual Borrowing Strategy and Treasury Management Policy for approval by the Council in line with the [Constitution](#).

The Treasury Management Policy and associated Treasury Management Practices will be issued and updated in accordance with all relevant legislation and recommended Codes of Practice.

The Director of Finance is responsible for providing an annual report to Council on treasury management activities, transactions and decisions over the preceding twelve months. The prime criteria for the effectiveness of treasury management activities the identification, monitoring and control of risk. Therefore, the analysis and reporting of activities will focus on the risk implications for the Council.

In undertaking the Council's borrowing and investment operations, the Director of Finance will ensure compliance with the Borrowing Strategy, the Treasury Management Policy and all associated Treasury Management Practices.

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#### 4. Financial Implications

When decisions need to be taken, then it is important that those taking them have access to properly considered financial information.

Executive Directors are responsible for ensuring that the following reports contain a section entitled 'Financial Implications'.

- Executive Reports, supporting decisions taken by the Leader, the Cabinet, Individual Cabinet Members and Committees,
- Executive Reports supporting Officer Key Decisions,
- Executive Reports supporting Officer Non-Key Decisions, that require publication and
- Reports to the Cabinet Members Team and the Executive Management Team.

The financial implications section must summarise the capital and revenue implications of the proposals, together with details of any potential risks.

Officers involved in making Non-Key Decisions, that will not require publication, must also give proper consideration to the financial implications. This includes consultation with their Finance Business Partner where necessary. The implications identified should be documented and retained, in case of future challenge or audit requirement.

Whilst not mandatory, it is nevertheless good practice, for reports made to other meetings, such as less formal Member's meetings, management teams etc., to also include a Financial Implications section.

In line with the provisions of the Leader's Scheme of Delegation, the Executive Director, Resources or Director of Finance will issue guidance as to when matters should be referred to them in advance to enable them to form and communicate an opinion. This guidance must always be followed.

##### 4.1. Sign-off of Financial Implications

The Director of Finance, or an authorised officer on his / her behalf, is responsible for signing off all Financial Implications summaries and, where applicable, the Appendices to the report.

Only the Director of Finance, as the budget holder for the Council's Capital Financing costs, or Officers specifically authorised to do this on his / her behalf may approve Financial Implications which affect the cash-flow of the Council.

The Finance Service officer is responsible for ensuring that the Officer who has prepared the report has taken all relevant advice, e.g. specialist financial or taxation advice, before they sign off financial implications.

The name of the Finance Service Officer who has signed-off the financial implications must appear on the Financial Implications Section of the covering checklist.

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## 5. Capital Programme

### 5.1. Background

#### 5.1.1. The Capital Programme

The Capital Programme is made up of a number of schemes / projects which meet the definition of capital spending. It is the planned list of projects, together with supporting funds, that is agreed by Council in March each year and can cover the next 5 years.

The Programme is made up of a number of different elements which may change from time to time. This means that Capital Programmes may not be comparable in terms of size and scope over time.

Accounting for capital projects will be in accordance with current and approved International Financial Reporting Standards and the Statement of Recommended Accounting Practice (SORP).

### 5.2. Roles and responsibilities

#### 5.2.1. The Executive

The Executive is responsible for ensuring that the Council's expenditure remains within the resources available to the Council. It is responsible for agreeing the Capital Programme before recommending it to Full Council, and for reviewing the monthly monitoring reports.

This responsibility extends to the approval of any requests for in year additions and variations to approved projects to the value stated in [Section 5.3.5](#) (below) and as submitted through the guidelines laid down in these Regulations.

#### 5.2.2. Capital Programme Group

The Capital Programme Group is responsible for;

- oversight of Capital Management,
- advising and making recommendations to the Executive Management Team on new project approvals. The recommendations will be made to Cabinet on a monthly basis,
- approving progress to next stage of delivery, variations to existing projects, and
- approving the use of capital receipts and grants.

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### 5.2.3. Director of Finance

The Director of Finance is responsible for ensuring that capital projects are financially approved and reported in line with these Regulations and for producing a schedule (timetable) for reviewing, approving, managing and reporting capital spending.

In conjunction with the Executive Directors, the Director of Finance is responsible for approving Capital expenditure under the emergency approvals procedure detailed in Section 5.3.6 of these Regulations.

### 5.2.4. Executive Directors

Executive Directors are responsible for;

- ensuring that managers within their areas of responsibility comply with these Regulations and the procedures and timescales related to capital project management as defined by the Director of Finance.
- complying with the relevant requirements of [the Leader's Scheme](#), these Regulations and all associated external funding procedures. where a capital scheme is being financed, either wholly or in part through external funding
- complying with the relevant requirements of [the Leader's Scheme](#), these Regulations and all associated external funding procedures. Where a capital scheme is being delivered through partnership arrangements and, as a result of which, the Council is guaranteeing the liabilities of a third party,
- approving, in conjunction with the Director of Finance, capital expenditure in line with the emergency approvals procedure and the requirements of the Leader's Scheme.
- ensuring that managers adhere to the [SCC Project Management Guidelines](#) as appropriate.

### 5.2.5. Directors and Project Managers

Directors and Project Managers are responsible for;

- ensuring that the Council has the relevant legal authority to undertake a Capital Project
- ensuring that all arrangements comply with these Regulations, Standing Orders, published Codes of Practice and relevant EU and domestic procurement rules.
- complying with the requirements of the Leader's Scheme, these Regulations and all associated procedures in relation to external funding where consideration is being given to external funding for a capital project, either wholly or in part

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### 5.2.6. Budget Managers

It is Council Policy that all projects are managed in accordance with the [SCC Project Management Guidelines](#). These define a Project Manager as the officer who is responsible for the day to day running of the project on behalf of the Project Sponsor / Board. They are also responsible for delivery of the projects to cost, time and specification. To avoid unnecessary duplication of terminology in these Regulations the term Budget Manager can also be read to mean Project Manager.

Budget Managers are responsible for;

- considering revenue, environmental, property, and opportunity costs related to a project.
- considering the legal, human resources, equalities impact and sustainability implications of the project.
- considering the impact of Value Added Tax (VAT) on Capital projects and seek the advice of the Director of Finance if required. On a day-to-day basis this advice will be provided by the Council's Tax Manager.
- managing the project to cost thus preventing overspends. They must consider the risks of, and the solutions to, any forecasted Capital overspends.

### 5.2.7. Finance Business Partner (Capital) Team

The Business Partner Capital Team is responsible, alongside the Budget Manager, for steering a project through the financial approval process.

The Finance Business Partner Capital Team is also responsible for;

- reviewing, quality checking and, where appropriate, challenging the Budget Manager's monthly review of actual and forecasted expenditure and income.
- reporting capital expenditure and its financing in accordance with the Capital Projects Approval Hierarchy (see Section 5.3.4 below) on a monthly basis.

## 5.3. **Capital Programme Approval**

The proposed Capital Programme for the coming financial period is collated by the Director of Finance, in collaboration with Executive Directors.

The Programme must be reviewed by the Capital Programme Group prior to recommendation to the Executive Management Team then to Cabinet.

The agreed Programme must be presented annually, by the Director of Finance and the Executive Directors, to Full Council at the same time as the Annual Revenue Budget.

Inclusion of a project within the approved programme does not convey automatic authority for that project to commence.

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The Budget Manager must obtain approval for each stage of design, procure, build, and completion through the delegated powers of the Director of Finance or the Chief Property Officer (if appropriate) and the Capital Programme Group and in accordance with the provisions of the Leader's Scheme.

### 5.3.1. The Capital Approval Form

Financial Approval for projects within the Capital Programme, additions and deletions to/from the programme and variations to approved projects are facilitated through the Capital Approval Form (CAF).

A fully endorsed CAF, including all required documentation, which has been approved at Cabinet (or otherwise in accordance with the Leader's Scheme), is a necessary condition to proceed with a project and will be subject to stage approvals as deemed by the Capital Programme Group.

The Capital Approval Form (CAF) requires the following endorsements (signatures):-

- for Annual Inclusions and Variations - the signatures of the Project Manager, sponsoring Director, and Finance Business Partner (Capital) Team
- for Emergency approvals - the signatures of the Project Manager, sponsoring Director, Finance Business Partner (Capital) Team, an Executive Director and the Director of Finance

for cases considered sensitive by, or otherwise at the direction of, the Executive Director and / or the Director of Finance, the signatures of the Project Manager, sponsoring Director, Finance Business Partner (Capital) Team and the Individual Cabinet Member for the Portfolio.

### 5.3.2. Reports with financial implications

All reports with capital implications or other requests for approvals must be included within the capital programme approval process as described in these Regulations.

### 5.3.3. Project funding

Capital expenditure cannot take place unless it is fully funded or any funding gaps are approved by the Director of Finance.

In line with [Section 6](#) of these Regulations bids for external funding to support capital projects cannot take place until approved by either the Director of Finance or other authorised Finance Officers.

In line with the Leader's Scheme and [Section 6](#) of these Regulations, offers of such funding cannot be accepted unless the Accountable Body status of the Council has been agreed in line with the Leader's Scheme.

Funding cannot be recognised until all conditions for its receipt have been met. Before this point any shortfall against actual expenditure must be covered by either Portfolio revenue contributions to capital or by specific agreement for each project through corporate funding sources.

Capital Funding cannot be used to fund revenue expenditure.

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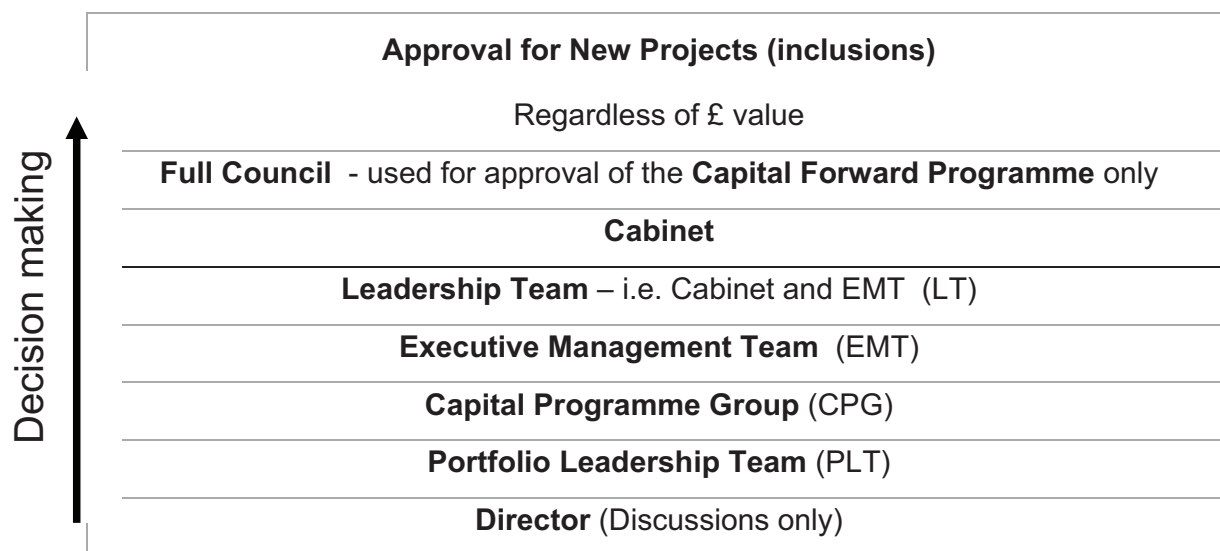
#### 5.3.4. Approval for New Projects / Inclusions / Changes

All new capital projects / inclusions in year and significant changes to the Capital Programme (other than changes requiring the approval of Full Council (Article 4 of the Constitution) must be approved by Cabinet or otherwise in line with the [Leader's Scheme](#), and these Regulations. The approval chain is detailed below.

Approval for projects financed wholly or in part by external funding is conditional on agreement to the Council becoming the Accountable Body for that funding. This agreement must be obtained in line with the requirements of the Leader's Scheme BEFORE any offers of funding are accepted.

Where the project involves the Council guaranteeing the liabilities of a third party then this must also be approved in accordance with the requirements of the Leader's Scheme.

#### Capital Projects Approval Hierarchy



#### 5.3.5. Variations to projects in the Capital Programme

Changes to a project's finance require approval as a 'Variation' subject to necessary capital resources being available.

Variation Approval levels on an existing approved project are as follows:-

- A variation in cost of up to £25k can be approved by the responsible Director
- A variation in cost by more than £25k but no more than £100k requires EMT approval
- A variation in cost by more than £100K but no more than £150K requires approval by the relevant Individual Cabinet Member(s)

- All other variations require Cabinet approval through the monthly monitoring report

For authorisation purposes, Variations are measured cumulatively from the last approval by the Executive.

#### 5.3.6. Emergency approvals

Where an emergency approval is required, this must be provided in accordance with all applicable urgency procedures in the Constitution and the Leader's Scheme.

As an additional requirement, emergency approvals must be referred to the Executive Director – Resources or the Director of Finance or any Officer authorised to act on his or her behalf.

Any such approvals shall be reported retrospectively to Cabinet in the next monthly report by the relevant Executive Director and the Director of Finance. If, by the time the decision is retrospectively reported to Cabinet, no action has been taken an emergency approval may be rescinded by the Cabinet

#### 5.3.7. Virements

Virements are not permitted between Capital schemes. Changes from Cabinet approved amounts must be treated as Variations.

#### 5.3.8. Slippage and / or accelerated spend

Where the timing of expenditure deviates from the annual profile approved by Cabinet, Budget Managers should reflect this in their monthly forecast and advise Finance Business Partner Capital of the situation.

Where the forecast has changed such that expenditure will move between financial years, the monthly report to Cabinet will seek approval for this change.

#### 5.3.9. Change in Scope

Where the material output of a project will differ from that of the last fully approved version, Budget Managers must seek re-approval in accordance with the requirements for a new project, as described [in Section 5.3.4](#) of these regulations.

#### 5.3.10. Revenue implications

The revenue expenditure implications of the proposed Capital Programme will be considered as part of the approval process outlined in these Regulations and as part of the [Annual Revenue Budget](#) and [Medium Term Financial Strategy](#) processes.

Where a Budget Manager identifies that the project will overspend even after all mitigating action, and that no alternative capital funding source is applicable, then the overspend must be made good from revenue funding.

#### 5.3.11. Capital Receipts

Any decision on the use of Capital Receipts will be taken as part of the overall approval for the project through recommendation by the Capital Programme Group as outlined in [S 5.3.4](#) above.

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### 5.3.12. Project Stage Approval

Approval for the Design, Procure and Build stages of a project will not be granted without recommendations from the Director of Finance in respect of funding implications. As part of this process the Director of Finance will need to consider both the Revenue and Capital implications of such approvals for the level of contractual commitments in future years.

The Budget Manager must obtain approval for each stage of design, procure, build, and completion through the delegated powers of the Director of Finance or the Chief Property Officer (if appropriate) and the Capital Programme Group. In particular, the Budget Manager should note that only the Capital Programme Group can recommend to the Director of Commercial Services the award of a contract for capital works in line with the Council's Standing Orders.

The build stage of a project cannot proceed until a thorough review has been produced by the Project Manager, approved by the appropriate sponsoring Director and reported to the Capital Programme Group. In line with the [Council's Project Management Guidelines](#), where requested, a Project Review must be undertaken and appended in support of the submission for project stage approval.

### 5.3.13. Procurement

Executive Directors and Directors must ensure that agreed formal procedures are in place with the Head of Design and Project Management and the Director of Commercial Services in respect of all procurement related to capital projects.

Where the project is financed, either wholly or in part through external funding then the requirements of the funder in relation to procurement must also be met.

## **5.4. Financial Management and Reporting of Capital accounts**

### 5.4.1. Financial Management

Inclusion of a project in the Capital Programme and its subsequent progression to completion will be managed through the use of the Council's financial management system.

In line with the requirements of these Regulations, Budget Managers are required to carry out a monthly monitoring and forecasting process in respect of the 'actual to date' and 'forecast' position for both revenue and capital accounts.

### 5.4.2. Reporting

The Director of Finance is responsible, with Executive Directors, for providing a consolidated monthly report to the Executive in relation to Capital accounts.

Monthly capital reporting will be based on Capital Approval Forms (CAF), Project Closure Forms (PCF), financial monitoring and approval request reports.

At year end the Director of Finance will report to the Executive the overall Capital Out-turn position at the same time as the Revenue Out-turn position is reported to the Executive.

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## 6. External Funding / Grants

### 6.1. Background

External Funding in its broadest sense refers to the identification and securing of additional resources, above and beyond those normally provided to organisations, which enables them to develop and enhance the quality of their services, better meet the needs of clients and to do something that could not otherwise be achieved.

The Council relies on a significant amount of external funding to finance the service activity and specific projects / programmes needed to meet its six ambitions as highlighted in the [Corporate Plan](#).

### 6.2. Roles and responsibilities

#### 6.2.1. The Director of Finance

The Director of Finance is responsible for ensuring that:-

- there are proper processes and procedures in place for the completion, assessment, authorisation and submission of applications for external funding and any subsequent claims. In practical terms this responsibility is discharged through the External Funding Team which is part of the Shared Service function within the Finance Service,
- grant applications are correctly completed and submitted by the required date with a view to maximising the income to the Council in terms of cash flow,
- all completed grant claims and certifications are approved by the Director of Finance or other authorised Finance Officer as published in the Financial Protocol ([Appendix A](#) to these Regulations) and maintained by the Director of Finance,
- all documentation related to match funding, e.g. certificates, letters of comfort, heads of terms, contracts, is approved by the Director of Finance or other authorised Finance Officers as published in the Financial Protocol,
- all statutory financial returns related to external funding are completed and submitted in line with relevant guidelines,
- the income due from grant claims is received
- records are kept for the reconciliation of grants due and received. Such records must have robust audit trails and meet External Audit requirements and

Additionally, the Director of Finance is responsible for agreeing the acceptance of all offers of External Funding made to the Council.

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### 6.2.2. Executive Directors

Executive Directors are responsible for ensuring that;

- all available external funding is claimed, with due regard to risk and other relevant factors. In practical terms this responsibility will be discharged by the Directors and Budget Managers within their Portfolio,
- all applications for external funding within their area of responsibility are made in accordance with all the processes and procedures laid down by the Director of Finance,
- offers of external funding are only accepted in accordance with the requirements of the Leaders Scheme, particularly in relation to agreement to the Council becoming the Accountable Body for the funding and / or guaranteeing the liabilities of third parties
- all the funding body's conditions and criteria including any additional procurement requirements are met
- all required evidence related to the external funding body's qualifying conditions and / or criteria is collected and retained as required.
- where a third party is involved in delivery of an externally funded project for which the Council is the Accountable Body, that all necessary evidence is collected and retained.
- grant claims are prepared and submitted as required,
- where the City Council is providing match funding, all documentation as required by the funding body is duly authorised by the Director of Finance, or other authorised Finance Officers as published in the Financial Protocol. Documentation includes but is not confined to Match Funding Certificates, Letters of Comfort and Heads of Contract,
- risks to the Council are appropriately identified, recorded and managed,
- any legal implications and risks of working with third parties are appropriately addressed,
- all external funding within their area of responsibility is managed using the Council's systems and processes.

### 6.3. **Accountable Body**

The **Accountable Body** is legally responsible for ensuring that the requirements of the funder are met. The decision to agree to the Council becoming the Accountable Body for external funding must be taken in line with the requirements of the Leader's Scheme and BEFORE any offers of funding are accepted.

Where the Council is guaranteeing the liabilities of a third party this must also be approved in accordance with the requirements of the Leader's Scheme.

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#### **6.4. Grant / External Funding accounting**

All accounting processes related to external funding / grants will be controlled by the External Funding Team in the Finance Service.

#### **6.5. Audits of external funding**

Audits of external funding shall be carried out in accordance with the conditions / criteria related to the funding.

Where there is a charge for the audit this is payable from the relevant Business Unit's budget.

#### **6.6. Retention of documentation**

All evidence required by the funding body must be collected and retained in line with the conditions / criteria related to the funding.

Where the retention period in the agreement exceeds the one prescribed in the Financial Records Retention Schedule, (see [Appendix C](#)) the funder's requirements will take precedence.

Documents pertaining to ERDF supported projects must be retained until at least 3 years after the UK receives its final payment to the programme from the EC. or for such longer period as may be prescribed by the funder in a particular case.

Where the retention periods required by the funder are less than those specified in the Financial Records: Recommended Retention Schedule ([Appendix C](#) of these Regulations) the latter should be followed.

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## 7. Income Management

### 7.1. Background

The Council sets fees and charges for a wide range of the services and goods that it provides. The income that is generated from this is a major source of funding that helps to deliver the Council's key priorities and outcomes as set out in the [Corporate Plan](#)

This section covers the principles that apply to setting fees and charges, the collection of income, the raising of sundry debtor accounts and debt recovery. These principles are in line with the values as set out in the [Corporate Plan](#)

Separate detailed rules apply to the management of Housing Rent, Council Tax, Business Rates and Benefit Overpayment debt and are therefore these are not covered by these Regulations.

Refer to Section 20 below for Council Supply Agreements.

### 7.2. Roles and responsibilities

#### 7.2.1. The Executive

In accordance with the [Leader's Scheme](#), the Executive is responsible for agreeing the overall charging policy for fees and charges levied by the Council even if the actual level of the charge is set by an outside body i.e. Government. In this context Fees and Charges excludes Council house rents, Council Tax, National Non-domestic Rates and Housing Benefit overpayments.

Fees and charges must be set as part of Business Planning process and be in line with the provisions of the 'Fair Fees and Charges' Policy as approved by the Executive. Recommendation of changes to fees and charges should be made as part of the Annual Revenue Budget Report to Council.

Any changes in Fees and Charges that are not approved as part of the Annual Revenue Budget Report to Council must be approved in line with the requirements of the Constitution and / or the Leader's Scheme as appropriate.

#### 7.2.2. Individual Cabinet members

In accordance with the [Leader's Scheme](#) Individual Cabinet Members are responsible for agreeing, in consultation with the Leader, changes to existing fees and charges in relation to their Portfolio areas other than those set by Full Council as part of the budget process.

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### 7.2.3. Executive Directors

Executive Directors are responsible for;

- seeking, where appropriate, to recover the full cost of their services through setting fair fees and charges in line with the provisions of the 'Fair Fees and Charges' Policy and all other statutory guidance.
- having arrangements in place for payment up front wherever possible and for having appropriate arrangements for the storage and banking of cash.
- ensuring adequate security arrangements for the storage and transportation of cash and requesting insurance cover and immediately informing the Police, Internal Audit and the Insurance and Risk Team where any theft of cash or its equivalent is discovered or suspected.
- ensuring that where accounts are raised in respect of charges for works done, goods supplied or services rendered on behalf of the Council and all other income due to the Council, they are raised and issued to the customer(s) within the required timescales and in accordance with these Regulations and all associated policies and procedures.
- ensuring that relevant staff use only the standard payment methods to collect payments from customers and that, in the interests of customer choice, more than one option is offered.
- how their Portfolio and, where applicable, their partner organisations, manage each payment option.
- ensuring that, where partnership working arrangements are in place, the partner organisations only use the standard payment methods as determined by the Director of Finance
- ensuring that all systems and processes related to customer payments comply with all relevant legal and security requirements, e.g. the Payment Card Industry Data Security Standard (PCI DSS) which is a set of guidelines designed to help keep customer's payment card data secure.
- effectively managing the level of debt within their Portfolio, including working with the Income Collection and Management Team to reduce the level of unallocated payments, resolving customer disputes within the required timescales, identifying debts that are clearly irrecoverable and authorising them to be written off.
- ensuring that all relevant documentation related to the supply is retained and accessible in the event of it being required for debt recovery procedures, up to and including court action.
- ensuring that their staff are aware of the possibility of money laundering activities and that they comply with the Council's Anti – Money Laundering Policy.

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#### 7.2.4. Director of Finance

The Director of Finance is responsible for;

- determining the standard payments methods that may be used to collect income. These must be used by all Services and partner organisations as determined by the Director of Finance. Payments cannot be made by any other means except by express permission of the Director of Finance
- providing training and advice on these payment methods. On a day-to-day basis this responsibility will be discharged by the Income Collection and Management Team in the Finance Service.
- providing training and advice on the raising of invoices. On a day-to-day basis this responsibility is discharged by the Financial Systems Support Group in the Finance Service.
- all debt recovery actions except Housing Rents. In respect of sundry debt this responsibility is discharged by the Income Collection and Management Team in the Finance Service. In respect of local taxation and Housing Benefit overpayment debt this responsibility is discharged by the Revenues and Benefits Team within the Finance Service
- providing advice on best practice for cash storage and banking.
- receiving disclosures about Money Laundering activities within the Council
- having procedures and policies in place for the administration of Direct Debits for the collection of Sundry Debts.

#### 7.2.5. Executive Director – Resources

The Executive Director-Resources is responsible for providing insurance cover for cash and cheques awaiting banking as requested by Executive Directors.

#### 7.2.6. All officers involved in the sundry debt process

Officers responsible for raising invoices, credit notes, refunds, debt recovery and write-offs must not do so for debts owed by themselves or family members, or where they have a vested interest.

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### 7.2.7. Authority to Collect Cash

Only Officers with specific authorisation from their Manager, who have been issued with an appropriately endorsed “Style 1” photo identification card, may collect cash on behalf of the Council.

Before any new photo identification card may be issued authorising the holder to collect cash, the request must be approved by the Director of Finance or his/her designated Officer in line with the procedure for the issue of photo identification cards.

Managers should maintain a register containing details of the style of card held by each member of staff, and ensure that the card held is appropriate to the Officer’s current duties.

### 7.2.8. Separation of duties

The system adopted for the collection and banking of income must incorporate separation of duties between the different functions as a principal form of internal control.

To comply with this principle Managers must ensure that an officer does not carry out functions from both Table 1 and Table 2 (below) in any given time period. This ensures that, for example, an officer does not check that the amount of money they themselves have collected equals the money that has been banked.

**Table 1**

Function	Examples
Identifying charges or taking a booking	Telling a customer the cost of a particular service, e.g. removing a wasp’s nest Booking an appointment for removal of wasps nest
Billing	Sending an invoice (if appropriate to do so)
Collection and receipt of income	Collecting the payment, irrespective of the method of payment (i.e. cash/credit card) for removing the nest and giving the customer a receipt for the payment. Receipts might be a ‘till receipt’ type or hand written one from a preprinted book.

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**Table 2**

Function	Examples
Reconciling receipts to income	Adding up the payments received and all the receipts then making sure they come to the same amount.
Banking income	Doing the OEO Banking Journals so the income appears on the finance system as being in the bank. This also puts it into the correct Business Unit  Arranging for cash to be physically put into the Council's Bank Account. This may be done via the G4S collection service.
Monitoring income received, banked and outstanding	Checking money that has been banked equals the amount that is on the receipts.  Monthly monitoring of outstanding debts

All transfers of money between members of staff must be evidenced by the recorded signature of the officer receiving the money.

### 7.3. Payment of fees and charges

#### 7.3.1. Not - Invoiced

Wherever possible the provision of credit, i.e. payment via an invoice, should be avoided and, wherever appropriate, customers should be asked to pay for services up-front or at the time of service delivery. This avoids the need for invoicing thus reducing both the potential for invoices not being paid by customers and administration costs to the Council.

The Council is legally required to provide a tax invoice, if requested to do so by a customer. Any requests received should be referred to the [Taxation Team](#) within the Finance Service.

See also [S7.3.6 Money Laundering](#)

#### 7.3.2. Invoiced

Payment by sundry debt invoice is, in effect, providing credit to the customer. This must be avoided wherever possible and invoices must only be raised where payment in advance or at the point of service delivery is inappropriate.

All sundry debtor accounts must be raised on the Accounts Receivable section of OEO finance system unless exceptions have been agreed with the Director of Finance.

Invoices should be issued within 10 working days of the;

- goods or services being supplied, or
- month end where there is an on-going service provision

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In line with standard accounting practice, income will be credited to the relevant Business Unit at the point the invoice is raised - not when it is actually received.

To comply with all relevant HM Revenue and Customs regulations the date of the invoice must be within 60 days of the actual date of supply. Where this timescale cannot be met, advice must be sought from the Council's Tax Manager.

The information on the Sundry Debt invoice must be correct, complete and supported by all necessary and relevant information. In the event of debt recovery action being taken, up to and including Court proceedings, this information will be required as evidence. Officers raising invoices are also responsible for ensuring that the correct VAT treatment is applied.

To ensure that invoices are raised correctly, they must only be raised by officers who have had appropriate training.

### 7.3.3. Standard Payment methods

Only the payment methods outlined in the tables below can be used by all Services and partner organisations as determined by the Director of Finance. Payments cannot be made by any other means except by express permission of the Director of Finance.

The methods and channels are not recommended for every service or customer group but are all options the Council will support.

The option of payment by cash at Service will be considered by the Finance Service on a case-by-case basis as required.

Costs associated with acquiring / implementing payment methods will be funded by the Service requesting them.

**Table 1: Not Invoiced**

Not Invoiced / invoiced	Payment Methods	Payment Channel
Not invoiced	Credit or debit card online via the Council website	On-line–Customer self-service
Not invoiced	Text payment via. a mobile telephone	Telephone - Customer self-service
Not invoiced	Credit or debit card over the phone where a member of staff enters the payment details into an electronic payments system on their PC	Face to face - Customer assisted service
Not Invoiced	Credit or debit card using chip-and-pin machine [either mobile or at a Council / partner office	Face to face - Customer assisted service

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**Table 2: Invoiced**

Not Invoiced / invoiced	Payment Channel	Payment Method
Invoiced	Credit or debit card online via the Council website	On-line - Customer self-service
Invoiced	Credit or debit card using an automated telephone service	Telephone - Customer self-service
Invoiced	Text payment via. a mobile telephone	Telephone Customer self-service
Invoiced	Credit or debit card over the phone where a member of staff enters the payment details into an electronic payments system on their PC	Face to face - Customer assisted service
Invoiced	Credit or debit card using chip-and-pin machine [either mobile or at a Council / partner office	Face to face - Customer assisted service
Invoiced	Cash at a Post Office; or PayPoint up to a certain value.	Face to face - Customer assisted service
Invoiced	Cheques and debit card at a Post Office up to a certain value.	Face to face - Customer assisted service
Invoiced	Direct Debit – within the parameters set by the Director of Finance	Face to face - Customer assisted service
Invoiced	BACS / CHAPS – within the parameters set by the Director of Finance	Face to face - Customer assisted service

#### 7.3.4. Credit and Debit card transactions

There are no maximum or minimum transactions values associated with payment by credit or debit card.

The Council will accept all major debit and credit cards with the exception of American Express, Diners Club, JCB and Solo.

Credit cards may be used for both non-commercial debts such as Business Rates and rent arrears and commercial debt such as hire of sporting facilities and pest control.

#### 7.3.5. Direct Debits

Direct debits must only be used to collect payment

- for invoices that are raised on a regular basis (e.g. monthly rental agreements), or,
- where an arrangement to pay an invoice in instalments has been agreed by the Director of Finance or his/her designated Officer

Direct debits should not be used where the annual value to be collected is less than £100. This amount may be varied, from time to time, at the discretion of the Director of Finance.

Where a customer's Direct Debit fails twice in a 12 month period then the option to pay by Direct Debit must be withdrawn and may only be reinstated with the agreement of the Director of Finance or his/her designated Officer.

Under the Direct Debit Guarantee scheme, the Council must give customers at least 10 working days' notice if the amount that is due to be collected will change. For accounts where the amount billed varies on a regular basis, such as Home Support, an invoice must be issued, for information purposes only, to ensure compliance with this scheme.

#### 7.3.6. Expected income over £50,000

Where receipt of a sum of £50,000 or over is expected, e.g. completion of property purchases, this must be reported to the Council's [Treasury Management & Banking Team](#).

Knowing that a significant receipt is due will help this Team to manage the Council's cash flow which may well reduce the need for short term loans to cover Council expenditure.

#### 7.3.7. Money Laundering

Where there are significant cash payments, i.e. £1,000 or more in cash, or up to £2,500 in linked transactions, officers should check the identity of the client in line with the Council's Anti – Money Laundering Policy.

Payments in cash must not be accepted by employees of the Council or any of its agents where the amount is over the limit to be determined by the Council's Money Laundering Reporting Officer. Currently the limit has been determined as £2500.

### 7.3.8. Credit Notes and Refunds

Credit notes are required for an invoice that has been incorrectly raised. However, credit notes represent a control risk and as such must be properly authorised. Credit notes must be authorised jointly by the manager responsible for the budget affected and the Director of Finance or his / her designated Officers.

Refunds are required if a customer or other member of the public has paid an incorrect invoice or has paid money into a Council bank account in error. Refunds may only be actioned by the Director of Finance or his / her designated Officers.

Where a refund is for a significant amount, i.e. £1,000 or more, officers should check the identity of the client in line with the Council's Anti – Money Laundering Policy. fees and interest charges

### 7.3.9. Credit card fees

Transaction fees associated with accepting a credit card payment will be charged to the customer at the time of payment.

These fees will only recover banking and system transaction costs and not include any additional surcharges such as 'administration' costs.

### 7.3.10. Debit card fees

Debit card transaction fees will be funded centrally from within the Finance Service, subject to annual reviews of costs.

### 7.3.11. Interest on late payment of debt

Interest on late payment of debt by commercial customers will be applicable where agreed by the Director of Finance.

## 7.4. **Banking of collected income**

### 7.4.1. Receipting and banking

All income received on behalf of the Council must be receipted and paid into the appropriate bank account without unnecessary delay and in accordance with the procedures approved by the Director of Finance for the banking of income.

Income must be paid in without deduction unless this is approved by the Director of Finance. Third party and personal cheques must not be cashed from monies held on behalf of the Council.

### 7.4.2. Safe storage of collected income

Executive Directors are responsible for ensuring that all income collected prior to banking is safeguarded and that adequate insurance cover has been arranged.

The amount of cash allowed to be held in any one safe overnight will vary according to the particular insurance arrangements. Where the agreed limit is likely to be exceeded then arrangements must be made to bank the income as soon as possible.

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The Director of Finance will advise on best practice for cash storage and banking.

The Executive Director – Resources is responsible for providing insurance cover for cash awaiting banking as requested by Executive Directors and providing the insurance cover requested by Executive Directors.

#### 7.4.3. Reconciliation of receipts

Reconciliation of receipts to banked income should be performed on a regular basis and at least monthly, reflecting the value of the receipts. Staff responsible for reconciliation should not be involved in day to day banking or receipting procedures.

### 7.5. Debt Recovery

#### 7.5.1. Recovery process

The Council's standard payment terms and conditions are that, unless contractually agreed or in the case of a demand payable by installments, sundry debts are payable immediately and in full.

The Council will undertake robust action up to and including Court action to recover money owed to it. The costs of enforcement action to recover sundry debts, up to and including court action will be borne by the relevant Business Unit.

#### 7.5.2. Arrangements to Pay

Where a customer is unable to pay the full amount of a sundry debt invoice immediately then arrangements can be negotiated, in appropriate circumstances, to clear the debt in the shortest possible timescale.

These arrangements can be negotiated by the Income Collection and Management Team in consultation with the Business Unit Manager, or directly by the Manager. In the latter case the Business Unit Manager must inform the Income Collection and Management Team so that the arrangement can be documented and monitored.

Payment arrangements that exceed 12 months must be agreed by the Director of Finance.

If the arrangement to pay is not maintained then debt recovery action will be commenced or continued.

#### 7.5.3. Disputed debts

For the purposes of these Regulations a 'dispute' relates to an issue that must be resolved before the customer will pay an outstanding sundry debt.

When a debt is put into dispute, debt recovery action is suspended to allow time for the issue to be resolved.

The relevant Business Unit Manager is responsible for resolving the dispute and for doing so within 28 days. Where the Business Unit Managers considers that a longer timescale is required to resolve the dispute, they must contact the Income Collection and Management Team to request an extension. The request must be supported by details of the customer, the nature of the dispute and the extra length of time required must be specifically stated.

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## 7.6. Bad and Doubtful Debt Provisions

When an invoice is raised the Business Unit is immediately credited with the income. For that income to be relied upon the debt must be paid within 60 days.

If a debt is not paid by day 60, a charge will be made against the Business Unit to make full provision for the debt not being paid. Exceptions to this are where the;

- debtor has an agreement to pay and is abiding by it
- debt is covered by a Charge (e.g. on property, land etc.)

Creating a provision for bad or doubtful debt does not mean that recovery action will stop. The Council will continue to take recovery action after the provision is made.

### 7.6.1. Payments received after 60 days

Where an outstanding debt is paid after day 60 and before day 91 the Business Unit will be credited with 50% of the income. The remaining 50% will be diverted to help balance the Council's overall budget.

If the debt is paid after day 90, 100% of the income will be diverted to help balance the Council's overall budget and the Business Unit will not receive any.

Exceptions to the '60 day rule' can only be approved by the Director of Finance. A list of the agreed exceptions is maintained by Income Collection and Management Team in the Finance Service.

## 7.7. Bad Debt Write-offs

If recovery action is unsuccessful, the Council may write-off debts that are correctly due to it but which, for whatever reason, are no longer collectable

All possible recovery procedures should be pursued and exhausted within 12 months of the invoice date. After this timescale the outstanding debt should be written off unless;

- it is covered by an on-going payment arrangement
- there is on-going action, up to and including Court action, to recover the debt
- the debt has been recorded on the Local Land Charges Register.

Writing off a debt involves removing a debt from the Council's accounts using money that has been set aside as part of the bad and doubtful debt provision and will only be done in exceptional circumstances.

Write-offs must be proposed by the relevant Executive Director and approved and actioned by the Director of Finance.

By the time a debt is written off a full provision must have been created for it and reported to Members as part of the monthly budget monitoring process.

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## 8. Purchasing

This section covers the principles related to procurement in the Council, the roles and responsibilities of officers and the principles that apply to the Council's Purchase to Payment (P2P) process. These are standard across all portfolios and must be complied with, unless an exception has been approved in writing in advance by the Director of Finance.

All Orders for goods or services are to be placed on the Council's Finance system or other systems as approved by the Director of Finance. Irrespective of the system used, the controls and processes detailed in these regulations will apply.

All procurement must comply with [Contracts Standing Orders](#) and the [Leader's Scheme](#).

### 8.1. Roles and responsibilities

#### 8.1.1. Director of Commercial Services

The Director of Commercial Services is responsible for;

- ensuring that the Council's Standing Orders remain technically correct, up to date and fit for purpose.
- ensuring that the Council's Standing Orders are adhered to. All unauthorised breaches must be reported to him / her.
- considering requests for a waiver of Standing Orders and actioning them where appropriate
- ensuring there are proper processes and procedures in place for the commissioning and procurement of goods and / or services,
- providing advice and guidance on the procurement process
- ensuring that training and guidance is available for officers involved in the P2P process, and for
- approving suppliers used in the commissioning and procurement of goods and / or services.

#### 8.1.2. Director of Finance

The Director of Finance is responsible for;

- ensuring that VAT related records e.g. invoices or credit notes, are stored and made available in line with H.M. Revenue and Customs (HMRC) directives.
- compliance with the requirements of the Construction Industry Tax Deduction Scheme (CITDS) in relation to the payment of invoices relating to repairs and renovation over the stipulated monetary limits.
- ensuring that, where required, the employment status of individuals is validated and all related records are stored and made available in line with HMRC directives.
- the approval and administration of all leasing and other credit arrangements. Records will be kept by the Director of Finance of all relevant financial information relating to these arrangements.

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### 8.1.3. Director of Finance and Executive Directors

The Director of Finance and Executive Directors are responsible for ensuring that all purchasing within their area of responsibility complies with the following principles:

- Expenditure shall not be incurred where it represents a departure from Council policy or where it is not wholly in accordance with the Council's approved Budget unless such expenditure is considered a matter of urgency. In these cases;
  - the Director of Finance must be consulted before incurring such expenditure, and all relevant provisions of the Leader's Scheme,
  - the Constitution must be complied with, and
  - particular attention is drawn to the urgency provisions in the Budget and Policy Framework Procedure Rules in Part 4 of the Constitution.
- Where any consents are required from a Government Department or other relevant body, these shall be obtained before any expenditure or commitment is incurred.
- Appropriate controls must be in place that ensure the integrity of expenditure incurred in the name of the Council and constrains expenditure to within the legal powers of the Council.
- Suppliers providing services to the Council must have the necessary HMRC certification enabling them to be paid through the Council's payments system. Contractors failing to comply with the conditions or to provide evidence of the necessary certification should be set up as temporary employees of the Council and paid through the payroll.

### 8.1.4. The Executive Directors

The Executive Directors are also responsible for ensuring that purchasing to payment arrangements within their area of responsibility comply with;

- these Regulations
- the Council's Constitution, and Leader's Scheme Contracts Standing Orders
- Procurement policies
- The Guide for the Procurement of Consultancy
- HMRC requirements for checking employment status of individuals or groups of workers
- Corporate financial policies and standards
- EU and domestic law,
- Health and Safety Regulations
- Environmental Policy

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### 8.1.5. Budget Managers

Budget Managers with responsibility for incurring expenditure on behalf of the Council must ensure that;

- the Council is obtaining value for money and that all expenditure complies with the [Council's Contracts Standing Orders](#).
- In–House and Corporate Contract providers are used wherever possible. Where this is not considered appropriate, advice must be sought from Commercial Services on choosing an alternative supplier and [Contracts Standing Orders](#) must be complied with.
- compliance with the Council's Contracts Standing Orders and all relevant procurement processes is documented and the evidence retained.
- any relationships with existing or potential Council contractors are declared prior to the obtaining of quotations or the awarding of contracts.

### 8.1.6. All Officers involved in P2P process

All officers involved in the ordering and purchasing processes must;

- refer to the Council's Contracts Standing Orders for details of procurement procedures to be followed, with special attention to the need to use In–House and Corporate Contract providers.
- formally declare any relationships with existing or potential Council contractors prior to the obtaining of quotations or the awarding of contracts.
- withdraw from any P2P process when either they themselves or a member of their family or one of their close associates are involved directly or indirectly with the transaction.

Note: Officers' attention is drawn to the provisions of Section 117, Local Government Act 1972, under which certain failures by an Officer to declare an interest in a contract with the Council may be punishable as a criminal offence.

## 8.2. **Ordering of goods and services**

A purchase order is required for all purchases of goods and services and one must be processed before requesting the supply.

Exceptions to this would be for the payment of utilities, recurring payments, 'multiple' and 'one-off' payments.

Verbal orders must not be used in normal Council operations and should take place only in wholly exceptional circumstances. Any verbal orders must be followed immediately by the issue of a fully authorised order. Officers making verbal orders can expect to be asked to support their decision by the Director of Finance and Director of Commercial Services.

Different Purchase Order types are in place to meet expenditure requirements including those that are not for the supply of goods or services.

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Orders must fully detail the goods and services to be supplied and the budget from which the expenditure is to be met. Final costs or an estimate of the costs of the goods or services ordered (net of VAT) should also be provided.

Orders must only be raised for goods and services provided to the Council or on official Council business. Individuals must not raise official orders for their own private use.

Variations must only be actioned through properly authorised amendments to orders. Issued orders must not be amended verbally with the supplier.

### **8.3. Authorisation of expenditure**

#### **8.3.1. Purchase Orders**

Before authorising an order, Approvers must ensure that the proper approval for the spending has been obtained in line with the Council's decision making framework. In other words, the decision to spend the money must have been taken by Council, the Leader, Cabinet, a committee, an individual Member or an Officer exercising delegated powers.

These Officers must also ensure that the Council's procurement rules and Standing Orders have been complied with before approving any order.

Authorisation in accordance with the requirements set out below is not a substitute for formal approval as required by Leader's Scheme, the Council's Standing Orders and Procurement Policy

Before authorising an order, managers, who must have written authority from the relevant Executive Director to do so, should be satisfied that:-

- the Order represents legitimate liabilities of the Council,
- the required checks have been evidenced,
- sufficient budgetary provision exists to cover the payment,
- the expenditure is correctly coded, and
- all necessary documentation is attached

#### **8.3.2. Authorisation to pay Utility Bills.**

These will be authorised in line with the procedures as approved by the Director of Commercial Services and the limits as detailed in the Authorisation Matrix below.

#### **8.3.3. Authorisation of Recurring, Multiple, One-Off and Foreign Payments**

These will be authorised in line with the procedures as approved by the Director of Finance and the limits as detailed in the Authorisation Matrix below.

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#### 8.3.4. Authorisation Matrix

The list of Officers authorised to approve Purchase Orders will comply with this section of the Regulations and will be held in the Council's Finance System or other systems as approved by the Director of Finance.

All purchase orders must be approved in line with the Council's authorisation matrix as shown below.

Order Amount	Authorisation Level
£0 - £249	Supervisor / Line Manager
£250 - £499	Middle Manager
£500 - £2,499	Business Unit Manager
£2,500 - £24,999	Assistant Head of Service / Assistant Director
Over £25,000	Head of Service / Director / Asst Chief Executive / Chief Executive
Orders over £250 must also be reviewed by the Council's Commercial Processes Team to ensure compliance with Council Standing Orders etc.	

The values in this matrix are set at levels deemed necessary by the Director of Finance for the proper control of expenditure.

Where, if after such consultation as he / she deems to be appropriate, the Director of Finance considers that the values should be revised in order to maintain that control, she / he may change them at any time.

For the avoidance of doubt, this matrix will apply to all orders including orders connected to the spending of Grant funding, contract payments and partnership arrangements where the Council's finance system is used to make a payment.

The existence of a Cabinet report approving a grant payment or awarding a contract does not over-ride the authorisation matrix.

This matrix will also apply to the authorisation of payments detailed above which do not require a Purchase Order.

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## 8.4. Delivery of Goods and Services

Deliveries of goods and services should be checked to ensure that they are in accordance with the official order, taking account of, as a minimum;

- cost
- quantity
- quality, and
- fitness for purpose

Delivery notes must be retained for verification purposes in accordance with the Financial Documents Retention Schedule appended to these Regulations.

Officers are required to enter a receipt on the Council's finance system, or other systems, as approved by the Director of Finance to confirm delivery of the goods or services.

## 8.5. Payments to suppliers

### 8.5.1. Supplier invoices

Suppliers will be expected to provide an electronic invoice through the Council's procurement system.

Where paper invoices are unavoidable these should be sent directly to the Council's outsourced provider of the accounts payable service for prompt processing and on no account should they be sent directly to the service requesting the supply.

Failure to adhere to this rule may result in delays to the payment process.

Any paper invoices will be scanned and attached to the invoice records by the outsourced provider of the accounts payable service.

### 8.5.2. Payments

No payment will be made unless supported by an appropriately authorised and receipted Purchase Order. Exceptions to this are Recurring, Multiple, One-Off and Foreign Payments as described above.

Where the details on both the supplier invoice and the receipted order are the same, or within tolerance levels agreed by the Director of Finance, the automated matching process will clear the invoice for payment in accordance with the Council's standard payment terms.

Where the details are not the same and are outside the agreed tolerance levels, then the order raiser should either raise a returns note in the P2P system or request a credit note from the supplier to resolve the mismatch.

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### 8.5.3. Standard payment terms

The Council's standard payment terms are 30 calendar days from the date that a valid invoice is received by the Council. Any variation to this standard must be agreed by the Director of Commercial Services either as part of the letting of a contract or by ad-hoc exception to the standard terms.

In accordance with the [Council's Standing Orders \(C7.7\)](#) advice must be sought from Director of Commercial Services where a supplier makes a request for payment in advance.

## 9. **Internal charges**

The Council's internal charging system covers;

- specific ordering and the consequent recharges
- agreed Annual Service Level Agreements and the consequent recharges and
- overhead apportionment.

A fundamental requirement of the internal charging system is that both customers and suppliers are clear that the system is in operation and that they adhere to the relevant procedural guidance.

### 9.1. **Roles and responsibilities**

#### 9.1.1. Executive Directors

Executive Directors are responsible for ensuring that their managers and staff follow the procedures relating to internal charges, including the requirement for an internal order and the use of specified financial codes.

#### 9.1.2. Director of Finance

The Director of Finance is responsible for ensuring that there are proper processes and procedures in place to support the internal charging system, including details of specific financial codes.

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## 10. Payroll, Expenses and Petty Cash Floats

### 10.1. Roles and responsibilities

#### 10.1.1. Executive Directors

Executive Directors are responsible for ensuring;

- that payroll information is correct and is provided within the agreed timetables for the running of the payroll.
- that all amendments to the payroll, e.g. Post and Establishment changes, individual contract changes etc., are notified in line with the procedures as approved by the Director of Human Resources.
- that all payments to employees are
  - made through the payroll
  - that they are made only to official employees,
  - in accordance with individual contracts of employment, and
  - that all necessary information is supplied so that deductions including PAYE and Superannuation are properly administered.
- that when payroll costs are checked this is done so by officers not responsible for amendments to the payroll.

Executive Directors are responsible for determining any petty cash requirements for their Portfolio subject to approval by the Director of Finance or one of his/her authorised officers. This amount should represent a balance between the need for ready access to cash for small local payments, the risk of holding cash on the premises and the security arrangements required.

They must ensure that procedures are in place to formally assign responsibility for all floats and that the officer is properly trained in the administration of the float.

#### 10.1.2. Director or Human Resources

The Director of Human Resources is responsible for approving and controlling arrangements for the payment of all salaries, wages, pensions, expenses and any other payments to all employees and former employees of the Council.

#### 10.1.3. Director of Finance

The Director of Finance is responsible for;

- approving the arrangements for payment of all salaries, wages, pensions, expenses etc. made by the Director of Human Resources.
- formulating and approving procedures related to Payments to Individuals and the Administration of Petty Cash Floats.
- approving changes to the accounting and taxation elements of the payroll system.

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## 10.2. Payroll

The payment of all salaries, wages, pensions, expenses and any other payments to all employees and former employees of the Council must only be made under arrangements approved and controlled by the Director of Human Resources and approved by the Director of Finance.

Amendments to the payroll, e.g. for absences and variations to pay, shall be limited to those Officers authorised to do so.

Payment of fees to individuals who are not Council employees must be made through the Purchase to Payment system and in accordance with the requirements of HM Revenue and Customs and the relevant procedures as laid down by the Director of Finance and the Director of Commercial Services.

Payment and personnel records must be held securely.

## 10.3. Expenses

Members and officers will only be entitled to travel, subsistence and incidental expenses where these are incurred legitimately in performing duties on behalf of the Council in line with the agreed policy and rates. Claims should be made in line with relevant Council policies including the requirement to forward receipts to the Council's outsourced provider of the payroll service. All such payments will be made through the payroll system.

Payments of expenses to individuals who are not Council employees must be made through the Purchase to Payment system in accordance with the procedures as laid down by the Director of Finance.

Expenses incurred by agency staff should be included in the Agency charge and paid through the Purchase to Payment system.

## 10.4. Petty Cash floats

### 10.4.1. Payments from a float and re-imburements

The use of monies from petty cash floats must be limited to non-payroll related expenditure up to a maximum of £25 for which there is proper authority and provision in the budget but which do not justify an order being raised through the Purchase to Payment system. Petty cash should not be used for the payment of regular suppliers other than in exceptional circumstances, when prior approval must be obtained from Heads of Service.

Wherever possible purchases should be made in advance and, if applicable, VAT receipts provided before the petty cash is issued.

At the manager's discretion, a maximum of £5 employee related expenses may be paid from a petty cash float where an employee has been requested to travel to meet a service need and has no way of funding this.

Personal or third party cheques must not be cashed or money borrowed from petty cash floats. Private monies are not to be used to supplement the floats

Cash income from other sources must not be used to reimburse petty cash unless specific arrangements are in place.

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#### 10.4.2. Responsibilities of the float holder

Officers who have been assigned responsibility a float must ensure that they follow the procedures related to the administration of petty cash floats as laid down by the Director of Finance.

#### 10.4.3. Personal credit card transactions

The use of personal credit cards by officers for petty cash transactions shall be limited to exceptional circumstances where petty cash would be appropriate but is not available.

### **11. Bank Accounts and Credit Cards**

#### **11.1. Bank Accounts**

Bank accounts in the name of the authority may only be opened and / or closed with the authority of the Director of Finance. This includes associated bank accounts which the Council does not directly control, e.g. joint arrangements etc. The Director of Finance is responsible for all negotiations of banking terms with the Council's Bankers.

All stand-alone systems which actually create payments and do not interface with the financial ledgers must have a separate bank account and consequent local reconciliation responsibilities. These are the Payroll interfaces, and systems which create BACS files or print cheques.

#### **11.2. Reconciliations**

Bank reconciliations should be completed on at least a monthly basis by an officer who is not responsible for the processing of payment and receipt transactions through the bank accounts. The Director of Finance is responsible for ensuring that reconciliations, together with supporting documentation, are reviewed and appropriately certified.

#### **11.3. Banking transactions**

The Director of Finance is responsible for maintaining an authorised signature list for Banking Transactions. The authorised signatories will be determined and approved by the Director of Finance in consultation with the Individual Cabinet Member for Finance. Authorised Signatories will normally be senior Officers who report directly to the Director of Finance.

A copy of the list is available in the [Financial Protocol](#) appended to these Regulations.

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## 11.4. Credit cards etc.

Credit cards, charge cards and other payment methods held in the Council's name may only be opened, closed and managed by the Director of Finance.

### 11.4.1. Reconciliations

Reconciliations of credit card etc. accounts should be completed on at least a monthly basis by an officer who is not responsible for the processing of payment and receipt transactions through the bank accounts. The Director of Finance will ensure that reconciliations, together with supporting documentation, are reviewed and appropriately certified.

## 11.5. Banking arrangements

The Director of Finance will maintain an authorised signature list for Banking Transactions. The authorised signatories will be determined and approved by the Director of Finance in consultation with the Individual Cabinet Member for Finance. Authorised Signatories will normally be senior Officers who report directly to the Director of Finance.

A copy of the list is available in the [Financial Protocol](#) appended to these Regulations.

## 12. Taxation

### 12.1. Roles and responsibilities

#### 12.1.1. Executive Directors

Executive Directors are responsible for ensuring that the VAT element of any transaction is considered with the objective of maximising VAT recovery where this is consistent with effective delivery of the service and minimising the level of irrecoverable VAT being incurred by the Council. In practice this means that they are responsible for;

- ensuring that VAT is properly accounted for on all transactions entered into by the Council,
- keeping VAT records within their area of activity , with a proper allocation of costs to exempt and other activities
- complying with all VAT legislation and regulations applicable to the delivery of their service, and
- monitoring and planning for any changes in VAT legislation or regulations which affect their areas of activity.

Executive Directors must also advise the Director of Finance of any capital projects which are under consideration which contain the risk of irrecoverable VAT being incurred by the Council, whether by way of exempt input tax or otherwise.

In circumstances where an individual, rather than a company, is engaged to provide a service to the Council, Executive Directors are responsible for ensuring that all HM Revenue and Customs regulations relating to that engagement are adhered to.

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### 12.1.2. Director of Finance

The Director of Finance is responsible for ensuring that;

- appropriate taxation advice is available to Executive Directors to ensure compliance with relevant legislation.
- where the tax implications of a project are of sufficient complexity to warrant additional support then appropriate external advice will be sought. In these circumstances the Director of Finance will rely on the wording of CIPFA's Statement of Professional Practice to determine when appropriate help, advice and guidance is required.
- an appropriately skilled team is available to discharge the Council's VAT responsibilities. This Team will receive all training necessary to provide appropriate service delivery and challenge

The Director of Finance is also responsible for the preparation and submission of VAT Returns to H M Revenue and Customs. Such Returns are to be submitted at times which maximise the cash flow benefit to the Council, but in any event not later than the deadlines agreed with H. M. Revenue and Customs.

### 12.2. Penalties and charges

Portfolio budgets will bear the financial impact of any penalties or other charges imposed by H M Revenue and Customs in respect of transactions entered into by that Portfolio.

## 13. Stores, Stock, Equipment and Security

Executive Directors are responsible for the care, custody and recording of stocks and equipment. This will include the following:

- Controlling access to stores etc. and ensuring that stocks and assets are only used on Council business.
- Ensuring that arrangements are sufficient to ensure that additions to, as well as issues from, stock are controlled and accurately entered on the appropriate records.
- Maintaining a record of stock in hand of each item held to be physically checked at a frequency determined by Executive Directors which reflects such factors as stock values, usage etc.
- Maintaining a register of assets removed from Council premises. This includes but is not limited to assets such as laptops, mobile phones, BlackBerries and RAS cards issued to officers.
- Maintaining an inventory of all assets over £100 in value, together with all attractive and portable items below this figure. The inventory should detail make, model, serial number and purchase value. Items should be recorded promptly in the inventory, at the point of purchase. The inventory should as a minimum be checked on an annual basis by physical verification of assets by an officer not involved in its compilation. A list of missing items should be provided to the Heads of Service, who will decide on the action to be taken.

- Reporting obsolete items to the relevant Head of Service for approval to write-off. Following formal, documented approval, the relevant Inventory Records should be amended accordingly.
- Providing the Director of Finance with a certificate of the stock and value held by their Portfolios at the end of each financial year as well as such information as is required in relation to stores for the accounting, costing and financial records.

Assets shall not be removed from the Council's premises, unless on official Council business and should not be used other than for official Council purposes or in line with arrangements sanctioned by the Council, Cabinet, an Executive Director or a Director.

All information assets such as non-public paper records, IT equipment used to access information and the computer network, must be identified, recorded and have an appointed asset owner and be appropriately protected at all times. Further details can be found in the Council's Information Security Policy.

Some external funding regimes require specific arrangements for recording the equipment that is purchased and used to deliver the objectives of the funding. Executive Directors are responsible for ensuring that all requirements are met in this respect.

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## 14. Retention of Records

### 14.1. Roles and responsibilities

#### 14.1.1. Executive Directors

Executive Directors are responsible for ensuring that all records, as defined by the Council's Document and Records Management Policy are managed in line with that Policy and that they are retained for a period that satisfies the requirements of H M Revenue and Customs, the Council's External Auditors and any other appropriate Body. The [Financial Records Retention Schedule](#), appended to these Regulations, provides guidance on appropriate retention schedules

For any service specific records, Executive Directors are responsible for determining the retention periods with the appropriate external bodies.

Where activities, decisions or transactions are being carried out on behalf of the Council, such as in a partnership agreement, Executive Directors responsible for ensuring that appropriate records management contractual terms are in place so as to comply with the Council's Document and Records Management Policy.

#### 14.1.2. Director of Finance

The Director of Finance is responsible for producing and maintaining a schedule on the retention periods covering financial records in accordance with current best practice. The Financial Records Retention Schedule is appended to these Regulations ([Appendix C](#))

### 14.2. Records for external funding

As per Section 6 of these Regulations, all evidence required by external funding bodies must be collected and retained in line with the conditions / criteria as outlined in the funding agreement.

Where the retention period in the agreement exceeds the one prescribed in the Financial Records Retention Schedule, (see [Appendix C](#)) the funder's requirements will take precedence.

Documents pertaining to ERDF supported projects must be retained until at least 3 years after the UK receives its final payment to the programme from the EC. .

Where the retention periods required by the funder are less than those specified in the Financial Records: Recommended Retention Schedule (Appendix C of these Regulations) the latter should be followed.

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## 15. Financial Systems

The Council's finance system is Oracle Enterprise One and this system will be the Council's prime source of accounting and financial information

### 15.1. Roles and responsibilities

#### 15.1.1. Director of Finance

The Director of Finance is responsible for;

- the Council's accounting system from which the Council's audited Accounts are produced.
- controlling access to the Council's systems and information
- ensuring both the accuracy and security of the data.
- ensuring that the financial controls of systems interfacing with the corporate accounting system are robust and in line with the Council's information governance policies.

#### 15.1.2. Executive Directors

Executive Directors are responsible for;

- reconciling relevant feeder systems back to the information reported in the corporate accounting system.
- ensuring that Portfolio systems, e.g. CareFirst, produce financial returns in a format and to timescales required by the Director of Finance.
- controlling the access to Portfolio systems and information, and for ensuring both the accuracy and security of the data.
- ensuring, in consultation with the Data Protection and Information Security Officer, that the data held on their systems, whether held as hard copy or in electronic format, is in accordance with EU or domestic data protection legislation. Business Partners from the Business Information Systems (BIS) Team should be consulted for advice and guidance on data protection and information management issues.
- ensuring that the Director of Finance and their Business Information Systems Business Partner are consulted prior to the purchase and implementation of any new computerised financial systems. This includes any income collection systems.

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## 16. Accounting

The Director of Finance is responsible for the form and content of the Council's Accounts and for producing the Council's Accounts for approval by the Audit Committee.

The Accounts must present a true and fair view of the financial position and transactions in respect of that financial year and be prepared in accordance with statutory requirements and all applicable professional Codes of Practice.

The Accounts will be prepared on an accruals basis.

The Accounts will be prepared on a prudent basis with income only included if it is likely to be received. Proper allowance should be made for known liabilities and losses.

### 16.1. Accounting during the Financial Year

All Accounts and Accounting Systems must be properly maintained throughout the year to provide timely and accurate information.

All financial transactions must be properly accounted for and adequately supported and referenced back to original documents and working papers which initiated the transaction.

Holding and Suspense Accounts must be reconciled at least monthly. Reconciliations must be produced and authorised by Officers not directly responsible for the transactions in the accounts.

Control accounts, e.g. debtors and Bank Accounts, must be reconciled on a monthly basis.

Access to accounting information will be controlled by the Director of Finance.

### 16.2. Year-end Requirements

At the end of each financial year the Director of Finance will produce a timetable and notes of guidance for the production of Final Accounts.

All balances on Control Accounts, e.g. Debtor Control, must be justified. Balances may only be carried forward into the next year if there is a reasonable prospect that they will be cleared.

The Accounts for the year should be "closed" at the end of business on 31 March and all income received and payments made to that date must be accounted for. The Officers responsible must certify sums held, i.e. not banked, at the close of business on 31 March.

Accruals must be supported by evidence and the Director of Finance will require copies of evidence for material accruals. The process and amounts will be specified in the year-end guidance issued by the Director of Finance.

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The Officers responsible for cash floats and other cash accounts must balance and certify the amount of cash held at the close of business on 31 March.

Officers responsible for stocktaking must certify the value of stock / stores at close of business on 31 March.

Expenditure and income due for the year, but not paid or received by 31 March must be accounted for. The Officers responsible must certify the transactions concerned.

Appropriate working papers, records and prime documentation must be maintained in support of the above requirements. These will be used to substantiate the Accounts and provide a clear Audit trail.

## **17. Internal Audit**

The Council's S151 Officer is responsible for maintaining a continuous internal audit of all the Council's financial records and operations. S /he shall be given such facilities, information and explanations as is deemed necessary to enable this to be done. Internal Audit has been provided with the authority to access any Council Officer and information necessary to carry out their duties on behalf of the Section 151 Officer.

The Charter and Terms of Reference for the Internal Audit function are contained in the Chief Internal Auditor's [annual report to the Audit Committee](#).

An Annual Audit plan is prepared by the Chief Internal Auditor and agreed by the Audit Committee and the Council's Section 151 Officer. This is designed to cover the most significant risks faced by the Council.

As part of the audit planning process, and in line with the requirements of the Council's Risk Management Framework, Executive Directors are responsible for managing risk and for informing Internal Audit of the risks that are prevalent in their area. They are also responsible for agreeing and implementing relevant Audit recommendations.

Internal Audit report the output of its activity to the Council's Audit Committee.

### **17.1. Reporting potential or actual theft , fraud or corruption**

Executive Directors are responsible for ensuring that they have in place adequate processes for ensuring that the Section 151 Officer is immediately notified of any circumstances indicating the possibility, or actual identification, of irregularity in funds, stores or other property of the Council. The reporting of such matters to the Council's Internal Audit Service shall be considered adequate for discharging this responsibility.

The Council's "Code of Conduct for Employees" and 'Whistleblowing Policy' as contained in [Part 5 of the Council's Constitution](#) requires any Council officer, who becomes aware of potential theft, fraud or corruption, to bring any concerns to the attention of the appropriate manager.

All employees of the Council are required to conduct themselves and carry out their duties in line with the requirements of the Code of Conduct and to comply with all Council agreed policies and procedures.

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## **18. Companies, Joint Ventures, Partnerships, Joint Committees etc.**

Where the Council has a controlling interest in Companies, Joint Ventures, Partnerships, Joint Committees, or is the Lead Authority, then these organisations will be required to use the Council's finance system and to follow these regulations.

Where the Council is involved as a minority interest in partnership arrangements or Joint Committees that use their own finance systems, the arrangement must include an agreement on appropriate, robust financial governance control arrangements to the satisfaction of the Director of Finance. In these circumstances the controls in these Regulations will be used as a starting point for that agreement

No agreement shall be entered into with a Partnership which commits the Council to additional expenditure or other financial risk without approval as set out in the arrangements contained in other sections of these Regulations and the Leader's Scheme. The relevant Executive Director, in conjunction with the Director of Finance will report at least annually to the appropriate portfolio holding Member and the Cabinet Member for Finance on the financial affairs of the partnership body.

## **19. Grant (Gift) arrangements**

### **19.1. Roles and Responsibilities**

#### 19.1.1. Director of Commercial Services

The Director of Commercial Services is responsible for ensuring there are proper processes and procedures in place for the commissioning and procurement of goods and / or services, and for the making of grant aid or 'investing' agreements.

#### 19.1.2. Executive Directors

Executive Directors are responsible for ensuring that any funds that are established to make individual grants from are properly approved in accordance with the Leader's Scheme

They are responsible for ensuring that all grant payments to voluntary organisations or other recipients of grant aid are properly approved in accordance with the Leader's Scheme, these Regulations and all other relevant documentation.

Where a grant payment is withdrawn or reclaimed, Executive Directors are responsible for ensuring that this is agreed in accordance with the Leader's Scheme.

Executive Directors are also responsible for ensuring that the external relationship with any recipient of grant aid is managed in accordance with all guidance provided by the Director of Legal Services.

Executive Directors are responsible for ensuring that any Grant / Gift arrangements within their area of responsibility are made in line with the [Commissioning and Procurement Policy](#), and all other relevant processes and procedures.

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## 20. Council Supply Agreements

Executive Directors are responsible for ensuring that Council Supply Agreements within their area of responsibility are approved in accordance with the requirements of the Leader's Scheme, including the need to seek the opinion of either the Executive Director, Resources or the Director of Finance.

A Council Supply Agreement means a contractually binding agreement under which the Council agrees to provide works, services or supplies to a third party in return for payment, in money or in-kind, otherwise than in fulfilment of a statutory duty, but does not include an agreement under which the Council receives grant aid.)

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## Appendices

### A. Financial Protocol for Financial Year 2014-15

#### A.1. Introduction

The Council's Financial Regulations set out the high level financial rules within which all officers are required to work, without exception. More detailed Financial Procedures are available on [FinancePoint](#) that set out how the detailed processes underpinning these Regulations operate.

This annual Financial Protocol complements the Regulations and Policies by describing the roles and relationships of the main parties involved in the Council's financial management arrangements. It is therefore a means to help ensure that these roles and relationships;

- ensure adherence to Financial Regulations and Policies;
- help the Council to achieve Sound Financial Management and work towards World Class standards;
- support the statutory ("section 151" – see below) duties of its Chief Finance Officer.

The Protocol will be refreshed annually by the Director of Finance for signing off by the Executive Director/Director as applicable and, where appropriate the Director of Business Strategy.

Where the Portfolio concerned does not have an Executive Director and/or a Director of Business Strategy then the responsibilities of these roles, as defined within this Protocol, shall be assumed on the following basis

- the Portfolio Director will undertake the responsibilities of the Executive Director and
- the Executive Director/Director will undertake the responsibilities of the Director of Business Strategy, as applicable.

The Council faces very challenging times because of the scale of previous and anticipated public expenditure reductions. There is a need for Portfolio Leadership teams to ensure the relevant controls and management culture is in place to deliver the demanding budget reductions.

The Finance service will itself have to reduce its numbers which will affect the level of support and review available to Portfolio management teams. This will require greater self-management on the part of business unit managers in line with existing agreed good practice. The Director of Finance, in conjunction with the Director of Business Strategy, will be responsible for judging that the level of Finance resource is appropriate for the assessed financial risk of each service.

The Executive Director and the Director of Business Strategy will ensure that service managers afford the necessary attention to discharging their financial responsibilities including the timely and diligent completion of forecasting and reporting responsibilities.

## **A.2. Role of the Executive Director - Resources**

The Executive Director of Resources will be the responsible officer (Chief Finance Officer - CFO) for the purposes of s151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988. The Executive Director of Resources therefore has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of the Council's financial affairs. This includes ensuring the production and monitoring of the Financial Regulations. The Executive Director of Resources will recommend amendments to the Financial Regulations to the Council where she / he considers these to be in line with any changes to recommended best practice or essential service requirements or otherwise appropriate.

The Executive Director of Resources, as a member of the Council's Executive Management Team will ensure that the s151 role is discharged at this strategic level. On a day-to-day basis all s151 responsibilities may be discharged by the Director of Finance, who will act on behalf of the Executive Director -Resources in ensuring proper discharge of these statutory responsibilities. The Director of Finance is authorised to sign any and all grant claims, statutory returns or other documents that require the authority of the s151 officer on behalf of the Council. Nothing in this paragraph diminishes the ultimate financial responsibility of the Executive Director –Resources.

## **A.3. Role of the Director of Finance**

### **A.3.1. Statutory requirements**

The Executive Director of Resources is the Council's responsible officer (Chief Financial Officer - CFO) for the purposes of s151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988. On a day-to-day basis these duties are discharged by the Director of Finance.

The duties of the CFO can be summarised as:

- s151 – One officer shall have the responsibility to ensure that the local authority makes arrangements for the proper administration of its financial affairs.
- s114/114A - The CFO shall make a report if it appears to him / her that the Authority, a Committee, an Officer, the Executive or someone on behalf of the Executive;
  - has made, or is about to make, a decision involving the authority incurring expenditure which is unlawful,
  - has taken, or is about to take, action which if pursued would be unlawful and likely to cause loss or deficiency on part of the authority, or
  - is about to make an unlawful entry in the accounts

The CFO shall also make a report if it appears that expenditure of the authority is likely to exceed its resources.

### A.3.2. Contravention of Standing Orders

In addition to the above statutory requirements, the CFO shall make a report if, in his / her view, Standing Orders have been contravened.

### A.3.3. Responsibility for the Finance Service

The Director of Finance is responsible for the whole of the unified finance service within the Council. Beyond its statutory duties the Finance Service will:

- lead on the corporate financial strategy for the Council, in conjunction with the Executive Management Team,
- set clear corporate standards for “world class” financial management and ensure adherence to them,
- provide an effective business partner service to Portfolios,
- maximise efficiency and effectiveness by providing excellent shared and self-service financial services,
- ensure that finance staff are confident and competent in their duties, and
- provide support and training for service managers in finance competencies.

### A.3.4. Financial implications of decisions

Where the Council’s Financial Regulations require the financial implications of a decision to be signed off, then this will be done either by the Finance Business Partner on behalf of the Director of Finance or directly by the Director of Finance, as appropriate.

Directors of Business Strategy will also need to be involved in this process but they cannot substitute for the Finance Business Partners.

The rules governing the reporting of financial implications can be found in Section 4 of the Financial Regulations.

### A.3.5. Financial Returns and Grant Claims

The Director of Finance or authorised Finance Officers will sign-off all Financial Returns and Grant Claims for the Council. Details of the authorised Finance Officers are shown below and will be published alongside the Constitution as amended from time to time. The authorised Finance Officers will be responsible for signing returns / claims relating to their managerial areas of responsibility but will also authorise other returns / claims in the absence of the Director of Finance.

Deputy Director of Finance (Business Partner Resources/Policy, Performance and Communications; Strategic Finance; Financial Systems Support)	Grants and returns relating to Resources Portfolio, Strategic Finance and other corporate issues.
Assistant Director of Finance (Business Partner Place; External Funding; Business Partner Capital)	Grants and returns relating to, External Funding, Capital and the Place Portfolio
Assistant Director of Finance (Business Partner Children, Young People and Families; Revenues & Benefits; Income Management)	Grants and returns relating to Communities Portfolio Revenues & Benefits and Debt Recovery
Assistant Director of Finance (Business Partner Communities; Internal Audit)	Grants and returns relating to CYPF Portfolio.



A.3.6. Documentation related to banking transactions

The Director of Finance or authorised Finance Officers will sign-off documentation related to banking transactions (see Section 11.3 of Council's Financial Regulations).

Executive Director of Resources
Director of Finance
Deputy Director of Finance (Business Partner Resources/Policy, Performance and Communications; Strategic Finance; Financial Systems Support)
Assistant Director of Finance (Business Partner Place; External Funding; Business Partner Capital)
Assistant Director of Finance (Business Partner Children, Young People and Families; Revenues & Benefits; Income Management)
Assistant Director of Finance (Business Partner Communities; Internal Audit)
Assistant Director of Finance (Project & Commercial; Taxation and Treasury Management)
Senior Finance Manager (Business Partner Place)
Senior Finance Manager (Business Partner Communities)
Senior Finance Manager (Revenues and Benefits, Income Management)
Senior Finance Manager (Business Partner Children, Young People and Families)
Senior Finance Manager (Business Partner Resources/Policy, Performance & Communications, and Financial Systems Support)
Senior Finance Manager (Strategic Finance)

### A.3.7. Approval of virements between Services and Portfolios

The Director of Finance or authorised Finance Officers will sign-off requests for virements under £500,000 between Portfolios and Services (see Section 3.5.33.5.3 of the Council's Financial Regulations).

Director of Finance
Deputy Director of Finance (Business Partner Resources/Policy, Performance and Communications; Strategic Finance; Financial Systems Support)
Assistant Director of Finance (Business Partner Place; External Funding; Business Partner Capital)
Assistant Director of Finance (Business Partner Children, Young People and Families; Revenues & Benefits; Income Management)
Assistant Director of Finance (Business Partner Communities; Internal Audit)

### A.3.8. Emergency approval of capital schemes

All requests for emergency approvals of capital schemes must be referred to the Executive Director – Resources or the Director of Finance or the Finance Service Officers authorised to act on his or her behalf.

Director of Finance
Deputy Director of Finance (Business Partner Resources; Strategic Finance; Financial Systems Support)
Assistant Director of Finance (Business Partner Place; External Funding; Business Partner Capital)

### A.3.9. The Finance Business Partner

The Director of Finance will designate Finance Business Partner resources to provide financial advice and support to each Portfolio. The Finance Business Partners will be part of the unified finance service and their line report will be within the Director of Finance's structure. They will be held accountable for their performance to the Portfolio via the Director of Business Strategy role on behalf of the Executive Director and Portfolio Leadership Team. The ultimate responsibility for performance of the Finance Business Partner role remains with the Director of Finance.

The Director of Finance will ensure that arrangements are in place to effectively manage the relationships between Finance Business Partners and their services, Directors of Business Strategy and Executive Directors.

#### **A.4. Role of the Executive Director:**

##### **A.4.1. Responsibility to run services within cash allocation**

The Executive Director reconfirms his / her responsibility to run services within the cash allocation agreed at the special meeting of the Sheffield City Council on 7th March 2014, subject to subsequent adjustments approved within the Council's Financial Regulations, Constitution and Leader's Scheme of Delegation of Executive Functions.

##### **A.4.2. Framework of Financial Accountability**

In order to meet the statutory requirements and to protect the Council's overall financial interest the Executive Director agrees that;

- they will develop and maintain a clear, written accountability framework for the budgets held by each service and Business Unit / cost centre manager which will be linked to the sign off of this Protocol,
- arrangements are in place to ensure that the Portfolio has a clear framework for ensuring compliance with the Council's Financial Regulations and Financial Policies,
- their Director of Business Strategy will liaise with the Finance Business Partners and provide assurance annually to the Executive Director and Executive Director of Resources that the arrangements are sound;

Executive Directors are responsible for ensuring that these arrangements are working effectively, that there are proper arrangements for making managers accountable for the use of financial resources and for reviewing financial management performance.

##### **A.4.3. Provision of financial advice to Portfolio**

Finance Business Partners will act on behalf of the Director of Finance in their Portfolio and will be given the access to information and meetings that this requires.

The Finance Business Partner will be the professional financial adviser to the Portfolio and will agree the Financial Implications of reports, as required by the Council's Financial Regulations.

### **A.5. Joint Responsibilities of the Director of Finance and Executive Directors**

The Executive Directors and Director of Finance will work co-operatively within the Council's Financial Regulations to ensure the effective management of the Council's financial arrangements. This will involve a commitment to influence the culture of financial management in the Council through joint working of core and business partner finance staff and the relationships between Finance Business Partners and service managers in areas such as:

- ensuring there are adequate forums for staff meetings and communications, e.g. between Finance Business Partners and Directors of Business Strategy and between Finance Business Partners and other Directors,
- training and development of finance staff and service managers to meet required financial competencies, and
- rotation and secondment of Finance Service staff to meet service needs and individual development needs.

### **A.6. Role of the Directors of Business Strategy**

#### **A.6.1. General responsibilities of the Directors of Business Strategy**

The Director of Business Strategy (DoBS) is responsible for ensuring that:

- the Executive Director of Resources' s151 responsibilities can be discharged.
- Portfolio business is conducted in a manner that meets the highest standards of financial management, and
- the resources of the Portfolio's services are targeted at priorities and demonstrate value for money.

#### **A.6.2. Reporting of financial issues**

In relation to financial issues and implications the Director of Business Strategy is responsible for;

- making an immediate report to the Director of Finance on any financial issues of significance
- ensuring that financial implications are brought to the attention of PLT or other decision making bodies in the Portfolio, and
- ensuring that decisions are not taken without sign off of the financial implications by the Finance Business Partner, where required by the Financial Regulations.

### A.6.3. Framework of Financial Accountability

The Director of Business Strategy is responsible for;

- developing and maintaining a framework for financial accountability with the Finance Business Partners, which will be linked to the sign off of this Protocol,
- providing annual assurance to the Executive Director and Director of Finance on the accountability frameworks for budgets and compliance with financial regulations,
- working closely with the Finance Business Partner(s) for the Portfolio to agree a more detailed protocol on roles with the Director of Finance and Finance Business Partner for key processes such as the financial strategy and budget monitoring.

### A.6.4. Collaboration and Communication.

The Director of Business Strategy is responsible for ensuring that;

- the Finance Business Partner has direct access to Portfolio Leadership Teams or other meetings in the Portfolio when required,
- there are opportunities for regular liaison with the Finance Business Partners and Director of Finance,
- the Finance Business Partner or corporate shared services are the only means through which financial services and advice are provided to the Portfolio (preventing “grow back” of financial services)

### A.6.5. Recruitment to post of Director of Business Strategy

The Executive Director of Resources will be involved in agreeing role descriptions and all recruitment processes to the Directors of Business Strategy posts.

Signed:

Executive Director - Resources.....

Executive Director .....

Director of Finance.....

Director of Business Strategy

Date: .....

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**B. Financial Implications template**

The Financial Implications template can be accessed [here](#)

**C. Financial Records: Recommended Retention Schedule**

(Note that all figures used relate to years, e.g. Current + 6 is Current Year's records plus the previous 6 years documents)

**C.1. Accountancy/Financial**

General example of type of Record	Recommended Retention	Action after retention
Abstract of accounts	Current + 6	Destroy as confidential records
Annual Budget	Current + 6	Destroy as confidential records
Annual statements	Current + 6	Destroy as confidential records
Budgetary control records	Current + 6	Destroy as confidential records
Costing records	Current + 6	Destroy as confidential records
Estimate working papers	Current + 2	Destroy as confidential records
Financial ledgers	Current + 6	Destroy as confidential records
Grant claim records	Current + 6	Destroy as confidential records
Investment records	Current + 2	Destroy as confidential records
Journals	Current + 6	Destroy as confidential records
Leasing Records	Current + 2	Destroy as confidential records
Record re closing ledgers	Current + 6	Destroy as confidential records
School Fund records	Current + 6	Destroy as confidential records
Telephone call records	Current + 2	Destroy as confidential records
VAT claims	Current + 6	Destroy as confidential records
VAT records	Current + 3	Destroy as confidential records
Voluntary fund accounts	Current + 6	Destroy as confidential records

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**C.2. Bank related records**

Type of Record	Recommended Retention	Action after retention
Bank pay-in books/slips	Current + 6	Destroy as confidential records
Bank reconciliation	Current + 6	Destroy as confidential records
Bank statements	Current + 6	Destroy as confidential records
Cancelled cheques	Current + 2	Destroy as confidential records
Cheque books and counterfoils	Current + 6	Destroy as confidential records
Cheque lists (creditors/payrolls)	Current + 2	Destroy as confidential records
Loan records and correspondence	Current + 2	Destroy as confidential records
Paid cheques	Current + 4	Destroy as confidential records
Returned cheque records	Current + 2	Destroy as confidential records

**C.3. Contracts**

Type of Record	Recommended Retention	Action after retention
<b>Pre Contract Advice</b>		
The process of calling for expressions of interest	2 years after contract let or not proceeded with	Destroy as confidential records
<b>Specification and Contract Development</b>		
The process involved in the development and specification of a contract	<p>Ordinary Contract: 6 years after the terms of contract have expired.</p> <p>Contracts Under Seal: 12 years after the terms of the contract have expired.</p>	<p>Destroy as confidential records</p> <p>Destroy as confidential records</p>

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Type of Record	Recommended Retention	Action after retention
<b>Tender Issuing and Return</b>		
The process involved in the issuing and return of a tender (Opening Notice)	1 year after start of contract	Destroy as confidential records
<b>Evaluation of Tender</b>		
Successful tender document	Ordinary Contract: 6 years after the terms of contract have expired. Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records  Destroy as confidential records
Unsuccessful tender document	1 year after start of contract	Destroy as confidential records
<b>Post Tender Negotiation</b>		
The process in negotiation of a contract after a preferred tender is selected	1 year after the terms of contract have expired	Destroy as confidential records
<b>Awarding of Contract</b>		
The process of awarding contract	Ordinary Contract: 6 years after the terms of contract have expired. Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records  Destroy as confidential records
<b>Contract Management</b>		
Contract operation and monitoring	2 years after terms of the contract have expired.	Destroy as confidential records
Management and amendment of contract	Ordinary Contract: 6 years after the terms of contract have expired. Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records  Destroy as confidential records



**C.4. Creditor records**

Type of Record	Recommended Retention	Action after retention
Copy orders	Current + 2	Destroy as confidential records
Credit notes	Current + 6	Destroy as confidential records
Creditor invoices	Current + 6	Destroy as confidential records
Delivery notes	Current + 2	Destroy as confidential records
Imprest documentation (petty cash)	Current + 2	Destroy as confidential records
Period payment records	Current + 6	Destroy as confidential records

**C.5. Income records**

Type of Record	Recommended Retention	Action after retention
Cash books	Current + 6	Destroy as confidential records
Correspondence (income)	Current + 2	Destroy as confidential records
Debtor accounts (records non-current)	Current + 2	Destroy as confidential records
Dinner/milk registers	Current + 6	Destroy as confidential records
Income posting slips and tabulations	Current + 2	Destroy as confidential records
Periodic income records	Current + 2	Destroy as confidential records
Receipt books	Current + 2	Destroy as confidential records
Record of receipt books issued	Current + 2	Destroy as confidential records
Registrar's quarterly returns	Current + 2	Destroy as confidential records
Sales records	Current + 2	Destroy as confidential records

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**C.6. Insurance records**

Type of Record	Recommended Retention	Action after retention
Expired insurance contracts	Current & Permanent preservation	Destroy as confidential records
Insurance claim (fire)	Current + 4	Destroy as confidential records
Insurance claim (vehicle)	Current + 4	Destroy as confidential records
Insurance claim (public employer's liability)	Current + 6	Destroy as confidential records
Insurance policy documentation	Current & permanent	Destroy as confidential records
Insurance register	Current & permanent	Destroy as confidential records

**C.7. Miscellaneous records**

Type of Record	Recommended Retention	Action after retention
Capital works tabulations	Current + 2	Destroy as confidential records
Car leasing and mileage records	Current + 6	Destroy as confidential records
Car Loans	Current + 6	Destroy as confidential records
Computer system documentation	Current + 2	Destroy as confidential records
Inland Revenue docs	Current + 6	Destroy as confidential records
Internal requisitions	Current + 1	Destroy as confidential records
Inventory records	Current + 6	Destroy as confidential records
Land searches	Current + 6	Destroy as confidential records
Member allowance (statutory registers)	Current + 2	Destroy as confidential records
Minutes	Current + 2	Destroy as confidential records
Postal remittance registers	Current + 2	Destroy as confidential records
Road fund licence records	Current + 2	Destroy as confidential records
School meal records	Current + 2	Destroy as confidential records
Small holdings records	Current + 2	Destroy as confidential records
Stock lists	Current + 2	Destroy as confidential records
Travel claims	Current + 6	Destroy as confidential records
Vehicle logs	Current + 2	Destroy as confidential records

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**C.8. Payroll Records**

Type of Record	Recommended Retention	Action after retention
BACS amendments and output	Current + 3	Destroy as confidential records
Copy payslips	Current + 6	Destroy as confidential records
Correspondence	Current + 6	Destroy as confidential records
Payroll adjustment documentation	Current + 6	Destroy as confidential records
Part – time employees' claim forms	Current + 6	Destroy as confidential records
SSP records	Current + 4	Destroy as confidential records
SSP variations	Current + 3	Destroy as confidential records
Staff transfer records	Current + 6	Destroy as confidential records
Starters forms	Current + 2	Destroy as confidential records
Tax and NI records	Current + 6	Destroy as confidential records
Tax code notifications	Current + 2	Destroy as confidential records
Timesheets and Pay Returns	Current + 6	Destroy as confidential records
Union documentation	Current + 2	Destroy as confidential records
Personnel files	Current + 2	Destroy as confidential records
Staff contracts	Current + 6	Destroy as confidential records
Unsuccessful applications	Current + 1	Destroy as confidential records

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- 8.4 Childcare and Dependent Carers’ Allowances may not be claimed in respect of caring duties which have been performed by a member of the Councillor’s immediate family.

### **Travel and Subsistence Allowances**

- 9.1 A Councillor may claim travelling allowances in respect of duties outlined in schedule 2 to this scheme, at the following rates:-

**Travel within the City:** *(These allowances are only available to Councillors who are not in possession of a Members’ Travel Pass)*

**Car Mileage** – 45p per mile up to 10,000 miles per annum and 25p per mile above 10,000 miles, plus 5p per mile for each passenger (up to four) who can claim an allowance;

**Motor Cycle/Moped mileage** – 24p per mile;

**Pushbike** – 20p per mile;

**Public Transport** – actual fare incurred, subject to submission of ticket/receipt.

**Car Parking** – charges will not be reimbursed as City Centre car parking arrangements are in place for Councillors.

**Travel out of City:** *(subject to separate approval)*

**Rail Fare** – cheapest standard fare.

**Car Mileage** – 45p per mile for the first 60 miles, then 13.8p per mile – plus 5p per mile for each passenger (up to four) who can claim an allowance – but overall amount to be paid is limited to the cost of the cheapest standard rail fare, with no allowance for parking fees or other charges (except in case of disabled Members – in this case, mileage rate without limitation calculating journey there and back individually).

**Taxis** – reimbursement of the fare where public transport is not reasonably available, and subject to submission of receipts.

**Car Parking** – reimbursement of car parking charges, subject to submission of ticket/receipt.

*(Note: Members who travel to and from work for an approved duty can only claim an allowance up to the equivalent home return journey.)*

- 9.2 Subject to separate approval, a Councillor may claim subsistence allowances in respect of approved duties set out in schedule 2 to this scheme, at the same rates that are made available to officers of the Council. As from 1 April 2014<sup>43</sup> these rates are:-

**Subsistence within the City** – Nil

**Subsistence out of City** – Breakfast £~~7.58~~7.77; Lunch £~~40.45~~10.71; Tea £~~4.14~~4.21; Evening Meal £~~12.97~~13.29.

- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with the discharge of the functions of the authority or of any of its committees or sub-committees

In terms of paragraph (h) above the following duties are approved by the Council:-

- Meetings by Members in a recognised position of responsibility with a Chief Officer or relevant officer or on any other matter arising from the statutory duties of the Council as deemed necessary;
- Deputations to Ministers and Government Departments;
- Working groups including officers as approved by Council;
- Attendance at Ward or area-based events connected with the locality management function;
- Attendance at meetings of Neighbourhood Action Groups;
- Conferences and seminars;
- Members surgeries on up to 3 days per month and, in exceptional cases, also those surgeries held on behalf of a colleague in case of illness;
- Members induction courses and training sessions to which all relevant Members are invited; and
- Attendance at their Council office to carry out preparatory work in connection with the discharge of the functions of the authority or any of its committees or sub-committees for up to 8 occasions per month.

***(Note: Out of City duties require separate approval.)***

### **Duties Excluded**

- Attendance at meetings of a political group nature, except the Policy Working Group (Labour), the Policy Working Group (Liberal Democrat), the Policy Working Group (UKIP) and the Policy Working Group (Green) at which officers provide briefings open to all members of the respective group;
- Attendance at civic functions where the function does not relate to the Member’s recognised position of responsibility; and
- For Members not in a recognised position of responsibility, attendance at informal discussions, meetings or visits between Members and/or with officers or with other organisations, as these duties are deemed to form part of the Member’s constituent duties.

**Subsistence overnight** – Actual cost.

***Co-Optees’ Allowance***

- 10 A co-optees’ allowance may be paid to individuals appointed to serve as members of committees of the Council, but who are not Members of the Council. The amount of the co-optees’ allowance is £707.98 per annum.

***Annual Adjustments of Allowances***

- 11.1 The annual adjustment of allowances will be ascertained by reference to an index. In relation to Basic, Special Responsibility (including the Pensions Authority), Childcare and Dependent Carers’ and Co-optees Allowances, the annual index shall be the average percentage officer pay award in Sheffield. In relation to travelling and subsistence allowances, the annual index shall be the relevant officer rates agreed from time to time. These annual indexes apply for a period of four years commencing from 2013/14.
- 11.2 However, in relation to Basic, Special Responsibility (including the Pensions Authority), Childcare and Dependent Carers’ and Co-optees Allowances in 2014/15, no annual increase will be implemented.

***Pensions***

- 12.1 ~~All Councillors have~~ Prior to 1 April 2014, all Councillors had the option of accessing the Local Government Pension Scheme, ~~with effect from 4<sup>th</sup> May, 2003.~~ Both Basic and Special Responsibility Allowance are treated as amounts in respect of which such pensions are payable.

- 12.2 Regulations effective from 1 April 2014 removed this entitlement for new Councillors and existing councillors will have their membership ceased at the end of their current term of office.

***Entitlement to Allowances***

- 13.1 No Councillor shall receive more than one Special Responsibility Allowance, except in relation to the Pensions Authority.
- 13.2 Where a Councillor is also a member of another Authority, he/she may not receive allowances from more than one Authority in respect of the same duties.



## SHEFFIELD CITY COUNCIL

### Report to: Council 2nd July 2014

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**Report of:** Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee

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**Report to:** Council

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**Date:** 2<sup>nd</sup> July 2014

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**Subject:** Reconfirming support for a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new Congenital Heart Disease review

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**Author of Report:** Diane Owens, 0114 273 5065

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At its meeting on 10th April 2014 the Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee received a report (and accompanying addendum) of the Director of Policy, Performance and Communications. The report concerns the JHOSC (Joint Health Overview and Scrutiny Committee - Yorkshire and the Humber) which has been established in response to the new Congenital Heart Disease review announced by NHS England in July 2013. The report, with the addendum, provides more detail on the JHOSC and details the proposals which are the subject of the recommendations below. The report with the addendum is attached, in the appendix to this report.

The Scrutiny Committee noted the report and agreed to make a series of recommendations to Council. The recommendations from the report are set out overleaf and Council is asked to approve the recommendations in full.

Since the report of the Director of Policy, Performance and Communications was drafted the Cabinet Member for Health, Care and Independent Living has approved the payment of a £1,000 contribution towards the running costs of the JHOSC. This will be paid to the administering authority, Leeds City Council.

**Recommendations:**

The Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee recommends to Council that it:

- 1 Re-confirm its commitment to the JHOSC, particularly in relation to the new Congenital Heart Disease Review;
- 2 Approves the Terms of Reference of the JHOSC for the New Congenital Heart Disease Review as set out in Appendix 2 of the report of the Director of Policy, Performance and Communications to the 10th April 2014 meeting of the Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee;
- 3 Ask the Healthier Communities & Adult Social Care Scrutiny Committee to nominate a member from within its membership to sit on the JHOSC in relation to the new Congenital Heart Disease Review and, upon nomination, agree to appoint that member to the JHOSC, in accordance with paragraph 7.3 with the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees as incorporated into the Council's Constitution;
- 4 Delegates the functions, set out in Appendix 1 of the report of the Director of Policy, Performance and Communications to the 10th April 2014 meeting of the Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee, that shall be exercisable by the JHOSC, subject to such terms and conditions detailed in the appendix; and
- 5 Approve amendments to the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees so that the functions referred to in recommendation 4 are incorporated.

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**Appendix**

Report (and accompany addendum) of the Director of Policy, Performance and Communications to the 10th April 2014 meeting of the Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee entitled "Reconfirming support for a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new Congenital Heart Disease review"

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**Category of Report:** OPEN





## Report to Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee Thursday 10<sup>th</sup> April 2014

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**Report of:** James Henderson, Director of Policy, Performance and Communications

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**Subject:** Reconfirming support for a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new Congenital Heart Disease review

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**Author of Report:** Diane Owens, Policy & Improvement Officer

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### **Summary:**

A Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) JHOSC was initially established in March 2011 to consider and respond to the proposals arising from the Safe and Sustainable Review of Children's Congenital Cardiac Services in England.

Following a number of concerns raised about the proposals in June 2013, the Secretary of State for Health accepted in full the findings and recommendations of the Independent Reconfiguration Panel and called a halt to the Safe and Sustainable Review process. NHS England subsequently submitted proposals for undertaking a new review into the whole lifetime pathway of care for people with congenital heart disease (CHD) i.e. services for both children and adults

Following the decision of the Secretary of State for Health to halt the previous review, the JHOSC has continued to meet to maintain the momentum of its previous work. At the JHOSC meeting in December 2013 there was broad support to continue the work of the JHOSC and a revised Terms of Reference was agreed (Appendix 2).

### **This report**

As it is likely that the JHOSC will make recommendations to NHS England and other interested parties, which may include the Secretary of State for Health the JHOSC felt it advisable that the 15 constituent authorities reconfirm their commitment to the JHOSC and the revised terms of reference.

### **The Scrutiny Committee is being asked to:**

1. Note the content of this report
2. Note the revised Terms of Reference for the New Congenital Heart Disease Review (Appendix 2)

3. Note that the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees as incorporated in Sheffield constitution states that *“where 9 or more Yorkshire and the Humber local authorities participate in a Joint Health Scrutiny Committee – the Chair (or Chair’s representative) of each participating authority’s Overview and Scrutiny Committee responsible for health will become a member of the Joint Health Scrutiny Committee”*, (section 7.3 page 444) the Committee is therefore asked to endorse the current Chair Cllr Mick Rooney as the authorities representative on the JHOSC.

And to recommend to full Council that

4. Sheffield reconfirms its commitment to the Yorkshire & Humber JHOSC which will focus on the new Congenital Heart Disease Review
5. The information outlined in Appendix 1 which details the specific scrutiny powers being delegated to the JHOSC (in relation to the new CHD review) is incorporated into section 5 of the Councils constitution “Codes & Protocols”.

**Type of item:** The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	✓
Other	

**Background Papers:**

n/a

**Category of Report:** OPEN

## **Report of: James Henderson, Director of Policy, Performance and Communications**

**Report title:** Reconfirming support for a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new Congenital Heart Disease review

### **1.0 Background information**

**1.1** The Yorkshire & The Humber Joint Health Overview & Scrutiny Committee (JHOSC) was specifically formed in March 2011 to consider the outcome of the Safe and Sustainable Review of Children's Congenital Cardiac Services in England - the associated proposals and the impact on children and families across Yorkshire

**1.2** Following a number of concerns raised about the proposals, on 12<sup>th</sup> June 2013, the Secretary of State for Health accepted in full, the findings and recommendations of the Independent Reconfiguration Panel and called a halt to the Safe and Sustainable Review process

**1.3** The Secretary of State for Health then invited NHS England – as the new body responsible for commissioning specialised services following the restructuring arrangements across the NHS that came into force from 1 April 2013 to report how it intended to proceed by the end of July 2013.

**1.4** In July 2013 NHS England submitted proposals for undertaking a new review into the whole lifetime pathway of care for people congenital heart disease (CHD) i.e. services for both children and adults.

### **2.0 Role of the JHOSC and reconfirming commitment**

**2.1** Following the decision of the Secretary of State for Health to halt the previous review, the JHOSC has continued to meet to maintain the momentum of its previous work.

**2.2** At its meeting in September 2013 the JHOSC considered the Secretary of State's decision alongside the report of the Independent Reconfiguration Panel (IRP) and was advised of NHS England's intentions for the new review to consider the whole lifetime pathway of care for people with congenital heart disease (CHD) i.e. covering services to both children and adults.

**2.3** Members of the JHOSC expressed broad support for the work of the JHOSC to continue, insofar as it relates to the new CHD review, and specifically highlighted a number of points, including:-

- The strength of joint scrutiny arrangements across Yorkshire and the Humber, vis-à-vis the Safe and Sustainable review and proposals, was clearly evident in the Secretary of State's announcement in June 2013.
- That the new CHD review would benefit from similar robust scrutiny arrangements as those in place for the Safe and Sustainable review.
- Concern regarding the likely timescales for the new review and the processes necessary for agreeing revised terms of reference across fifteen constituent local authorities.

**2.4** It was clarified at that meeting that while it would not be necessary to formally dissolve the JHOSC, in order to place the governance arrangements for the JHOSC on a firmer footing – insofar as its work relates to the new CHD review the existing terms of reference for the JHOSC would need to be revised to reflect the changed approach and scope of the new review of CHD services. It was also confirmed that any revised terms of reference may then need approval from the constituent local authority members.

**2.5** At its December 2013 meeting the JHOSC agreed a revised term of reference and an outline work plan associated with the new CHD review.

**2.6** As it is likely that the JHOSC will make recommendations to NHS England and other interested parties, which may include the Secretary of State for Health the JHOSC felt it advisable that member authorities reconfirm their commitment to the JHOSC and the revised terms of reference.

**2.7** In light of this the JHOSC are asking all 15 participating authorities (who represent the top tier authorities across the region) i.e. those with specific health scrutiny powers, to re-confirm their commitment to the JHOSC.

**2.8** As the administering authority, Leeds City Council – through its Scrutiny Support Unit – is committed to continuing to provide day-to-day support for the JHOSC and constituent authorities have been invited to make a voluntary contribution of £1,000 for the 2014/15 financial year towards running the JHOSC. This would cover a contribution towards administrative costs, printing, postage, room hire and other materials and an element of the Scrutiny Officers time. This request is being considered by the Cabinet Member for Health, Care and Independent Living Councillor Mary Lea.

**2.9** Leeds City Council is in discussions with the other constituent authorities regarding the processes necessary to reconfirm commitment to the refocused work of the JHOSC.

### **3.0 Legal Implications, Access to Information and Call In**

**3.1** Under Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, two or more local authorities may appoint a joint overview and scrutiny committee of those authorities and arrange for relevant functions to be exercisable by the joint committee, subject to such terms and conditions as the authorities may consider appropriate. As the proposed terms outlined in Appendix 1 include discharging the authorities' functions under Regulation 23, this means that the authorities cannot report to the Secretary of State themselves if they are dissatisfied with the consultation on the new review of CHD services or if they consider the proposals are not in the interests of the health service in their areas.

**3.2** Where a health body is required to consult with more than one authority in relation to a proposal for a substantial development of the health service or for a substantial variation in the provision of such a service, those authorities must appoint a joint overview and scrutiny committee for those purposes, and the powers to make comments on proposals consulted on, require information, and require witnesses can only be exercised by that joint committee.

3.3 Subject to the matters mentioned in 3.1 and 3.2 above, the usual statutory rules relating to overview and scrutiny committees will apply to the JHOSC.

#### **4.0 Recommendations**

The scrutiny committee is being asked to:

4.1 Note the content of this report

4.2 Note the revised Terms of Reference for the New Congenital Heart Disease Review (Appendix 2)

4.3 Note that the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees as incorporated in Sheffield constitution states that *“where 9 or more Yorkshire and the Humber local authorities participate in a Joint Health Scrutiny Committee – the Chair (or Chair’s representative) of each participating authority’s Overview and Scrutiny Committee responsible for health will become a member of the Joint Health Scrutiny Committee”*, (section 7.3 page 444) the Committee is therefore asked to endorse the current Chair Cllr Mick Rooney as the authorities representative on the JHOSC.

And to recommend to full Council that

4.4 Sheffield reconfirms its commitment to the Yorkshire & Humber JHOSC which will focus on the new Congenital Heart Disease Review

4.5 The information outlined in Appendix 1 which details the specific scrutiny powers being delegated to the JHOSC (in relation to the new CHD review) is incorporated into section 5 of the Councils constitution “Codes & Protocols”.

#### **Appendices**

**Appendix 1:** Outlines the specific scrutiny functions it is proposed be delegated to the JHOSC (in relation to the new CHD review) and as such be incorporated into section 5 of the Councils constitution, Codes & Protocols.

**Appendix 2:** Terms of Reference: New Congenital Heart Disease Review Joint Health Overview and Scrutiny Committee, (Yorkshire and the Humber), December 2013

<b>SECTION 5 – Codes &amp; Protocols</b>
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The Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) is a joint committee appointed under Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218 and is authorised to discharge the following health overview and scrutiny functions of the authority<sup>2</sup>, insofar as they relate to NHS England's new review of Congenital Heart Disease services:

a) To review and scrutinise any matter relating to the planning, provision and operation of the health service in its area, pursuant to Regulation 21 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

b) To make reports and recommendations on any matter it has reviewed or scrutinised, and request responses to the same pursuant to Regulation 22 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

c) To comment on, make recommendations about, or report to the Secretary of State in writing about proposals in respect of which a relevant NHS body or a relevant health service provider is required to consult, pursuant to Regulation 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

d) To require a relevant NHS body or relevant health service provider to provide such information about the planning, provision and operation of the health service in its area as may be reasonably required in order to discharge its relevant functions, pursuant to Regulation 26 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

e) To require any member or employee of a relevant NHS body or relevant health service provider to attend meetings to answer such questions as appear to be necessary for discharging its relevant functions, pursuant to Regulation 27 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

Member Authorities:

• Barnsley MBC	• Leeds City Council
• Calderdale Council	• North East Lincolnshire Council
• City of Bradford MDC	• North Lincolnshire Council
• City of York Council	• North Yorkshire County Council
• Doncaster MBC	• Rotherham MBC
• East Riding of Yorkshire Council	• Sheffield City Council
Hull City Council	Wakefield Council
• Kirklees Council	



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# ***Terms of Reference***

## ***New Congenital Heart Disease Review***

***Joint Health Overview and Scrutiny Committee  
(Yorkshire and the Humber)***

***December 2013***



**THE JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE  
(YORKSHIRE AND THE HUMBER)**

**INQUIRY INTO THE NEW REVIEW OF CONGENITAL HEART  
DISEASE (CHD) SERVICES IN ENGLAND**

**TERMS OF REFERENCE**

**1.0 Introduction**

1.1 In March 2011, a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) – the JHOSC, was established to consider the emerging proposals from the Safe and Sustainable Review of Children’s Congenital Cardiac Services in England and the options for public consultation agreed by the Joint Committee of Primary Care Trusts (JCPCT).

1.2 The membership for the JHOSC shall made in accordance with the Joint Health Scrutiny Protocol (Yorkshire and the Humber) and drawn from the following constituent local authorities:

- Barnsley MBC
- Calderdale Council
- City of Bradford MDC
- City of York Council
- Doncaster MBC
- East Riding of Yorkshire Council
- Hull City Council
- Kirklees Council
- Leeds City Council (Chair)
- North East Lincolnshire Council
- North Lincolnshire Council
- North Yorkshire County Council
- Rotherham MBC
- Sheffield City Council
- Wakefield Council

1.3 The JHOSC submitted a formal response to the options presented for public consultation in October 2011.

1.4 Following the JCPCT’s decision on the proposed future model of care and designation of surgical centres on 4 July 2012, the JHOSC referred the JCPCT’s decision to the Secretary of State for Health in November 2012. This was subsequently passed to the Independent Reconfiguration Panel (IRP) for consideration and advice.

1.5 The IRP’s findings and recommendations were set out in its report to the Secretary of State for Health at the end of April 2013. A summary of the IRP’s recommendations is attached at Appendix 1.

1.6 On 12 June 2013, an announcement from the Secretary of State for Health accepted the IRP’s report and recommendations in full and called a halt to the Safe and Sustainable Review of Children’s Congenital Cardiac Services in England and asked NHS England – as the new body responsible for commissioning specialised services following the restructuring arrangements across the NHS that came into force from 1 April 2013, to report how it proposed to proceed by the end of July 2013.

- 1.7 NHS England's response to the Secretary of State for Health, which included a report presented to the NHS England Board on 18 July 2013, is attached at Appendix 2.

## **2.0 Scope of the inquiry**

- 2.1 The overall purpose of this inquiry is to consider the arrangements and outcomes associated with the new review of congenital heart disease (CHD) services in England.
- 2.2 As such, specifically in relation (but not limited) to the population of the constituent authorities' areas, the JHOSC may:

### Part 1

- Consider the findings and recommendations of the Independent Reconfiguration Panel (IRP) associated with its assessment of the previous Safe and Sustainable review of Children's Congenital Heart Services in England, and make an assessment of the extent to which they have been acted upon as part of the new CHD review;
- Consider and make an assessment of the new CHD review processes and any associated formulation of proposed options for reconfiguration and future service models, presented for public consultation;
- Consider the views and involvement of local service users, patient groups and/or charity organisation as part of the new CHD review;

### Part 2

- Examine the projected service improvements arising from the new CHD review and any proposed reconfiguration and future service model including, but not limited to, the basis of projected improvements to patient outcomes and experience;
- Consider the likely impact arising from the new CHD review on patients and their families accessing services in the short, medium and longer- term, particularly in terms of access to services and travel times;
- Consider the health and equality impacts arising from the new CHD review and any associated reconfiguration and future service model proposals and, in particular, the comparison with existing provision and service configuration;
- Consider other potential implications of any reconfiguration options arising from the new CHD review and presented for consultation, including the impact on the local and regional health and general economy.

### Part 3

- Formally respond to the findings of the new CHD review and any reconfiguration options or proposed future service models arising from the new CHD review and presented for public consultation.

### Part 4

- Consider and maintain an overview of any plans for implementation associated with the agreed future service model and reconfiguration of services arising from the new CHD review.

2.3 In addition, the JHOSC may generally:

- Consider any other pertinent matters that may arise as part of the Committee's inquiry (as agreed by the JHOSC).
- Make any recommendations deemed appropriate in relation to any or all of the above matters.
- Review and scrutinise the effects of the new CHD review on the planning, provision and operation of the health service in the constituent authorities' areas pursuant to Regulation 21 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, and make reports and recommendations on such matters pursuant to Regulation 22.
- Act as consultee and discharge the constituent authorities' functions under Regulation 26 in relation to the new CHD review.
- Discharge the constituent authorities' functions under Regulation 26 and Regulation 27.

2.4 As the administering authority, arrangements for the JHOSC shall be in accordance with Leeds City Council's Scrutiny Procedural Rules.

### **3.0 Desired Outcomes and Measures of Success**

3.1 The decision to undertake this inquiry has been based on the JHOSC's previous consideration and reports relating to the Safe and Sustainable Review of Children's Congenital Cardiac Services in England.

3.2 In conducting this inquiry and responding to any future proposals presented for public consultation, the JHOSC wishes to secure high quality, accessible services for patients suffering congenital heart disease (CHD) and their families across Yorkshire and the Humber in the immediate and longer-term.

3.3 It is also important to consider how the JHOSC will deem if its inquiry has been successful in making a difference to local people across Yorkshire and the Humber.

3.4 Some measures of success may be obvious at the initial stages of an inquiry and can be included in these terms of reference. Other

measures of success may become apparent as the inquiry progresses and discussions take place.

3.5 Some initial measures of success are:

- Ensuring the recommendations identified by the Independent Reconfiguration Panel (IRP) have been appropriately acted upon as part of the new CHD review.
- Ensuring the new CHD review processes are rigorous and fit for purpose.
- Ensuring the involvement, engagement and consultation arrangements associated with the new CHD review are appropriate and fit for purpose.
- Ensuring any proposed future service model will deliver improved or enhanced services for patients and families across Yorkshire and the Humber.
- Ensuring any projected service improvements arising from the new CHD review are realistic and have a high prospect for success.

#### **4.0 Comments of the relevant Director and Executive Member**

4.1 In line with Leeds City Council's Scrutiny Board Procedure Rule 12.1, the relevant Director(s) and Executive Member(s) shall be consulted on these terms of reference.

#### **5.0 Timetable for the inquiry**

5.1 NHS England is currently working toward securing 'an implementable solution' by the end on June 2014. As such, the timetable of this inquiry will broadly reflect NHS England's review timetable.

5.2 The length of the inquiry may be subject to change.

#### **6.0 Submission of evidence**

6.1 NHS England is currently working toward securing 'an implementable solution' by the end on June 2014. The timetable of this inquiry and the submission of evidence will broadly reflect NHS England's review timetable.

6.2 The JHOSC will determine the evidence it 'reasonably requires' to discharge its statutory functions and advise those bodies responsible accordingly.

#### **7.0 Witnesses**

7.1 The JHOSC will determine those witnesses it may 'reasonably require' and/or may wish to invite to attend its meetings, in order that it may discharge its statutory functions.

7.2 The JHOSC will advise any identified witnesses accordingly.

#### **8.0 Equality and Diversity / Cohesion and Integration**

- 8.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure Leeds City Council's legal duties are met under the Equality Act 2010. The priorities will help ensure work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 8.2 Equality and diversity will be a consideration throughout the inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.
- 8.3 The JHOSC may engage and involve interested groups and individuals to inform any recommendations.
- 8.4 Where an impact has been identified this will be reflected in any inquiry report and associated recommendations and the body responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.
- 9.0 Post inquiry report monitoring arrangements**
- 9.1 Following the completion of this inquiry and the publication of any inquiry report and recommendations, the initial response and subsequent progress against such recommendations will be monitored.
- 9.2 Any inquiry report will include information on the arrangements for monitoring the implementation of any recommendations.





***IRP***

**Independent Reconfiguration Panel**

***ADVICE ON  
SAFE AND SUSTAINABLE PROPOSALS  
FOR CHILDREN'S CONGENITAL HEART SERVICES***

Submitted to the Secretary of State for Health  
30 April 2013



## **Independent Reconfiguration Panel**

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## SUMMARY AND RECOMMENDATIONS

The Secretary of State for Health asked the IRP to advise whether it is of the opinion that the proposals for change under the “*Safe and Sustainable Review of Children’s Heart Services*” will enable the provision of safe, sustainable and accessible services and if not why not. Overall, the Panel is of the opinion that the proposals for change, as presented, fall short of achieving this aim.

The Panel’s view is that people - children and adults - with congenital heart disease in England and Wales will benefit from services commissioned to national standards for the whole pathway of their care.

The Panel agree that congenital cardiac surgery and interventional cardiology should only be provided by specialist teams large enough to sustain a comprehensive range of interventions, round the clock care, training and research.

However, the Panel has concluded the JCPCT’s decision to implement option B (DMBC – Recommendation 17) was based on flawed analysis of incomplete proposals and their health impact, leaving too many questions about sustainability unanswered and to be dealt with as implementation risks.

## SUMMARY AND RECOMMENDATIONS

Throughout our review, people told us that being listened to was something they valued. The opportunity to change and improve services is widely recognised and, in taking forward our recommendations, those responsible must continue to listen to legitimate criticisms and respond openly.

We set out below recommendations to enable sustainable improvements for these services and learning for future national commissioning of health services.

- The proposals for children's services are undermined by the lack of co-ordination with the review of adult services. The opportunity must be taken to address the criticism of separate reviews by bringing them together to ensure the best possible services for patients.
- Patients should receive congenital heart surgery and interventional cardiology from teams with at least four full-time consultant congenital heart surgeons and appropriate numbers of other specialist staff to sustain a comprehensive range of interventions, round the clock care, training and research.

## SUMMARY AND RECOMMENDATIONS

- **Before further considering options for change, the detailed work on the clinical model and associated service standards for the whole pathway of care must be completed to demonstrate the benefits for patients and how services will be delivered across each network**
- **For the current service and any proposed options for change, the function, form, activities and location of specialist surgical centres, children’s cardiology centres, district children’s cardiology services, outreach clinics and retrieval services must be modelled and affordability retested.**
- **NHS England should ensure that a clear programme of action is implemented to improve antenatal detection rates to the highest possible standard across England.**
- **Further capacity analysis, including for paediatric intensive care units, should consider recent and predicted increases in activity, and patient flows.**

## SUMMARY AND RECOMMENDATIONS

- **NHS England must establish a systematic, transparent, authoritative and continuous stream of data and information about the performance of congenital heart services. These data and information should be available to the public and include performance on service standards, mortality and morbidity.**
- **NHS England and the relevant professional associations should put in place the means to continuously review the pattern of activity and optimize outcomes for the more rare, innovative and complex procedures.**
- **NHS England should reflect on the criticisms of the JCPCT's assessment of quality and learn the lessons to avoid similar situations in its future commissioning of specialist services.**
- **More detailed and accurate models of how patients will use services under options for change are required to inform a robust assessment of accessibility and the health impact of options so that potential mitigation can be properly considered.**
- **Decisions about the future of cardiothoracic transplant and respiratory ECMO should be contingent on the final proposals for congenital heart services.**

## SUMMARY AND RECOMMENDATIONS

- **NHS England should assure itself that any wider implications for other services of final proposals are fully assessed and considered within a strategic framework for the provision of specialised services.**
- **NHS England should develop a strategic framework for commissioning that reflects both the complex interdependencies between specialised services provision and population needs.**
- **NHS England must ensure that any process leading to the final decision on these services properly involves all stakeholders throughout in the necessary work, reflecting their priorities and feedback in designing a comprehensive model of care to be implemented and the consequent service changes required.**
- **NHS England should use the lessons from this review and create with its partners a more resource and time effective process for achieving genuine involvement and engagement in its commissioning of specialist services.**

## SUMMARY AND RECOMMENDATIONS

The Panel's advice has been produced in the context of changing and peculiar circumstances. Since 1 April 2013, responsibility for commissioning congenital heart services rests with NHS England, which has inherited the original proposals, a judicial review, responsibility for the quality of current services and the potential consequences of the IRP's advice, subject to the Secretary of State's decision.

The Panel's advice sets out what needs to be done to bring about the desired improvements in services in a way that addresses gaps and weaknesses in the original proposals. The Panel's recommendations stand on their own irrespective of any future decision by NHS England regarding the judicial review proceedings. We note that the court's judgment of 27 March 2013 appears congruent to our own advice and that a successful appeal on legal grounds will not, of itself, address the recommendations in this report.

The Panel's advice addresses the weaknesses in the original proposals but it is not a mandate for either the status quo or going back over all the ground in the last five years. There is a case for change that commands wide understanding and support, and there are opportunities to create better services for patients. The challenge for NHS England is to determine how to move forward as quickly and effectively as possible.



**SUMMARY AND RECOMMENDATIONS**

**Work to address gaps in the clinical model and associated service standards (Recommendation Three above) is underway and should be brought to a rapid conclusion. In parallel, there are different potential approaches to effect positive change that might be considered. These include whether to bring forward proposals for reconfiguration again or adopt a more standards-driven process that engages providers more directly in the managed evolution of services to be delivered. The critical factor to consider, in the Panel’s view, is that engagement of all interested parties is the key to achieving improvements for patients and families without unnecessary delay.**



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31 July 2013

Dear Secretary of State

**New review of congenital heart disease (CHD) services**

In your letter of 12 June about the “Safe and Sustainable” review, you asked NHS England to report back to you by the end of July setting out how we intend to take the process forwards.

I am pleased to enclose the paper which our Board considered at its meeting in public on 18 July, which sets out our thinking on the nature of the problem and the principles which must underpin our approach. In line with our commitment to transparency, a video recording of the Board’s discussion is also available, at <http://www.england.nhs.uk/2013/07/22/boardvids-180713/>. Annex 1 of the Board paper describes an outline timetable for the work.

We have set ourselves the hugely ambitious challenge of an implementable solution within a year. This does not mean we think the job is easy; on the contrary, it is exceedingly difficult. We have a duty to patients now and to future generations to ensure the best possible quality of care within the available resource. That means best outcomes, a positive patient experience, and consistently high levels of safety.

We do not see this as a competition between providers to find “winners” and “losers”. Instead, we want a single national service which sets high standards for the delivery of care, which are uniformly available to all NHS patients in England, wherever they live. Beyond this aspiration for a national service underpinned by national standards, we do not profess to know yet precisely what the answer is. We are very clear that the Independent Reconfiguration Panel’s (IRP) report requires us, amongst other things, to look at children’s and adults’ services together, to look afresh at the demographic and other relevant data, to describe the entire pathway, and to properly involve all stakeholders throughout the work. So, we need a new process. Although the *Safe and Sustainable* conclusions cannot be implemented, there has nonetheless been some very good work during the past five years, with extensive involvement from clinicians and patient groups, to develop

standards and proposals for networks. As IRP suggests, this work needs to be completed. Once validated it will give us a platform for future work, but it does not in any way require us to reach the same conclusions as the previous process.

As we continue our initial discussions over the next few weeks, and begin to develop a proposition for debate in the autumn, there is bound to be speculation about the “answer” we have in mind. But having promised that we will listen before we act, I can assure you that we have no such prejudice. I welcome your support in reiterating this message.

We are still in an extended period of listening and we regularly publish the notes from our meetings to open the debate as widely as possible. I have established a committee of the Board to give this topic the focus it deserves, and Professor Sir Mike Rawlins will chair a clinical advisory panel to support our medical director Professor Sir Bruce Keogh in obtaining excellent clinical engagement and advice.

We are absolutely committed to achieve the service change required for these very vulnerable patients. We will exploit the full potential of NHS England as the sole national commissioner, and do so in a way that properly engages all interested parties, but at sufficient pace to mitigate the risks of further delay.  
Yours sincerely

A handwritten signature in black ink, appearing to read 'Malcolm Grant', with a stylized flourish at the end.

Professor Sir Malcolm Grant  
Chair

**BOARD PAPER - NHS ENGLAND**

<p><b>Title:</b> New review of congenital heart services</p>
<p><b>Clearance:</b> Bill McCarthy, National Director: Policy</p>
<p><b>Purpose of paper:</b></p> <ul style="list-style-type: none"> <li>• To describe the challenge facing NHS England in improving congenital heart disease services</li> <li>• To outline early thinking on the way forward</li> </ul>
<p><b>Key issues and recommendations:</b></p> <p>On 12 June 2013 the Secretary of State announced in Parliament that the safe and sustainable proposals for children’s congenital heart services could not go ahead in their current form. He went on to say that “it is right we continue with this process, albeit in a different way”.</p> <p>NHS England is the body responsible for commissioning specialised congenital heart services and for taking forward the process.</p> <p>A new review is being established to consider the whole lifetime pathway of care for people with congenital heart disease (CHD), to ensure that services for people with CHD are provided in a way that achieves the highest possible quality within the available resources.</p>
<p><b>Actions required by Board Members:</b></p> <ul style="list-style-type: none"> <li>• To note the proposals for conducting a review of congenital heart disease services</li> </ul>

## **New review of congenital heart services**

### **Summary**

Following the outcome of judicial review, the report by the Independent Reconfiguration Panel (IRP) and the Secretary of State's announcements relating to the safe and sustainable review of children's congenital heart services, NHS England is now the responsible body for taking forward the process. A new review is now being established to consider the whole lifetime pathway of care for people with congenital heart disease (CHD).

The ambition of this review is to ensure that services for people with CHD are provided in a way that achieves the highest possible quality within the available resources:

- the best outcomes for all patients, not just lowest mortality but reduced disability and an improved opportunity for survivors to lead better lives.
- tackling variation so that services across the country consistently meet demanding performance standards and are able to offer resilient 24/7 care
- great patient experience, which includes how information is provided to patients and their families, considerations of access and support for families when they have to be away from home

We recognise that continued uncertainty is a risk to the service and unsettling for patients. We must therefore set ourselves the target of delivering the new review at pace. But we know that speed cannot be an excuse for imposing a top down solution or for running a process where people feel excluded from the real discussions, so we will be setting ourselves the additional challenge of achieving new levels of transparency and the highest levels of genuine participation. We know that this will need a new approach. We want to make sure that as well as mobilising NHS England's resources from right across the organisation, that we also work closely with partners and stakeholders to design the way forward.

By the end of September we will have established the new programme, co-designed a process for the work going forward and undertaken initial work on how to secure high quality resilient services.

By June 2014 working closely with stakeholders, we will have developed, tested and revised a proposition, undertaken work to identify a preferred approach to implementation, and completed the necessary preparatory work.

### **Background**

1. Around eight out of every 1,000 babies have some form of congenital heart disease (CHD) – around 5,800 babies in 2011. The number of children born with CHD is expected to rise, as the birth rate rises. As technology and expertise continue to develop, it is possible to do more than ever before to improve their lives, so that more children with CHD are surviving to adulthood.
2. NHS cardiac surgery for children is currently provided by 10 hospitals in England. Specialist paediatric cardiology is also provided by a further three centres. Around 3,700 paediatric surgical procedures and 2,000 paediatric interventional cardiology procedures are carried out each year.

3. A recommendation for the concentration of medical and nursing expertise in a smaller number of centres of excellence was made as far back as 2001, in the report of the public inquiry into children's heart surgery at the Bristol Royal Infirmary. Since that time, there have been major improvements in outcomes, so that analysis of risk adjusted mortality for 2009-12, published this year by the National Institute for Cardiovascular Outcomes Research (NICOR), shows that no surgical unit has a mortality rate significantly above the "expected" rate, and on this evidence (for example, mortality rates alone) services are currently "safe".
4. For adults, around 850 surgical procedures and 1,600 interventional cardiology procedures are carried out each year and reported to NICOR by 25 hospitals in England, however a further 10 hospitals have undertaken procedures in recent years but not provided data to NICOR.

### **The safe and sustainable review**

5. The safe and sustainable review was established in 2008, with a view to reconfiguring surgical services for children with CHD. Taking into consideration concerns that surgeons and resources may be spread too thinly across the centres, the review considered whether expertise would be better concentrated in fewer sites.
6. At the end of the four year programme, in July 2012, a joint committee of Primary Care Trusts (JCPCT) made a series of decisions on the future of children's congenital heart services in England, covering:
  - the development of congenital heart networks,
  - service standards,
  - improving the collection, reporting and analysis of outcome data, and
  - the configuration of surgical services, which would have reduced the number of centres providing children's heart surgery from ten to seven, with surgery ceasing at Leeds, Leicester and the Royal Brompton.
7. The decision regarding configuration resulted in two separate challenges: a judicial review (JR), and referrals to the Secretary of State, who in turn asked the Independent Reconfiguration Panel (IRP) to consider the JCPCT findings.
8. The JR was decided on 7 March 2013, when the High Court declared that both the consultation process and the decision making process of the JCPCT were unlawful and quashed the decision to reconfigure surgical services. The judgement was based on a narrow point of process and the Court recognised "the compelling and urgent clinical case for the reform of existing paediatric congenital cardiac services" stating that the judgment should not be "construed as advocating a need to return to the start of the consultation process". Following legal advice, NHS England initially sought leave to appeal this decision but - in the light of the IRP's report and the Secretary of State's response (see below) - has since withdrawn this request.
9. The IRP were of the view that children and adults with CHD in England and Wales would benefit from services commissioned to national standards for the whole pathway of their care. They agreed that congenital cardiac surgery and interventional cardiology should only be provided by specialist teams large

enough to sustain a comprehensive range of interventions, round the clock care, training and research. However, the IRP concluded that the JCPCT's decisions were based on "flawed analysis of incomplete proposals and their health impact, leaving too many questions about sustainability unanswered and to be dealt with as implementation risks".

### **Addressing the IRP findings**

10. On 12 June 2013 the Secretary of State announced in Parliament that he accepted the IRP's advice, and that "the [Safe and Sustainable] proposals cannot go ahead in their current form". He went on to say that "it is right we continue with this process, albeit in a different way" and that "NHS England now must move forward on the basis of these clear recommendations".
11. The IRP's report highlighted the need to align the review of children's CHD services with ongoing work to consider the provision of adults' CHD services. Since the same surgeons operate on the same patients at different times in their lives, there are considerable dependencies between adults' and children's services, especially in the availability of surgical teams to provide 24/7 cover.
12. The IRP were also concerned that while the Safe and Sustainable process received 75,000 responses to its public consultation, some stakeholders were nonetheless left feeling that their views were not fully heard or understood, or that they were not given all the information they needed to contribute fully. This in turn created, for some, the perception of a pre-determined outcome.
13. The IRP's report called for NHS England to develop a strategic framework for commissioning that reflects the complex interdependencies between specialised services provision and population need as a context within which any decisions about congenital heart services should be taken.
14. Importantly, neither the Courts, nor SofS nor IRP have questioned the need for change to ensure the resilience, sustainability and excellence of these services.

### **The challenge for NHS England**

15. The challenge for NHS England is how to ensure that services for people with congenital heart disease are provided in a way that achieves the highest possible quality, within the available resources, now and for future generations:
  - Securing the best outcomes for all patients, not just lowest mortality but reduced disability and an improved opportunity for survivors to lead better lives.
  - Tackling variation so that services across the country consistently meet demanding performance standards and are able to offer resilient 24/7 care
  - Delivering great patient experience, which includes how information is provided to patients and their families, considerations of access and support for families when they have to be away from home
16. To do this, we need to develop a process which is as transparent and inclusive as it can be, particularly in the use of evidence and data. Almost as important as the thoroughness of our work will be the need to be seen to be engaging as widely as possible, bringing patients, clinicians and their representatives together



in the joint pursuit of an effective and equitable solution, in the interests of all service users now and in the future. What we do for CHD services will in some ways be seen as a template for whether and how NHS England undertakes other major service change in future.

17. It is widely acknowledged that the uncertainty which has been caused by recent developments is one of the greatest risks to the current delivery of the service. Patients and families are now unsure about precisely where and how they will receive treatment. Surgical centres are hamstrung in their planning, and recruitment and retention is made more difficult by the lack of a clear service model. This in turn creates a risk that the safety and quality of services may not be able to be maintained, that service levels could reduce or there could be unplanned closure(s). Charities, clinicians and other stakeholders gave a huge commitment to support change; many say they are demoralised, frustrated, exhausted and angry. Some doubt that there is the will to make the necessary changes happen.
18. These concerns need to be addressed as part of the new process. To support this measures designed to give commissioners early warning of any emerging concerns at units providing children's congenital heart services will be rolled out across the country, (and to adapt it to include adult services) accepting that it is still a developmental approach, and used as the basis of regular conversations between area teams and providers. A system will be established to ensure that aggregated information is regularly provided to the board committee.
19. In the light of all this, NHS England must bring forward an implementable solution within a year, ie by the end of June 2014. Given the complexity of the issues, the enlarged scope (children AND adults), the legitimate but differing views of stakeholders, and the need to build as much consensus wherever possible (in circumstances where some of the relationships have been badly bruised) this is a demanding but important ambition. We simply cannot re-run the previous process and hope to achieve a different outcome in a quarter of the time.
20. Instead, we must find ways to do this differently. As the sole national commissioner of specialised services NHS England has an opportunity not open to our predecessors. This creates a significant opportunity to drive service improvement including reduced variation in access and quality. We can focus on national standards for a national service, commissioned through a single model which enables us to drive change in the interests of patients.

### **Principles / Approach**

21. We propose the following principles and approach:
  - **Patients come first:** the new review must have patients and their families at its heart, with a relentless focus on the best outcomes now and for the future. That aim over-rides organisational boundaries.
  - **Retaining what was good from earlier work:** although the JCPCT's decision on configuration of children's congenital heart services has been overturned, much else was developed as part of that process and the subsequent implementation programme including a model of care, service standards, and well-developed thinking about network working. Similarly standards for adult services have also been developed and are ready for

formal consultation. This work has had extensive clinical and patient input and has the potential to be applicable to whatever service configuration is decided. Therefore NHS England must work with stakeholders to determine how much of this work can be retained.

- **Transparency and participation:** NHS England is committed to openness, transparency and participation. We should work with user, clinical and organisational stakeholders to ensure that we develop an approach to take the work forward that is true to those values. Our work should be grounded in standards, rigour, honesty and transparency.
- **Evidence:** the IRP reflected criticism of the way in which Safe and Sustainable used evidence to support its conclusions. The new review will need to be clear about the nature and limitations of the available evidence, and about any intention to rely on expert opinion in the absence of evidence. Notwithstanding the comment above about “retaining what was good”, we must have no preconceived notions about the outcome. Wherever there is an assumption it must be made explicit, and justified.

22. We have not attempted to develop a full plan describing how the work will be taken forward, because we want to take time to understand from stakeholders what was good and should be retained from the previous process and what did not work well. We believe however that it is likely that a standards driven process – developing, testing, adopting and applying best practice standards for every part of the pathway – has much to commend it, and we will be testing this with stakeholders.

### **Governance**

23. The Board has established a committee which will provide formal governance of this work. The committee is chaired by Sir Malcolm Grant, Board Chairman, and includes Margaret Casely-Hayford and Ed Smith (non-executive directors), Sir Bruce Keogh (Medical Director), and Bill McCarthy (National Director for Policy). To support the committee, arrangements will be put in place for clinical, organisational and service user representation.
24. Bill McCarthy is the senior responsible officer for this work. John Holden (Director of System Policy) will co-ordinate the work within NHS England and ensure the full involvement of the many different stakeholders.

### **Stakeholder engagement and communications**

25. We are drawing up a stakeholder engagement plan, based on how these stakeholders tell us they wish to be involved, and identifying the different groups, their preferred channels of communication and the key messages throughout the process. For example we know that some of the existing surgical centres have well established patient groups and using these channels may be one way to reach the majority of those most directly affected. For patients, families and their representatives we have sought expert external help from three charities - National Voices, Involve and Centre for Public Scrutiny (CFPS) – to help us design and implement effective and appropriate engagement. They can also

help us manage our risks (eg CFPS are experienced in working with oversight and scrutiny committees and can help us better understand the local government dimension). Due to their limited size these bodies are unable to be directly involved in the work but all have agreed to act in a mentoring capacity. For clinicians, Sir Bruce is convening a clinical advisory panel which will guide him throughout the process and will help design broader clinical engagement and address specific issues which may arise. He has identified the need for some international perspective on this work and will take some soundings from his international peers to determine how best international advice is provided.

26. Our communications will be as open and as often as possible – we have already initiated a fortnightly blog on the NHS England website where we will trail forthcoming meetings and provide a summary of recent progress and discussions. With the support of the NHS England Director of Communications and his team, we are also considering the potential for dedicated web pages, or other IT applications which allow documents and other information to be freely exchanged. We want to give anyone who is interested a simple and easy to use way to find out what is going on and to become involved. We will use social media as appropriate – and if our stakeholders find it helpful – to discuss and share information. We are also considering how we can address the needs of those who do not have access to the internet or do not use English as a first language.

### **Resources**

27. We need to take this opportunity to review the resourcing of this work. It will be important to ensure that it is a priority for the whole organisation and that the resources of the whole organisation are appropriately mobilised to support the work. The cost of dedicated programme management and administrative support will be met from recycling funds previously reserved for the Safe and Sustainable process. The estimated annual cost of this support is £500k.

### **Conclusion**

28. As the body responsible for commissioning specialised congenital heart services, NHS England is setting out ambitious plans to ensure that services for people with CHD are provided in a way that achieves the highest possible quality within the available resources. To achieve this, a new Congenital Heart review is being established to consider the whole lifetime pathway of care for people with CHD. The Board is asked to consider and comment on the proposed approach.

**Bill McCarthy**

**National Director: Policy**

**July 2013**

## Annex 1: Programme Plan

Our indicative timetable is follows:

### Phase 1 – up to October 2013

Co-design a process for the work going forward

- Take advice from external experts to help shape listening exercise *[done]*
- Review previous stakeholder input in order not to lose what has already been achieved; and check its continuing relevance with stakeholders *[under way]*
- Begin communications as per stakeholders preferences, eg blog, shared resources on webpage/sharepoint *[under way]*
- Agree approaches to participation, identify preferred communications channels

Establish the programme

- Establish governance, advisory and stakeholder arrangements *[under way]*
- Develop programme plan, update Board, secure agreement, update Secretary of State *[under way]*
- Identify resources *[underway]*

Initial work on how to achieve programme aims of higher quality services

- Agree with stakeholders what should be taken forward from previous processes
- Complete work on proposed paediatric cardiology standards *[underway]*
- Bring together adult and children's standards and agree process for approval and adoption *[underway]*
- Develop proposals for testing/implementing formal network arrangements *[underway]*
- Work with stakeholders to identify any fixed points and how these would influence service design. This is likely to include (but not be limited to) discussion of the provision of transplant services, the need for children's heart surgery and other tertiary paediatrics to be provided on the same site, and the need for children's and adults' surgery (and interventional cardiology) to be provided in close proximity
- Develop a "proposition" – not a list of sites, but a straw man of what a high quality and sustainable service looks like for adults and children, unconstrained by current configuration – the optimal model
- Consider and weigh, with legal advice, possible approaches for a managed process to translate these fixed points into firm proposals for structuring services, test with stakeholders, outline agreed process
- Establish the required capacity of the service in future years
- Set an ambitious timeline to have completed the work and be ready to implement.

### Phase 2 – up to February 2014

Develop, test and revise the proposition

- Using multiple channels, including local and national clinically led events, engage on the clinical appropriateness and user acceptability of the proposition

- Benchmark existing provision against the proposition – considering access as well as service quality
- Test any emerging alternative proposals
- Review dependencies – eg for children, neonatal and paediatric intensive care (PICU) and retrieval services, extracorporeal membrane oxygenation (ECMO). While the IRP recommended that decisions about the future of transplant services and respiratory ECMO should be contingent on final proposals for congenital heart services, in practice the level of interdependency may mean that they need to be considered together
- Weigh alternative implementation approaches: early thinking suggests that some fixed points could constitute 'hurdle criteria' for potential providers within a commissioner led standards driven approach, however alternative approaches need to be considered including option appraisal and designation and provider led regional solutions.
- Agree revised proposition with clinical and patient groups

### Phase 3 – up to June 2014

#### Preparation for implementation

Work in this phase will of course be dependent on the nature of the proposition developed and the measure of agreement with that approach.

- If the solution is for a national plan in which current centres continue/cease to provide surgery, then – subject to legal advice - there may need to be further full formal consultation. This could take the timeline for implementation beyond one year.
- If the solution is a commissioning approach to enforce a set of national standards which invites providers to cooperate to provide the service, any consultation could be undertaken sub-nationally as part of the development of tenders. Assuming local resolution and provider cooperation, the focus of this period would be on developing the tender exercise.

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## Report to Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee Thursday 10<sup>th</sup> April 2014

### Addendum

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**Relating to the report of:** James Henderson, Director of Policy, Performance and Communications

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**Subject:** Reconfirming support for a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new Congenital Heart Disease review

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**Author of Report:** Diane Owens, Policy & Improvement Officer

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#### Summary

This document is an addendum to the report entitled “Reconfirming support for a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new Congenital Heart Disease review” which is being submitted for consideration by the Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee at its meeting on 10/4/2014.

This document provides additional detail in terms of the purpose of the report along with a revised set of recommendations which supersede the original set.

#### The Scrutiny Committee is being asked to:

The Scrutiny Committee is being asked to consider and make a series of recommendations (as detailed below) to Full Council concerning the JHOSC (Joint Health Overview and Scrutiny Committee - Yorkshire and the Humber) which has been established in response to the new Congenital Heart Disease review announced by NHS England in July 2013.

#### Overview

There are existing arrangements for joint and regional scrutiny and current protocols are detailed in Sheffield Council’s Constitution. However, as it is likely that the JHOSC will make recommendations to NHS England and other interested parties, which may include the Secretary of State for Health it is advisable to reconfirm the mandate previously given by Council.

#### Purpose of this document

To ask the Scrutiny Committee to consider and make recommendations to Full Council to reconfirm its commitment for the establishment of a Joint Health Overview and Scrutiny Committee (Yorkshire & Humber) and to subsequently delegate relevant functions (as outlined in Appendix 1) in relation to the new review of Congenital Heart Disease Services.

These functions would then be incorporated into the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees as outlined in the Councils Constitution (Part 5, Codes & Protocols).

### **Revised recommendations**

The Scrutiny Committee is being asked to:

1. Note the content of this report;
  2. Recommend to Council that it re-confirm its commitment to the JHOSC, particularly in relation to the new Congenital Heart Disease Review;
  3. Recommend to Council that it approves the Terms of Reference of the JHOSC for the New Congenital Heart Disease Review as set out in Appendix 2;
  4. Recommend to Council that it ask the Healthier Communities & Adult Social Care Scrutiny Committee to nominate a member from within its membership to sit on the JHOSC in relation to the new Congenital Heart Disease Review and, upon nomination, agree to appoint that member to the JHOSC, in accordance with paragraph 7.3 with the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees as incorporated into the Council's Constitution;
  5. Recommend to Council that it delegates the functions, set out in Appendix 1 that shall be exercisable by the JHOSC, subject to such terms and conditions detailed in the appendix; and
  6. Recommend to Council that it approve amendments to the Protocol for Yorkshire and the Humber Councils Joint Health Scrutiny Committees so that the functions referred to in recommendation 5 are incorporated.
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