

# Council

---

**Wednesday 7 November 2018**

**2.00 pm**

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

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

---

## COUNCIL

---

**Wednesday 7 November 2018, at 2.00 pm**  
**Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH**

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

### MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Magid Magid)  
THE DEPUTY LORD MAYOR (Councillor Tony Downing)

1	<i>Beauchief &amp; Greenhill Ward</i> Simon Clement-Jones Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Andy Bainbridge Moya O'Rourke Steve Wilson	19	<i>Nether Edge &amp; Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Chris Rosling-Josephs Ian Saunders Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park &amp; Arbourthorne Ward</i> Julie Dore Ben Miskell Jack Scott
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Alan Law Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill &amp; Sharrow Vale Ward</i> Michelle Cook Magid Magid Kaltum Rivers	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	22	<i>Shiregreen &amp; Brightside Ward</i> Dawn Dale Peter Price Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald Chris Peace	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Martin Phipps	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayris	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Adam Hanrahan Mohammed Mahroof Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Keith Davis Francyne Johnson
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore &amp; Totley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Mike Levery
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood

---

John Mothersole

Chief Executive

---

Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

[paul.robinson@sheffield.gov.uk](mailto:paul.robinson@sheffield.gov.uk)

---

## **PUBLIC ACCESS TO THE MEETING**

---

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.

---

## **FACILITIES**

---

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.

---

**COUNCIL AGENDA  
7 NOVEMBER 2018**

**Order of Business**

---

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

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.

**4. GUN AND KNIFE CRIME**

To receive a presentation from the Head of Neighbourhood Intervention and Tenant Support (Sheffield City Council) and Detective Superintendent Una Jennings (South Yorkshire Police), to be followed by an opportunity for Members of the Council to ask questions.

**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://democracy.sheffield.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13165&path=0>)

**6. NOTICE OF MOTION REGARDING "BUS FRANCHISING" - GIVEN BY COUNCILLOR ROBERT MURPHY AND TO BE SECONDED BY COUNCILLOR DOUGLAS JOHNSON**

That this Council:-

- (a) believes that the Sheffield Bus Partnership has failed on its own terms, noting the loss of patronage of approximately 10% (5 million passenger journeys per year) since 2012 and a loss of capacity since 2015;
- (b) notes the commitments of the Sheffield City Region Mayor in his 2017 manifesto to:-
  - (i) use regulatory powers, and eventually franchising, to improve bus services; and
  - (ii) consult on re-regulating bus services;
- (c) notes that control of the bus service is one of the very few actual powers available to South Yorkshire's regional mayor;
- (d) notes that the regional mayor has been in post for 6 months but believes the public has seen no progress or action towards bus regulation;
- (e) believes a comprehensive, efficient, regular and low-carbon bus service is vital to a successful and sustainable city; and
- (f) calls on the regional mayor to begin moves towards greater public control of Sheffield's bus network, including an immediate review of current services and public consultation on future provision.

**7. NOTICE OF MOTION REGARDING "UNIVERSAL CREDIT" - GIVEN BY COUNCILLOR JULIE DORE AND TO BE SECONDED BY COUNCILLOR OLIVIA BLAKE**

That this Council:-

- (a) believes that Universal Credit's callous and chaotic roll-out will push families into poverty in Sheffield, which is unacceptable, and that the roll-out of Universal Credit must be stopped immediately;
- (b) notes that the Secretary of State for Work and Pensions, the Rt. Hon. Esther McVey MP, has conceded that some of the poorest families will be £200 a week worse off and that, when asked in Parliament, the Minister could not guarantee that no one in Sheffield will be worse off;
- (c) believes that the Government are using Universal Credit as a

vehicle for cuts - leaving people in debt, rent arrears or forced to turn to food banks to survive – and that claimants are still experiencing delays to initial payments, with the Department for Work and Pensions estimating in June that 40% of claimants were still experiencing financial difficulties even 9 months in to their claim;

- (d) notes research from the Trussell Trust which shows moving on to Universal Credit from existing benefits is the fastest growing cause of referrals to food banks and that, on average, food bank demand in areas where Universal Credit has been in place for at least 12 months increased by 52%, compared with 13% in areas where the new benefit had been in place for three months or less;
- (e) notes that a wide range of organisations, including Citizens Advice, the Child Poverty Action Group and over 80 disability organisations, have warned that the Government's plans still risk thousands of people losing support either temporarily or falling out of the system altogether;
- (f) confirms that £17 billion of social security cuts have already taken place since 2010, much of which took place under the coalition government, such as the introduction of the Bedroom Tax and cuts to council tax support, which have already had a damaging impact;
- (g) recalls the 2014 report commissioned by the Council and published by Sheffield Hallam University, about the impact of welfare reform on Sheffield under the coalition government, which highlighted that:-
  - (i) some local communities were hit by welfare reform five times harder than others;
  - (ii) just under half of the financial loss from welfare reform fell on working households;
  - (iii) couples with children lost an average of nearly £1,700 a year;
  - (iv) lone parents lost over £2,000 a year; and
  - (v) men and women with health problems or disabilities were significantly disadvantaged;
- (h) believes Universal Credit is not just a vehicle for cuts, its design is also deeply flawed; and
- (i) believes Universal Credit isn't working and cannot continue in its current form and that the roll-out in Sheffield should be stopped and a genuinely comprehensive system in which no one is worse off should be introduced.

**8. NOTICE OF MOTION REGARDING "COMMEMORATING 100 YEARS SINCE THE FIRST WORLD WAR ENDED" - GIVEN BY COUNCILLOR TERRY FOX AND TO BE SECONDED BY COUNCILLOR STEVE WILSON**

That this Council:-

- (a) notes that on 11 November 2018 it will be one hundred years since the First World War ended;
- (b) notes that an estimated nine million combatants and seven million civilians died as a direct result of the war, while it is also considered a contributory factor in a number of genocides and the 1918 influenza epidemic, which caused between 50 and 100 million deaths worldwide;
- (c) notes with great loss the senselessness of war, which kills people and animals indiscriminately, and believes that everything should be done to ensure that mankind's past mistakes are not repeated;
- (d) notes with great sadness that as well as the many millions killed during the First World War throughout the world, it is estimated that upwards of 50,000 men went from Sheffield to the various 'Fronts' during this period, many of whom never returned home;
- (e) notes that the Sheffield City Battalion comprised of men who had enlisted together in local recruiting drives, with the promise that they would be able to serve alongside their friends, neighbours and colleagues ("Pals"), rather than being arbitrarily allocated to battalions;
- (f) further notes that the Sheffield Pals trained for two years before being sent to what became known as the Battle of the Somme and that many of the Sheffield Pals were killed in the very first day of fighting, many in just the first 10 minutes, and that by the end of the four-month long battle, 90% of the Sheffield Pals were gone;
- (g) notes that a permanent overseas memorial to the Sheffield Pals, and all of the 31<sup>st</sup> Division, stands on the Somme Battlefields and that the Sheffield Memorial Park, as it is named, is an important and fitting tribute to all of those from Sheffield who lost their life there;
- (h) notes that, as many of the Sheffield Pals signed themselves up to the War inside Sheffield's Town Hall, it would, therefore, be fitting to honour them, and the ultimate sacrifice they paid, with a specific memorial at the Town Hall and this Administration is looking into how this can best be achieved;
- (i) notes the remembrance events in the city to commemorate one hundred years since the First World War ended including:-

- (i) Weston Park being designated as a Fields in Trust Centenary Field, and to feature in the Centenary Fields Legacy Programme, to remember those who served and lost their lives during conflict; the commemoration event is a "Thank You" to those who fought and fell in the First World War, including hundreds of Sheffield Pals;
  - (ii) the planting of one hundred memorial trees throughout the city's parks; and
  - (iii) school programmes throughout Sheffield acknowledging the 100 year anniversary;
- (j) places on record our thanks to all of those who took part in the cycle ride to the Somme earlier this year to raise funds for the remembrance works now being implemented in our parks and open spaces; and
  - (k) believes that this centenary reminds us once again of the tragic consequences of war, and as well as honouring all of those killed or injured in battle, it is important to give thanks and gratitude to all service personnel, past and present, whom work so hard and sacrifice so much to keep us safe.

**9. NOTICE OF MOTION REGARDING "DELIVERING A BETTER BUS SERVICE FOR SHEFFIELD RESIDENTS" - GIVEN BY COUNCILLOR IAN AUCKLAND AND TO BE SECONDED BY COUNCILLOR PENNY BAKER**

That this Council:-

- (a) notes that the Sheffield Bus Partnership is a voluntary agreement between South Yorkshire Passenger Transport Executive (SYLTE), Sheffield City Council and the bus operators First South Yorkshire, Stagecoach Sheffield, TM Travel and Sheffield Community Transport;
- (b) notes it aims to provide a better coordinated network of buses and trams in Sheffield, making it easier to travel around the city;
- (c) notes that in the presentation to the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee in October 2018, SYLTE's future steps do not include a commitment to increase passenger numbers;
- (d) notes the Partnership has failed in its central purpose to grow bus passenger numbers;
- (e) believes that the extent of cuts to concessionary travel and service support have proved to be un-necessary;



- (f) notes the recent Sheffield Bus Partnership report that stated that passenger numbers were down due to changes in employment patterns, reduced need to travel and an increase in online shopping;
- (g) believes that this is not the case and that passenger numbers are down due to:-
  - (i) service cuts and the lack of services available to the general public;
  - (ii) recent extortionate fare increases, which are forcing people to use their cars over public transport as a cheaper and more accessible option; and
  - (iii) a lack of public confidence in the reliability of the bus service, which is also contributing to decreasing passenger numbers; noting that punctuality of bus services has reduced, down to 84% from 87% over the past three years;
- (h) is concerned that increased car use will add to air pollution in the city centre if fewer people are using more energy efficient bus services;
- (i) is also concerned that cuts to bus services are preventing people from getting to work, school, run errands and attend medical appointments;
- (j) is dismayed that elderly residents in Wincobank are being forced to climb up and down one of Sheffield's steepest streets to get to their nearest bus stop after their usual accessible service was cut;
- (k) notes that under the Bus Services Act 2017, automatic access to bus franchising powers is given to the Sheffield City Region Mayor, as a directly elected mayor of a combined authority, and could be used to improve bus services; and
- (l) resolves to:-
  - (i) support the introduction of a statutory bus quality contract in Sheffield;
  - (ii) at the earliest practicable time, give notice to terminate Sheffield City Council's membership of the Sheffield Bus Partnership; and
  - (iii) send copies of this motion to all the other parties to the Bus Partnership Agreement.

**10. CHANGES TO THE CONSTITUTION : PART 4 - FINANCIAL  
PROCEDURE RULES (FINANCIAL REGULATIONS)**

Report of the Chief Executive.

**11. MINUTES OF PREVIOUS COUNCIL MEETING**

To receive the record of the proceedings of the meeting of the Council held on 3rd October 2018, and to approve the accuracy thereof.

**12. 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.

Chief Executive

Dated this 30 day of October 2018

**The next ordinary meeting of the Council will be held on 5 December 2018 at  
the Town Hall**

---

## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

---

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 Audit and Standards Committee in relation to a request for dispensation.

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

This page is intentionally left blank



## Report to Council

---

**Report of:** Chief Executive

---

**Date:** 7 November 2018

---

**Subject:** Changes to the Constitution : Part 4 – Financial Procedure Rules (Financial Regulations)

---

**Author of Report:** Jason Dietsch – Democratic Services  
0114 273 4117

---

**Summary:**

This report provides details of proposed changes to Part 4 - Financial Procedure Rules (Financial Regulations) of the Constitution.

---

**Recommendations:**

That the Council considers adopting the changes to Part 4 - Financial Procedure Rules (Financial Regulations) of the Constitution, as set out in the report and appendices.

---

**Background Papers:**

None

---

**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial &amp; Commercial implications</b>
NO - Cleared by Peter Carr
<b>Legal implications</b>
YES – Cleared by Brendan Twomey
<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 Scrutiny Committee if decision called in</b>
N/A
<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 Part 4 - Financial Procedure Rules (Financial Regulations) of the Council's Constitution.

**2. Background**

- 2.1 To ensure that the Constitution is kept up to date, where changes are required these are submitted to Full Council for approval.

- 2.2 In addition, the 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.

**3. Proposed Changes and Reasons**

- 3.1 The Financial Procedure Rules (Financial Regulations) were last updated in November 2017 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.

- 3.2 Following an annual review by Finance Officers, in consultation with the Cabinet Member for Finance, a number of changes are proposed to the Financial Regulations. These include a general review and update of job titles and links, and amendments to the sections on Financial Planning (to ensure the Financial Regulations matched current working practices) and Income Management (to ensure compliance with recommendations from recent Internal Audit reports).

- 3.3 A summary of the proposed changes and a revised version of the Financial Regulations are attached at Appendices A and B to the report, respectively.

**4. Legal Implications**

- 4.1 Except where delegated by Council as indicated at paragraph 2.2, variations to the Constitution may only be made by Full Council.

- 4.2 Under section 9P of the Local Government Act 2000, the Council must prepare a constitution and keep it up to date. It must be available to the public and, under the Local Government Transparency Code 2015, be published on the Council's website. The proposed changes in this report are to bring a part of the Constitution up to date to comply with the legislation.

5. **Financial & Commercial Implications**

5.1 There are no financial implications.

6. **Equality of Opportunity Implications**

6.1 There are no equalities implications.

7. **Recommendations**

7.1 That the Council considers adopting the changes to Part 4 - Financial Procedure Rules (Financial Regulations) of the Constitution, as set out in the report and appendices.

**Chief Executive**



# **Sheffield City Council**

## **Financial Regulations 2018**

**Summary of changes from the 2017 Regulations**

---

**Table of Contents**

**Foreword .....3**

**1. General Review/ Update – links, format, etc.....4**

**2. Amended Paragraph - Financial Planning (Chapter 3).....4**

    3.2. Annual Revenue Budget Monitoring .....4

**3. Amended Paragraph - Income Management (Chapter 7) .....4**

    7.6. Bad and Doubtful Debt Provisions .....4

    7.7. Bad Debt Write-offs .....5

**Appendices – 2017/18 Financial Regulations.....6**

**A. Financial Planning (Chapter 3).....6**

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

---

## **Foreword**

This document summarises the main changes from the 2017 to the 2018 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](#).

The Appendices details relevant extracts from the 2017/18 Financial Regulations.

---

## **1. General Review/ Update – links, format, etc.....**

Out-of-date references to previously operated Council systems have been removed from the document, i.e. OEO and CareFirst, and any detail linked to these systems has been removed and updated to match current practice/ systems.

All embedded links have been updated and internal job titles have been reviewed to match the current structure.

## **2. Amended Paragraph - Financial Planning (Chapter 3)**

### **3.2. Annual Revenue Budget Monitoring**

The Head of Strategic Finance will prepare budget monitoring reports in consultation with Executive Directors. The Head of Strategic 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 (except month 1).
- Quarterly overall monitoring reports will be presented to the Executive Management Team and Cabinet (at a frequency to be determined by the s151 Officer (*Chief Finance Officer*) and Cabinet Member for Finance).

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 Head of Strategic 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.

*This amendment was requested to ensure the Financial Regulations matched current working practices.*

## **3. Amended Paragraph - Income Management (Chapter 7)**

### **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 can only be approved by the Head of Commercial Business Development. A list of the agreed exceptions is maintained by the ICAM Team in Finance & Commercial Services.

The year-end bad debt provision will be calculated based on historic collection trends.

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 Head of Commercial Business Development. A list of the agreed exceptions is maintained by ICAM Team in Finance & Commercial Services.

#### **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.

Where possible all recovery procedures should be pursued and exhausted within 12 months of the invoice date. After this timescale the outstanding debt should be considered for write 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.

A list of unapproved write offs will be passed to the relevant Finance & Commercial Services Leadership Team (FCSLT) member to approve. The ICAM Team will then update Integra to complete the write off.

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 Head of Commercial Business Development.

By the time a debt is written off a full provision must have been created for it.

The Head of Strategic Finance will report debts, and the changes in the bad debts provision, to the Audit Committee as part of the annual accounts process.

*These amendments ensured compliance with recommendations from recent Internal Audit reports.*

---

## Appendices – 2017/18 Financial Regulations

### A. Financial Planning (Chapter 3)

#### Annual Revenue Budget Monitoring

The Head of Strategic Finance will prepare budget monitoring reports in consultation with Executive Directors. The Head of Strategic 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 (except month 1).
- Monthly overall monitoring reports will be presented to the Executive Management Team and Cabinet (quarterly – months 3, 6, 9 and 12).

Monthly monitoring reports will be prepared for the portfolio holding Cabinet Member(s) by the Head of Strategic 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 Head of Strategic 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.

### B. Income Management (Chapter 7)

#### 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.).

The year-end bad debt provision will be calculated based on historic collection trends.

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.

#### 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 Head of Commercial Business Development. A list of the agreed exceptions is maintained by ICAM Team in the Finance Service.

#### 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.

If a Service Business Unit Manager fails to authorise write-offs within a month of receiving notification from the Council's finance system (Integra). Finance will complete the approval process.

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 Head of Commercial Business Development.

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.

This page is intentionally left blank

**Sheffield City Council  
Financial Regulations  
2018**

**VERSION: 1.0**

**DATE OF ISSUE:**

**AUTHOR: Eugene Walker – Executive Director of Resources**

**APPROVED BY:**

## Table of Contents

<b>Key Terms and Definitions</b> .....	<b>9</b>
<b>1. Background</b> .....	<b>13</b>
1.1. The purpose and authority of the Financial Regulations .....	13
1.2. Accountability for compliance .....	13
1.3. Accounting Policies .....	13
1.4. Risk management.....	14
1.5. Internal Control.....	14
1.6. Training and development .....	14
1.6.1. Head of Strategic Finance and Executive Directors.....	14
1.6.2. Head of Strategic Finance.....	14
1.6.3. Executive Directors .....	15
<b>2. Financial Management</b> .....	<b>16</b>
2.1. The Cycle .....	16
2.2. Responsibilities and Delegated Authority.....	16
2.2.1. Full Council .....	16
2.2.2. The Executive .....	17
2.2.2.2. Individual Cabinet Members.....	17
2.2.3. Locality Areas .....	17
2.2.4. Audit & Standards Committee .....	17
2.2.5. Scrutiny Management Committees.....	18
2.2.6. Executive Directors .....	18
2.2.7. Executive Director of Resources .....	18
2.2.8. The Head of Strategic Finance.....	19
2.2.9. The Financial Protocol.....	19
2.3. Asset Management.....	19
2.3.1. Head of Strategic Finance.....	19
2.3.2. Chief Property Officer.....	19
2.3.3. Executive Directors and the Chief Property Officer.....	19
2.3.4. Acquisition and disposal of Capital Assets .....	20
2.4. Financial Risk Management.....	20
2.4.1. Money Laundering .....	20
2.4.2. Fraud .....	20
2.5. Insurance.....	21
2.5.1. Executive Directors .....	21
2.5.2. The Executive Director of Resources .....	21
<b>3. Financial Planning</b> .....	<b>22</b>
3.1. Medium Term Financial Strategy .....	22
3.2. Annual Revenue Budget.....	22
3.3. Annual Revenue Budget Approval.....	23

3.4.	Annual Revenue Budget Monitoring .....	23
3.4.1.	Chief Executive and Executive Directors .....	23
3.4.2.	Head of Strategic Finance .....	23
3.5.	Virements and Variations to the Annual Revenue Budget.....	24
3.5.1.	Virements.....	24
3.5.2.	Variations .....	24
3.5.3.	Approval of Virements between Services and Portfolios.....	24
3.5.4.	Approval of Virements between reserves and Portfolios.....	25
3.5.5.	Approval of Variations .....	25
3.5.6.	Recording Virements and Variations .....	25
3.6.	Borrowing and Investment (Treasury Management) .....	26
<b>4.</b>	<b>Financial Implications .....</b>	<b>27</b>
4.1.	Sign-off of Financial Implications.....	27
<b>5.</b>	<b>Capital Programme.....</b>	<b>28</b>
5.1.	Background .....	28
5.1.1.	The Capital Programme .....	28
5.2.	Roles and responsibilities .....	28
5.2.1.	The Executive .....	28
5.2.2.	Capital Programme Group .....	28
5.2.3.	Head of Commercial Business Development .....	28
5.2.4.	Executive Directors .....	28
5.2.5.	Directors and Project Managers .....	29
5.2.6.	Budget Managers.....	29
5.2.7.	Finance Business Partner (Capital) Team .....	29
5.3.	Capital Programme Approval.....	30
5.3.1.	The Capital Approval Form.....	30
5.3.2.	Reports with financial implications.....	30
5.3.3.	Project funding .....	30
5.3.4.	Approval for New Projects / Inclusions / Changes .....	31
5.3.5.	Variations to projects in the Capital Programme.....	32
5.3.6.	Emergency approvals.....	32
5.3.7.	Virements.....	32
5.3.8.	Slippage and / or accelerated spend .....	32
5.3.9.	Change in Scope.....	32
5.3.10.	Revenue implications .....	32
5.3.11.	Capital Receipts .....	33
5.3.12.	Project Stage Approval.....	33
5.3.13.	Procurement .....	33
5.4.	Financial Management and Reporting of Capital accounts .....	33
5.4.1.	Financial Management.....	33
5.4.2.	Reporting .....	33

<b>6. External Funding / Grants</b> .....	<b>34</b>
6.1. Background .....	34
6.2. Roles and responsibilities .....	34
6.2.1. The Head of Strategic Finance.....	34
6.2.2. Executive Directors .....	34
6.3. Accountable Body.....	35
6.4. Grant / External Funding accounting.....	35
6.5. Audits of external funding .....	35
6.6. Retention of documentation .....	35
<b>7. Income Management</b> .....	<b>36</b>
7.1. Background .....	36
7.2. Roles and responsibilities .....	36
7.2.1. The Executive .....	36
7.2.2. Individual Cabinet members .....	36
7.2.3. Executive Directors .....	36
7.2.4. Head of Commercial Business Development .....	37
7.2.5. Executive Director of Resources .....	38
7.2.6. All officers involved in the sundry debt process .....	38
7.2.7. Authority to Collect Cash.....	38
7.2.8. Separation of duties .....	38
7.3. Payment of fees and charges .....	39
7.3.1. Not - Invoiced.....	39
7.3.2. Invoiced.....	39
7.3.3. Standard Payment methods .....	40
7.3.4. Credit and Debit card transactions .....	41
7.3.5. Direct Debits .....	41
7.3.6. Expected income over £50,000 .....	41
7.3.7. Money Laundering .....	41
7.3.8. Credit Notes and Refunds .....	42
7.3.9. Credit card fees.....	42
7.3.10. Debit card fees .....	42
7.3.11. Interest on late payment of debt .....	42
7.4. Banking of collected income .....	42
7.4.1. Receipting and banking.....	42
7.4.2. Safe storage of collected income .....	42
7.4.3. Reconciliation of receipts .....	43
7.5. Debt Recovery.....	43
7.5.1. Recovery process .....	43
7.5.2. Arrangements to Pay.....	43
7.5.3. Disputed debts .....	43
7.5.4. Legal action.....	43

7.6. Bad and Doubtful Debt Provisions .....	44
7.6.1. Payments received after 60 days .....	44
7.7. Bad Debt Write-offs .....	44
7.8. Local Land Charges .....	45
<b>8. Purchasing.....</b>	<b>46</b>
8.1. Roles and responsibilities .....	46
8.1.1. Director of Finance & Commercial Services .....	46
8.1.2. Head of Strategic Finance.....	46
8.1.3. Head of Strategic Finance and Executive Directors.....	46
8.1.4. The Executive Directors .....	47
8.1.5. Budget Managers.....	47
8.1.6. All Officers involved in P2P process .....	48
8.2. Ordering of goods and services .....	48
8.3. Authorisation of expenditure .....	49
8.3.1. Purchase Orders .....	49
8.3.2. Authorisation to pay Utility Bills and Recurring Payments.....	49
8.3.3. Authorisation of Multiple, One-Off and Foreign Payments .....	49
8.3.4. Authorisation Foreign Payments .....	49
8.3.5. Authorisation Matrix .....	49
8.4. Delivery of Goods and Services.....	50
8.5. Payments to suppliers .....	50
8.5.1. Supplier invoices .....	50
8.5.2. Payments .....	51
8.5.3. Standard payment terms .....	51
<b>9. Internal charges.....</b>	<b>52</b>
9.1. Roles and responsibilities .....	52
9.1.1. Executive Directors .....	52
9.1.2. Head of Strategic Finance.....	52
<b>10. Payroll, Expenses and Petty Cash Floats .....</b>	<b>53</b>
10.1. Roles and responsibilities .....	53
10.1.1. Executive Directors .....	53
10.1.2. Director of Human Resources .....	53
10.1.3. Head of Strategic Finance.....	53
10.2. Payroll .....	53
10.3. Expenses.....	54
10.4. Petty Cash floats .....	54
10.4.1. Payments from a float and re-imburements .....	54
10.4.2. Responsibilities of the float holder .....	54
10.4.3. Personal credit card transactions .....	54
<b>11. Bank Accounts and Credit Cards.....</b>	<b>55</b>
11.1. Bank Accounts.....	55



11.2. Reconciliations .....	55
11.3. Banking transactions .....	55
11.4. Credit/ Procurement cards etc. ....	55
11.4.1. Reconciliations .....	55
11.5. Banking arrangements.....	55
<b>12. Taxation.....</b>	<b>56</b>
12.1. Roles and responsibilities .....	56
12.1.1. Executive Directors .....	56
12.1.2. Head of Strategic Finance .....	56
12.2. Penalties and charges .....	56
<b>13. Stores, Stock, Equipment and Security.....</b>	<b>57</b>
<b>14. Retention of Records .....</b>	<b>58</b>
14.1. Roles and responsibilities .....	58
14.1.1. Executive Directors .....	58
14.1.2. Head of Strategic Finance .....	58
14.2. Records for external funding.....	58
<b>15. Financial Systems .....</b>	<b>59</b>
15.1. Roles and responsibilities .....	59
15.1.1. Head of Strategic Finance .....	59
15.1.2. Executive Directors .....	59
<b>16. Accounting.....</b>	<b>60</b>
16.1. Accounting during the Financial Year .....	60
16.2. Year-end Requirements.....	60
<b>17. Internal Audit .....</b>	<b>61</b>
17.1. Reporting potential or actual theft, fraud or corruption .....	61
<b>18. Companies, Joint Ventures, Partnerships, Joint Committees etc. ....</b>	<b>62</b>
<b>19. Grant (Gift) arrangements.....</b>	<b>63</b>
19.1. Roles and Responsibilities.....	63
19.1.1. Director of Finance & Commercial Services .....	63
19.1.2. Executive Directors .....	63
<b>20. Council Supply Agreements.....</b>	<b>64</b>
<b>Appendices .....</b>	<b>65</b>
<b>A. Financial Protocol for Financial Year 2018-19 .....</b>	<b>65</b>
A.1. Introduction.....	65
A.2. Role of the Executive Director - Resources .....	66
A.3. Role of the Head of Strategic Finance .....	66
A.3.1. Statutory Requirements.....	66
A.3.2. Contravention of Standing Orders .....	66
A.3.3. Responsibility for the Finance & Commercial Services Service .....	67
A.3.4. Financial Implications of Decisions.....	67

A.3.5. Financial Returns and Grant Claims.....	67
A.3.6. Documentation related to banking transactions.....	68
A.3.7. Approval of virements between Services and Portfolios.....	68
A.3.8. Emergency approval of capital schemes.....	68
A.3.9. The Finance Business Partner.....	69
A.4. Role of the Executive Director.....	69
A.4.1. Responsibility to run services within cash allocation.....	69
A.4.2. Framework of Financial Accountability.....	69
A.4.3. Provision of financial advice to Portfolio.....	69
A.5. Joint Responsibilities of the Director of Finance & Commercial Services and Executive Directors.....	70
A.6. Role of the DOBS.....	70
A.6.1. General responsibilities of the DOBS.....	70
A.6.2. Reporting of financial issues.....	70
A.6.3. Framework of Financial Accountability.....	70
A.6.4. Collaboration and Communication.....	71
A.6.5. Recruitment to post of DOBS.....	71
<b>B. Financial Implications template.....</b>	<b>72</b>
<b>C. Financial Records: Recommended Retention Schedule.....</b>	<b>72</b>
C.1. Accountancy/Financial.....	72
C.2. Bank related records.....	72
C.3. Contracts.....	73
C.4. Creditor records.....	74
C.5. Income records.....	74
C.6. Insurance records.....	75
C.7. Miscellaneous records.....	75
C.8. Payroll Records.....	76

## 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 2016/15 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 <a href="#">Constitution</a> 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.

[Back to Contents page](#)

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.
<a href="#">Corporate Plan</a>	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 <a href="#">Leader's Scheme of Delegation</a> , 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 Finance & Commercial Services with specific responsibility for supporting Executive Directors and their teams through the provision of financial advice and decision support.

[Back to Contents page](#)

Finance & Commercial Services	The Council's consolidated Finance & Commercial Services is led by the Director of Finance & Commercial Services.
Financial Policies	The Council has a detailed set of financial policies which underpin these regulations.
<a href="#">Financial Protocol</a>	The Financial Protocol summarises the relationship between Executive Directors, the Director of Finance & Commercial Services and the Head of Strategic 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.
<a href="#">Leader's Scheme of Delegation</a>	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 <a href="#">Constitution</a> 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.

[Back to Contents page](#)

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 Finance & Commercial Services	These are the officers designated in the <a href="#">Financial Protocol</a> 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 Finance & 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 <a href="#">Leader's Scheme of Delegation</a> and/ or the <a href="#">Constitution</a> 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.

[Back to Contents page](#)

## **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 of Delegation](#).

As per [section 2.2.7](#) of these Regulations, the Head of Strategic 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 Head of Strategic 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 (Integra) 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.

### **1.3. Accounting Policies**

The Head of Strategic 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 the Accounting Policies are:

- 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 & Standards 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.

#### **1.6. Training and development**

##### **1.6.1. Head of Strategic 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 & Commercial Services staff.
- Identifying any training requirements that their staff need to comply with these Regulations and to meet the required financial competencies.

##### **1.6.2. Head of Strategic Finance**

The Head of Strategic 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 (Integra) and Qtier are in line with these Regulations.



### 1.6.3. Executive Directors

Executive Directors are responsible for ensuring:

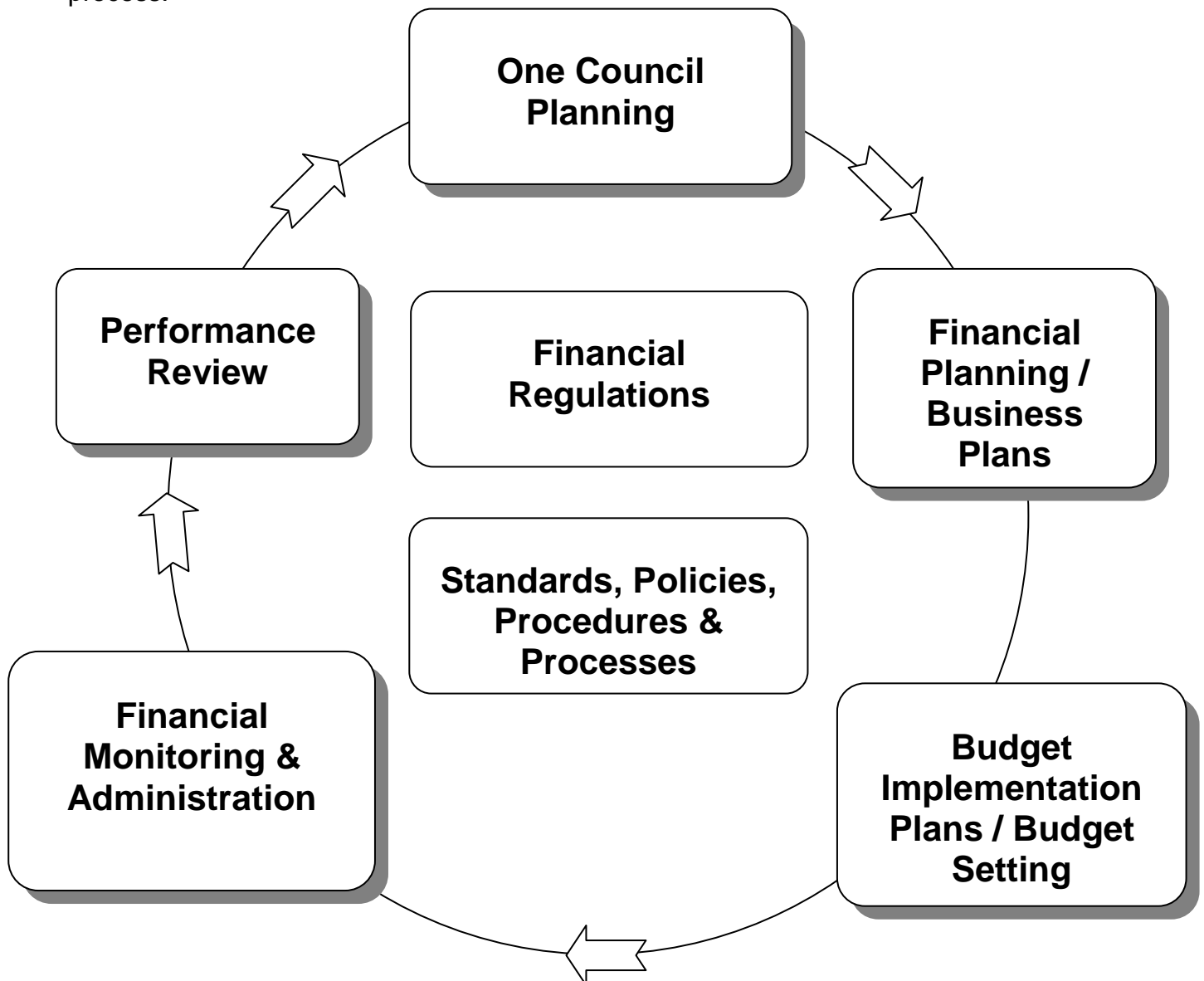
- The training opportunities which have been made available are taken up by their staff as required.
- Their staff follow the guidance and other documentation that is made available to them.

[Back to Contents page](#)

## 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 Head of Strategic Finance are shown as supporting the financial management process.



### 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 & Standards Committee](#)) and Officers, or, in the case of Executive Functions, by the Leader, primarily through the [Leader's Scheme of Delegation](#) (e.g. to Cabinet, Individual Cabinet Members, Locality Areas 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 3 of the Council's [Constitution](#) and/ or prescribed by law.

If the Cabinet, individual Members of the Cabinet and any officers, Locality Areas 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 of Resources or Head of Strategic 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](#), 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 of Delegation](#).

**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 quarterly 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.

#### 2.2.2.2. [Individual Cabinet Members](#)

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

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

### 2.2.3. [Locality Areas](#)

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

Functions exercised by Locality Areas are set out in:

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

### 2.2.4. [Audit & Standards Committee](#)

The [Audit & Standards Committee](#) of the Council forms a key part of the governance of the Council. The terms of reference for the [Audit & Standards 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 2015.
- To consider the Annual Letter from the External Auditor in accordance with the Accounts and Audit (England) Regulations 2015 and to monitor the Council's response to any issues of concern identified.
- Monitoring the work of the Council's Internal Audit function.

#### 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 of Delegation](#) 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 Head of Strategic 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.

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 Head of Strategic 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 Head of Strategic Finance, this may also be done instead by the s151 Officer.

#### 2.2.8. The Head of Strategic Finance

The Head of Strategic 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 Head of Strategic Finance in financial management are specified in a [Financial Protocol](#) document which will be signed annually by the Executive Director of Resources, each Executive Director, the Director of Finance & Commercial Services, the Head of Strategic Finance and the 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 of Delegation](#).

#### 2.3.1. Head of Strategic Finance

The Head of Strategic 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 & Commercial Services 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.

#### 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 of Delegation](#).

Disposal of surplus assets must also be done in accordance with the requirements of the [Leader's Scheme of Delegation](#) 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 & Commercial Services 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 quarterly budget monitoring reports.

#### 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 & Commercial Services.

In line with the Anti-Money Laundering Policy, the Head of Strategic 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 s151 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 of 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 of Resources of any vehicle acquisitions or disposals, premises acquisitions or disposals and of any occupations or vacations of premises.

### **2.5.2. The Executive Director of Resources**

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

The Executive Director of 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.

[Back to Contents page](#)

### 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 of Delegation](#), the Cabinet is responsible for approving the MTFS and it will be refreshed and updated on an annual basis.

The MTFS links strongly to the [Corporate Plan](#) and the [Corporate Plan](#) drives the spending priorities that inform the MTFS. This will include allocating the overall expenditure budgets for Locality Areas. The Head of Strategic Finance will be responsible for producing the MTFS 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 MTFS 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 MTFS by the Executive Director of Resources. The Head of Strategic Finance will be responsible for preparing detailed proposals for the Annual Revenue Budget for the coming year in conjunction with Executive Directors.

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

The Head of Strategic 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 Head of Strategic 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 Head of Strategic 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](#), [Procurement Guidelines](#) and any other relevant policies, and where the expenditure constitutes an executive function, in accordance with the [Leader's Scheme of Delegation](#).

### **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 Head of Strategic Finance and consultation with the Cabinet Member for Finance. Any such commitments must be within the financial parameters set in the MTFs.
- Are responsible for ensuring that managers within their Portfolios work within the timescales and procedures stipulated from time to time by the Head of Strategic 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. Head of Strategic Finance**

The Head of Strategic Finance will prepare budget monitoring reports in consultation with Executive Directors. The Head of Strategic 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 (except month 1).
- Quarterly overall monitoring reports will be presented to the Executive Management Team and Cabinet (at a frequency to be determined by the s151 Officer and Cabinet Member for Finance).

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 Head of Strategic 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.
- 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 Head of Strategic Finance without the specific approval of the Head of Strategic Finance.

Virements requested by Locality Areas 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 Head of Strategic Finance.
- £500,000 and Over: the virement may only be approved by the Executive in line with the [Leader's Scheme of Delegation](#).

Where a virement would represent a major change of policy it must be approved in accordance with the [Leader's Scheme of Delegation](#) 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).

#### 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 Head of Strategic Finance and will be presented to the Executive as part of the quarterly Revenue Budget Monitoring process. Approved requests will be included, where feasible, in the Budget Implementation Plan for the relevant Service.

The Head of Strategic 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 Head of Strategic 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 Head of Strategic 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 Head of Strategic 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 of Delegation](#).

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

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 of Delegation](#).

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 Head of Strategic Finance may enter into any borrowing or investment on behalf of the Council.

The Head of Strategic 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 Head of Strategic 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 are 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 Head of Strategic Finance will ensure compliance with the Borrowing Strategy, the Treasury Management Policy and all associated Treasury Management Practices.

[Back to Contents page](#)

## 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.
- 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 of Resources or Head of Strategic 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 Head of Strategic 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 Head of Commercial Business Development, 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 & Commercial Services 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 & Commercial Services Officer who has signed-off the financial implications must appear on the Financial Implications section of the covering checklist.

[Back to Contents page](#)

## **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 (IFRS) 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 quarterly 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](#) 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.
- Approving the use of capital receipts and grants.

#### **5.2.3. Head of Commercial Business Development**

The Head of Commercial Business Development 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 Head of Commercial Business Development 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 Head of Commercial Business Development.

- Complying with the relevant requirements of the [Leader's Scheme of Delegation](#), 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 of Delegation](#), 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 Head of Commercial Business Development, capital expenditure in line with the emergency approvals procedure and the requirements of the [Leader's Scheme of Delegation](#).
- Ensuring that managers adhere to SCC's 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 of Delegation](#), 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.

#### 5.2.6. Budget Managers

It is Council Policy that all projects are managed in accordance with SCC's 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 Head of Strategic 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 ([section 5.3.4](#)) on a monthly basis.

### 5.3. Capital Programme Approval

The proposed Capital Programme for the coming financial period is collated by the Head of Commercial Business Development, 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 Head of Commercial Business Development 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.

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

#### 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 of Delegation](#)), is a necessary condition to proceed with a project and will be subject to stage approvals as deemed by the Capital Programme Group.

The 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 Head of Commercial Business Development.
- For cases considered sensitive by, or otherwise at the direction of, the Executive Director and/ or the Head of Commercial Business Development, 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 Head of Commercial Business Development.

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

In line with the [Leader's Scheme of Delegation](#) 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 of Delegation](#).



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.

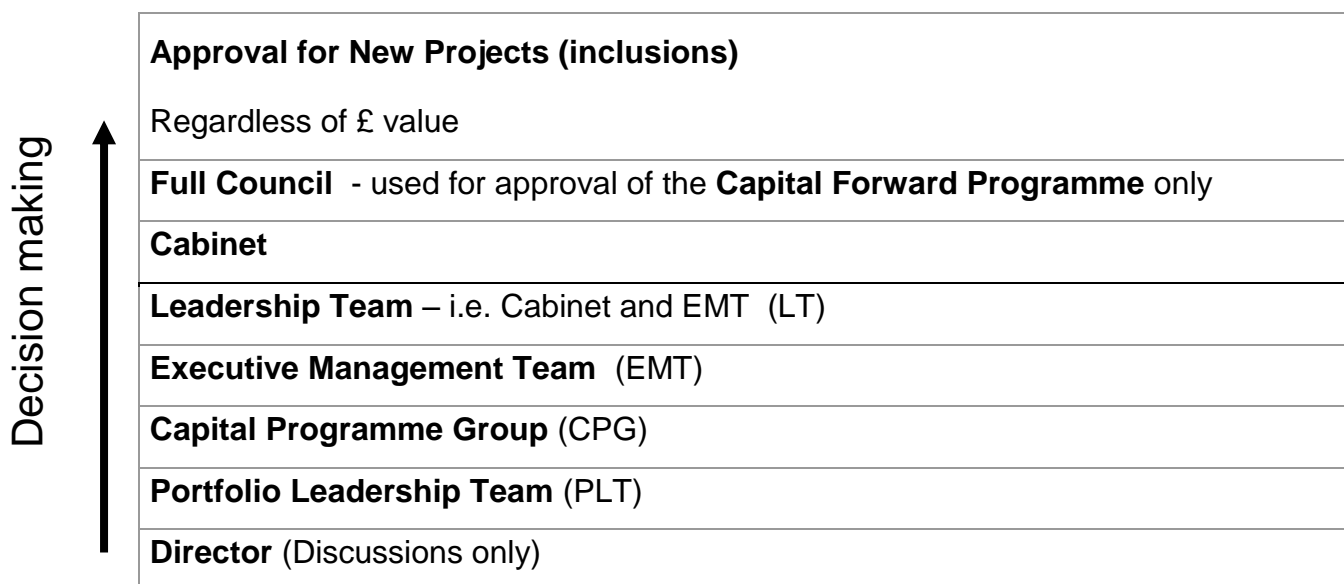
#### 5.3.4. Approval for New Projects / Inclusions / Changes

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 Council's [Constitution](#)) must be approved by Cabinet or otherwise in line with the [Leader's Scheme of Delegation](#), 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 of Delegation](#) 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 of Delegation](#).

#### Capital Projects Approval Hierarchy



The Head of Commercial Business Development, in conjunction with the Cabinet Member for Finance, can approve expenditure up to the value of £100,000 to permit the Council to undertake feasibility works on potential capital projects provided that:

- The Head of Commercial Business Development has been provided with evidence to enable him/ her to reasonably conclude that the project is viable and practical so that any recommendations from the study can be implemented and the study will not be an abortive cost.
- The entire project (i.e. feasibility and subsequent construction works) is fully funded.
- The works meet the requirements of the capital accounting rules to be eligible for classification as capital spend.

### 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 of Delegation](#).

As an additional requirement, emergency approvals must be referred to the Executive Director of Resources or the Head of Commercial Business Development 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 Head of Commercial Business Development. 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 [MTFS](#) 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 [section 5.3.4](#).

### 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 Head of Commercial Business Development in respect of funding implications. As part of this process the Head of Commercial Business Development 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 Head of Commercial Business Development 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 Finance & 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 Finance & 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 Head of Commercial Business Development 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 a CAF, Project Closure Forms (PCF), financial monitoring and approval request reports.

At year end the Head of Commercial Business Development 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.

[Back to Contents page](#)

## 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 the city's priorities as highlighted in the [Corporate Plan](#).

### 6.2. Roles and responsibilities

#### 6.2.1. The Head of Strategic Finance

The Head of Strategic 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 Strategic Finance within Finance & Commercial Services.
- 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 Head of Strategic Finance or other authorised Finance Officer as published in the Financial Protocol ([Appendix A](#)) and maintained by the Head of Strategic Finance.
- All documentation related to match funding, e.g. certificates, letters of comfort, heads of terms, contracts, are approved by the Head of Strategic Finance or other authorised Finance Officers as published in the Financial Protocol ([Appendix A](#)).
- 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.

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

#### 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 Head of Strategic Finance.
- Offers of external funding are only accepted in accordance with the requirements of the [Leader's Scheme of Delegation](#), 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, 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 Head of Strategic Finance, or other authorised Finance Officers as published in the Financial Protocol ([Appendix A](#)). 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 of Delegation](#) 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 of Delegation](#).

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

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

### **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 ([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](#)) the latter should be followed.

[Back to Contents page](#)

## **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 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 not covered by these Regulations.

Refer to [section 20](#) for Council Supply Agreements.

### **7.2. Roles and responsibilities**

#### **7.2.1. The Executive**

In accordance with the [Leader's Scheme of Delegation](#), 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 of Delegation](#) as appropriate.

#### **7.2.2. Individual Cabinet members**

In accordance with the [Leader's Scheme of Delegation](#) 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.

#### **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 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 Head of Commercial Business Development.
- 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 (ICAM) 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.

#### 7.2.4. Head of Commercial Business Development

The Head of Commercial Business Development 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 Head of Commercial Business Development. Payments cannot be made by any other means except by express permission of the Head of Commercial Business Development.
- Providing training and advice on these payment methods. On a day-to-day basis this responsibility will be discharged by the ICAM Team in Finance & Commercial Services.
- 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 Finance & Commercial Services.
- All debt recovery actions except Housing Rents. In respect of sundry debt this responsibility is discharged by the ICAM Team in Finance & Commercial Services. In respect of local taxation and Housing Benefit overpayment debt this responsibility is discharged by the Revenues and Benefits Team within Finance & Commercial Services.
- 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 of Resources

The Executive Director of 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.

#### 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 Head of Commercial Business Development 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.



**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 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 Finance & Commercial Services.

See also [section 7.3.7](#) of these Regulations.

#### **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.

The minimum value for a sundry debt invoice is £25. Services wishing to raise an invoice for lower than this amount will need the approval of the Head of Commercial Business Development.

All sundry debtor accounts must be raised on the Accounts Receivable section of the finance system unless exceptions have been agreed with the Head of Commercial Business Development.

Invoices should be issued within 10 working days of the:

- Goods or services being supplied.
- Month end where there is an on-going service provision.

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 (HMRC) 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 Head of Commercial Business Development. Payments cannot be made by any other means except by express permission of the Head of Commercial Business Development.

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 Finance & Commercial Services 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

**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 Head of Commercial Business Development.	Face to face - Customer assisted service
Invoiced	BACS/ CHAPS – within the parameters set by the Head of Commercial Business Development.	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).
- Where an arrangement to pay an invoice in instalments has been agreed by the Head of Commercial Business Development 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 Head of Commercial Business Development.

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 Head of Commercial Business Development 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 £2,500.

#### 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 by the manager responsible for the budget affected.

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 Head of Commercial Business Development 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 Finance & Commercial Services, 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 Head of Commercial Business Development.

### **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 Head of Commercial Business Development for the banking of income.

Income must be paid in without deduction unless this is approved by the Head of Commercial Business Development. 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.

The Head of Commercial Business Development will advise on best practice for cash storage and banking.

The Executive Director of 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 ICAM Team in consultation with the Business Unit Manager, or directly by the Manager. In the latter case the Business Unit Manager must inform the ICAM Team so that the arrangement can be documented and monitored.

Payment arrangements that exceed 12 months must be agreed by the Head of Commercial Business Development.

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 ICAM 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.

If a request to extend a dispute beyond 28 days has not been received, the appropriate debt recovery action will be re-instated, or where appropriate the debt will be written off.

### 7.5.4. Legal action

Legal action will only be used as the last resort in the recovery process, and the final decision to utilise this action will be made by the ICAM Team Finance Manager.

Legal action will only be taken in the following circumstances:

- Where the full end to end legal enforcement process can be utilised (e.g. County Court bailiffs, High Court Enforcement action, etc.).
- The cumulative balance of the debt is in excess of £500. The ICAM Team Finance Manager can agree to lower this balance where appropriate.

- In order to comply with the criteria outlined in [section 7.7](#). Legal action must be taken within 12 months of the invoice date. This deadline may be extended in exceptional circumstances agreed by the ICAM Team Finance Manager.

## **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 can only be approved by the Head of Commercial Business Development. A list of the agreed exceptions is maintained by the ICAM Team in Finance & Commercial Services.

The year-end bad debt provision will be calculated based on historic collection trends.

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 Head of Commercial Business Development. A list of the agreed exceptions is maintained by ICAM Team in Finance & Commercial Services.

## **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.

Where possible all recovery procedures should be pursued and exhausted within 12 months of the invoice date. After this timescale the outstanding debt should be considered for write 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.

A list of unapproved write offs will be passed to the relevant Finance & Commercial Services Leadership Team (FCSLT) member to approve. The ICAM Team will then update Integra to complete the write off.

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 Head of Commercial Business Development.

By the time a debt is written off a full provision must have been created for it.

The Head of Strategic Finance will report debts, and the changes in the bad debts provision, to the Audit Committee as part of the annual accounts process.

## 7.8. Local Land Charges

The Local Land Charge Register contains details of outstanding liabilities, e.g. road and other financial charges, home improvement grants, tree preservation orders, notices of restriction, etc., that will either secure the payment of a sum of money or limit the use of the said property. It is a statutory requirement that all Local Authorities within England and Wales compile, maintain and regularly update their Local Land Charges Register.

Services can only secure a Sundry Debt in the Local Land Charge Register in the following circumstances:

- The balance of the sundry debt invoice must exceed £500.
- Other income collection options available for Sundry Debts must have been fully evaluated before registering the charge, e.g. Debt Collection Agency, County Court action, etc.
- The service must have sufficient evidence to support the prospect of the debt being collected through the Land Charge process.
- On an annual basis the Business Unit Manager responsible for the debt that is listed in the Land Register must ensure that the debt is still valid and collectible.
- For the avoidance of doubt this relates specifically to sundry debt invoices, and does not apply to the debts in the Local Land Registry manually raised outside of the Finance System.

[Back to Contents page](#)

## 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 Head of Strategic Finance.

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

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

### 8.1. Roles and responsibilities

#### 8.1.1. Director of Finance & Commercial Services

The Director of Finance & 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.
- Approving suppliers used in the commissioning and procurement of goods and/ or services.

#### 8.1.2. Head of Strategic Finance

The Head of Strategic Finance is responsible for:

- Ensuring that VAT related records, e.g. invoices or credit notes are stored and made available in line with 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, limited companies and partnerships is validated, payments are made and related records are stored and made available, all in line with HMRC directives.
- The approval and administration of all leasing and other credit arrangements. Records will be kept by the Head of Strategic Finance of all relevant financial information relating to these arrangements.

#### 8.1.3. Head of Strategic Finance and Executive Directors

The Head of Strategic 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 Head of Strategic Finance must be consulted before incurring such expenditure, and all relevant provisions of the [Leader's Scheme of Delegation](#).
  - The [Constitution](#) must be complied with.
  - Particular attention is drawn to the urgency provisions in the Budget and Policy Framework Procedure Rules in Part 4 of the [Constitution](#).
- Where any consent is 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](#), [Leader's Scheme of Delegation](#) and [Standing Orders](#).
- [Procurement Guidelines](#)
- 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.

#### 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 [Standing Orders](#).
- In-House and existing contracted providers are used wherever possible. Where this is not considered appropriate, advice must be sought from Finance & Commercial Services on choosing an alternative supplier and [Standing Orders](#) must be complied with.
- Compliance with the Council's [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 [Standing Orders](#) for details of procurement procedures to be followed, with special attention to the need to use In-House and existing contracted 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 and fully approved before requesting the supply.

Exceptions to this would be for the payment of individuals determined by the HMRC Employment Status Enquiry Tool as status 'employed', for which payment has to be made via the Payroll system in order to account for the correct taxation, 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 Head of Strategic Finance and the Director of Finance & 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.

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.

A small number of credit and procurement cards exist for use within the Council where special conditions exist. The use of credit/ procurement cards are intended to complement, rather than replace the purchase order procedure, and should only be used in exceptional circumstances, when the use of a purchase order is not feasible.

The Head of Strategic Finance shall approve all officer applications for procurement/ credit cards and may withdraw his/ her approval for the Officer to use the card at their discretion.

For each card, monthly credit and individual transaction limits will be determined by the Head of Strategic Finance on approval of the application. Requests for alterations to the limits will be considered where a valid business case exists at his/ her discretion.

The Head of Strategic Finance shall ensure that a register of all procurement cards issued is kept containing employee details, credit and transaction limits and date of issue.

The Executive Directors must inform the Head of Strategic Finance, in order that action may be taken to cancel stolen or lost cards or those issued to employees who have resigned from the Council.

### **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 of Delegation](#), the Council's [Standing Orders](#) and [Procurement Guidelines](#).

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.
- All necessary documentation is attached.

#### **8.3.2. Authorisation to pay Recurring Payments**

These will be authorised in line with the procedures as approved by the Head of Strategic Finance by Officers with the appropriate level of approval within the Council's finance system.

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

Multiple and One-Off payments must only be used in exceptional circumstances and must be approved by both the Head of Strategic Finance and the Director of Finance & Commercial Services.

#### **8.3.4. Authorisation Foreign Payments and Individuals paid via Payroll**

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

#### **8.3.5. Authorisation Hierarchy Levels**

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 Head of Strategic Finance.

All purchase orders must be approved in line with the Council's authorisation hierarchy levels as shown below:

Order Amount	Authorisation Level
£0 - £100	Automatic Approval
£100.01 - £499.99	Middle Manager / Line Manager

£500 - £2,499	Business Unit Manager
£2,500 - £24,999	Assistant Head of Service / Assistant Director
Over £25,000	Head of Service / Director / Chief Executive

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

Where, if after such consultation as he/ she deems to be appropriate, the Head of Strategic 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 hierarchy.

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

#### **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.
- Fitness for purpose.

Delivery notes must be retained for verification purposes in accordance with the Financial Documents Retention Schedule appended to these Regulations. Where possible, the reference from these documents should be recorded in the Finance system.

Officers are required to enter a receipt (Goods Received Note) on the Council's finance system, or other systems, as approved by the Head of Strategic 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 to the Council's finance system. Invoices should be sent directly to the outsourced accounts payable provider's invoice processing facility, as detailed on the Council's purchase order.

Where paper invoices are unavoidable these should be sent directly to the Council's outsourced provider of the accounts payable service at this same address, 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 Purchase Order and Goods Received Note to acknowledge satisfactory receipt of goods and services. Exceptions to this are Recurring, Multiple, One-Off, Individuals paid via Payroll, Foreign Payments and purchases made using a Credit or a Procurement Card and as described above.

Where the details on the supplier invoice, the Goods Received Note and the order are the same, or within tolerance levels agreed by the Head of Strategic Finance, the automated matching process will clear the invoice for payment in accordance with the Council's standard payment terms. This is referred to as a 3 way matching process.

Where the details are not the same and are outside the agreed tolerance levels, then the order raiser should liaise with the supplier and request a credit note from the supplier to resolve the mismatch if necessary.

### 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 Finance & 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](#) advice must be sought from the Director of Finance & Commercial Services where a supplier makes a request for payment in advance.

[Back to Contents page](#)

## **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.
- 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. Head of Strategic Finance**

The Head of Strategic 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.

[Back to Contents page](#)

## **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.
  - 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 Head of Strategic 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 of 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. Head of Strategic Finance**

The Head of Strategic 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.

### **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 Head of Strategic 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 HMRC and the relevant procedures as laid down by the Head of Strategic Finance and the Director of Finance & 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 & Commercial Services.

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.

#### **10.4.2. Responsibilities of the float holder**

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

[Back to Contents page](#)



## **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 Head of Strategic Finance. This includes associated bank accounts which the Council does not directly control, e.g. joint arrangements, etc. The Head of Strategic 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 Head of Strategic Finance is responsible for ensuring that reconciliations, together with supporting documentation, are reviewed and appropriately certified.

### **11.3. Banking transactions**

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

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

### **11.4. Credit/ Procurement 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 Head of Strategic Finance.

#### **11.4.1. Reconciliations**

Reconciliations of credit cards, 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 Head of Strategic Finance will ensure that reconciliations, together with supporting documentation, are reviewed and appropriately certified.

### **11.5. Banking arrangements**

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

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

[Back to Contents page](#)

## **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.
- Monitoring and planning for any changes in VAT legislation or regulations which affect their areas of activity.

Executive Directors must also advise the Head of Strategic Finance of any capital projects that 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 HMRC regulations relating to that engagement are adhered to.

#### **12.1.2. Head of Strategic Finance**

The Head of Strategic 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 Head of Strategic 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 Head of Strategic Finance is also responsible for the preparation and submission of VAT Returns to HMRC. 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 HMRC.

### **12.2. Penalties and charges**

Portfolio budgets will bear the financial impact of any penalties or other charges imposed by HMRC in respect of transactions entered into by that Portfolio.

[Back to Contents page](#)

### **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 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 Head of Strategic 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 Governance and 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.

[Back to Contents page](#)

## **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 HMRC, 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 are 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. Head of Strategic Finance**

The Head of Strategic 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.

### **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](#), 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 Retention Schedule](#), the latter should be followed.

[Back to Contents page](#)

## 15. Financial Systems

The Council's finance system (Integra) will be the Council's prime source of accounting and financial information.

### 15.1. Roles and responsibilities

#### 15.1.1. Head of Strategic Finance

The Head of Strategic 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. Controcc, produce financial returns in a format and to timescales required by the Head of Strategic 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 Act, General Data Protection Regulation (GDPR) and the 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 Change and Information Systems (BCIS) Team should be consulted for advice and guidance on data protection and information management issues.
- Ensuring that the Head of Strategic Finance and their BCIS Business Partner are consulted prior to the purchase and implementation of any new computerised financial systems. This includes any income collection systems.

[Back to Contents page](#)

## **16. Accounting**

The Head of Strategic 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 & Standards 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, Bank Accounts, etc., must be reconciled monthly.

Access to accounting information will be controlled by the Head of Strategic Finance.

### **16.2. Year-end Requirements**

At the end of each financial year the Head of Strategic 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 Head of Strategic Finance will require copies of evidence for material accruals. The process and amounts will be specified in the year-end guidance issued by the Head of Strategic Finance.

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.

[Back to Contents page](#)

## 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 Senior Finance Manager's (Internal Audit) annual report to the [Audit & Standards Committee](#).

An Annual Audit plan is prepared by the Senior Finance Manager (Internal Audit) and agreed by the [Audit & Standards 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 & Standards 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 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.

[Back to Contents page](#)

## **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 Head of Strategic 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 of Delegation](#). The relevant Executive Director, in conjunction with the Head of Strategic 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.

[Back to Contents page](#)



## **19. Grant (Gift) arrangements**

### **19.1. Roles and Responsibilities**

#### **19.1.1. Director of Finance & Commercial Services**

The Director of Finance & 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 of Delegation](#).

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 of Delegation](#), 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 of Delegation](#).

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 [Procurement Guidelines](#), and all other relevant processes and procedures.

[Back to Contents page](#)

## **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 of Delegation](#), including the need to seek the opinion of either the Executive Director of Resources or the Head of Strategic 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.

[Back to Contents page](#)

## Appendices

### A. Financial Protocol for Financial Year 2018-19

#### 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 Finance Point 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 meeting our customers' needs and aspirations.
- Support the statutory ("section 151" – see below) duties of its Chief Finance Officer (CFO).

The Protocol will be refreshed annually by the Head of Strategic Finance for signing off by the Executive Director/ Director as applicable and where appropriate the Director of Business Strategy (DOBS).

Where the Portfolio concerned does not have an Executive Director and/ or a DOBS 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.
- The Executive Director/ Director will undertake the responsibilities of the DOBS, 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 & Commercial Services service has reduced its numbers over recent years, which has reduced the level of support provided to Portfolio management teams. This requires greater self-management on the part of business unit managers in line with existing agreed good practice. The Director of Finance & Commercial Services, in conjunction with the DOBS, will be responsible for judging that the level of resource is appropriate for the assessed financial risk of each service.

The Executive Director and the DOBS 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 (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 s/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 Head of Strategic Finance, who will act on behalf of the Executive Director of Resources in ensuring proper discharge of these statutory responsibilities. The Head of Strategic 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 of Resources.

## **A.3. Role of the Head of Strategic Finance**

### **A.3.1. Statutory Requirements**

The Executive Director of Resources is the Council's responsible 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 Head of Strategic 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.
  - 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 & Commercial Services Service

The Director of Finance & Commercial Services is responsible for the whole of the unified Finance & Commercial Services service within the Council. Beyond its statutory duties Finance will:

- Lead on the Corporate Financial Strategy for the Council, in conjunction with the Executive Management Team.
- Set clear corporate standards for 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.
- 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 & Commercial Services or directly by the Head of Strategic Finance, as appropriate.

DOBS 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 Head of Strategic 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 Head of Strategic Finance.

Head of Strategic Finance (Tax & Treasury, External Funding, Financial Systems Support Group (FSSG), Strategic Finance, Internal Audit, Insurance & Risk)	Grants and returns relating to Tax & Treasury, External Funding, FSSG, Strategic Finance, Insurance, Risk and other corporate issues.
Head of Service - Finance & Commercial Services (FCS) Business Partner (Place and Resources)	Grants and returns relating to the Place and Resources Portfolio.
Head of Service - FCS Business Partner (People)	Grants and returns relating to the People Portfolio.
Head of Commercial Business Development	Grants and returns relating to Commercial Projects, Capital, Revenues & Benefits and Debt Recovery.
Head of Procurement & Supply Chain	Grants and returns relating to Category and Contract management.

#### A.3.6. Documentation related to banking transactions

The Head of Strategic Finance or authorised Finance Officers will sign-off documentation related to banking transactions (see section 11.3 of Council's Financial Regulations). Authorised officers are:

Executive Director of Resource
Head of Strategic Finance
Head of Service - FCS Business Partner (Place and Resources)
Head of Service - FCS Business Partner (People)
Head of Commercial Business Development
Head of Procurement & Supply Chain
Senior Finance Manager (Place Business Partner)
Senior Finance Manager (People Business Partner)
Senior Finance Manager (Revenues & Benefits Client Team and ICAM Team)
Senior Finance Manager (People Business Partner)
Senior Finance Manager (Resources Business Partner and FSSG)
Senior Finance Manager (Strategic Finance)

#### A.3.7. Approval of virements between Services and Portfolios

The Head of Strategic Finance or authorised Finance Officers will sign-off requests for virements under £500,000 between Portfolios and Services (see section 3.5.3 of the Council's Financial Regulations). Authorised officers are:

Head of Strategic Finance
Head of Service - FCS Business Partner (Place and Resources)
Head of Service - FCS Business Partner (People)

#### A.3.8. Emergency approval of capital schemes

All requests for emergency approvals of capital schemes must be referred to the Executive Director of Resources or the Head of Strategic Finance or Finance & Commercial Services Officers authorised to act on his or her behalf. Authorised officers are:

Head of Strategic Finance
Head of Commercial Business Development

#### A.3.9. The Finance Business Partner

The Director of Finance & Commercial Services 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 & Commercial Services service and their line report will be within the Director of Finance & Commercial Services structure. They will be held accountable for their performance to the Portfolio, via the DOBS 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 & Commercial Services.

The Director of Finance & Commercial Services will ensure that arrangements are in place to effectively manage the relationships between Finance Business Partners and their services, DOBS 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 3<sup>rd</sup> March 2017, 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 DOBS 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 & Commercial Services 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 & Commercial Services and Executive Directors**

The Executive Directors and Director of Finance & Commercial Services 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 DOBS and between Finance Business Partners and other Directors.
- Training and development of Finance staff and service managers to meet required financial competencies.
- Rotation and secondment of Finance staff to meet service needs and individual development needs.

## **A.6. Role of the DOBS**

### **A.6.1. General responsibilities of the DOBS**

The 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.
- The resources of the Portfolio's services are targeted at priorities and demonstrate value for money (vfm).

### **A.6.2. Reporting of financial issues**

In relation to financial issues and implications the DOBS is responsible for:

- Making an immediate report to the Director of Finance & Commercial Services 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.
- 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 DOBS is responsible for:

- Developing and maintaining a framework for financial accountability with Finance Business Partners, linked to the sign off of this Protocol.
- Providing annual assurance to the Executive Director and Head of Strategic Finance on the accountability frameworks for budgets and compliance with the 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 & Commercial Services and Finance Business Partner for key processes, such as the financial strategy and budget monitoring.



A.6.4. Collaboration and Communication

The DOBS 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 the Director of Finance & Commercial Services.
- 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 DOBS

The Executive Director of Resources will be involved in agreeing role descriptions and all recruitment processes to the DOBS posts.

**Signed:**

Executive Director of Resources.....

Executive Director of Place.....

Director of Finance & Commercial Services.....

Head of Strategic Finance.....

DOBS & Regulation (Place).....

Date: .....

[Back to Contents page](#)

## 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

### 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	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>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	Destroy as confidential records

	of contract have expired. Contracts Under Seal: 12 years after the terms of the contract have expired.	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

### 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

## 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

[Back to Contents page](#)

# Agenda Item 11

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 3 October 2018, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

## PRESENT

THE LORD MAYOR (Councillor Magid Magid)  
THE DEPUTY LORD MAYOR (Councillor Tony Downing)

- |  |   |  |
|--|---|--|
| 1 <i>Beauchief &amp; Greenhill Ward</i><br>Simon Clement-Jones<br>Bob Pullin<br>Richard Shaw | 10 <i>East Ecclesfield Ward</i><br>Andy Bainbridge<br>Moya O'Rourke<br>Steve Wilson | 19 <i>Nether Edge &amp; Sharrow Ward</i><br>Mohammad Maroof<br>Jim Steinke                 |
| 2 <i>Beighton Ward</i><br>Chris Rosling-Josephs<br>Ian Saunders<br>Sophie Wilson             | 11 <i>Ecclesall Ward</i><br>Shaffaq Mohammed<br>Paul Scriven                        | 20 <i>Park &amp; Arbourthorne</i><br>Julie Dore<br>Ben Miskell<br>Jack Scott               |
| 3 <i>Birley Ward</i><br>Denise Fox<br>Bryan Lodge<br>Karen McGowan                           | 12 <i>Firth Park Ward</i><br>Abdul Khayum<br>Alan Law<br>Abtisam Mohamed            | 21 <i>Richmond Ward</i><br>Mike Drabble<br>Dianne Hurst<br>Peter Rippon                    |
| 4 <i>Broomhill &amp; Sharrow Vale Ward</i><br>Magid Magid<br>Kaltum Rivers                   | 13 <i>Fulwood Ward</i><br>Sue Alston<br>Andrew Sangar<br>Cliff Woodcraft            | 22 <i>Shiregreen &amp; Brightside Ward</i><br>Dawn Dale<br>Peter Price<br>Garry Weatherall |
| 5 <i>Burngreave Ward</i><br>Jackie Drayton<br>Talib Hussain<br>Mark Jones                    | 14 <i>Gleadless Valley Ward</i><br>Lewis Dagnall<br>Cate McDonald<br>Chris Peace    | 23 <i>Southey Ward</i><br>Mike Chaplin<br>Tony Damms<br>Jayne Dunn                         |
| 6 <i>City Ward</i><br>Douglas Johnson<br>Robert Murphy<br>Martin Phipps                      | 15 <i>Graves Park Ward</i><br>Ian Auckland<br>Sue Auckland<br>Steve Ayris           | 24 <i>Stannington Ward</i><br>Penny Baker<br>Vickie Priestley                              |
| 7 <i>Crookes &amp; Crosspool Ward</i><br>Adam Hanrahan<br>Mohammed Mahroof<br>Anne Murphy    | 16 <i>Hillsborough Ward</i><br>George Lindars-Hammond<br>Josie Paszek               | 25 <i>Stocksbridge &amp; Upper Don Ward</i><br>Jack Clarkson<br>Francyne Johnson           |
| 8 <i>Darnall Ward</i><br>Mazher Iqbal<br>Mary Lea<br>Zahira Naz                              | 17 <i>Manor Castle Ward</i><br>Lisa Banes<br>Terry Fox<br>Pat Midgley               | 26 <i>Walkley Ward</i><br>Olivia Blake<br>Ben Curran<br>Neale Gibson                       |
| 9 <i>Dore &amp; Totley Ward</i><br>Joe Otten<br>Colin Ross<br>Martin Smith                   | 18 <i>Mosborough Ward</i><br>David Barker<br>Tony Downing<br>Gail Smith             | 27 <i>West Ecclesfield Ward</i><br>John Booker<br>Adam Hurst<br>Mike Levery                |
|  |   | 28 <i>Woodhouse Ward</i><br>Mick Rooney<br>Jackie Satur<br>Paul Wood                       |

**1. APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors David Baker, Michelle Cook, Keith Davis, Bob Johnson and Alison Teal.

**2. DECLARATIONS OF INTEREST**

- 2.1 Personal interests in agenda item 5 – Notice of Motion regarding NHS Urgent Primary Care in Sheffield - were declared by (a) Councillor Sue Alston on the grounds that she is an employee of Sheffield Teaching Hospitals NHS Foundation Trust and (b) Councillors Ben Curran, George Lindars-Hammond, Ben Miskell, Andrew Sangar, Jack Scott and Richard Shaw, on the grounds that their spouse/partner is an employee of that Trust.

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

3.1 Petitions

3.1.1 Petition Requesting Traffic-Calming Measures on Myrtle Road

The Council received a petition containing 195 signatures, requesting traffic-calming measures on Myrtle Road.

Representations on behalf of the petitioners were made by Beverley Nunn who stated that the petition requested traffic calming measures on Myrtle Road. The road was steep and used by people to avoid traffic on East Bank Road. There were a high number of vehicles using Myrtle Road and particularly between 8.00 am and 9.00 am and which travelled at high speeds. There was, at present, a 30 mph speed limit. The petitioners requested that the speed limit was reduced to 20 mph. She said that a main concern was the junction with Anne's Road, where the primary school was located and there was no safe place for children and parents to cross the road. Large vehicles often parked in the vicinity of the junction which also affected pedestrians attempting to cross safely. The petitioners wished for options to be considered including the installation of speed bumps and introduction of a one way road by closing the road at the top, to help deal with the speed of vehicles and possibly installation of lights. Whilst on Spencer Road there was a pedestrian crossing patrol and lights, there was now no such provision on Myrtle Road to help people to cross the road safely.

The Council referred the petition to Councillor Jack Scott, Cabinet Member for Transport and Development. Councillor Scott said he knew the strength of feeling both from what had been said and from conversations with the local councillors. He acknowledged the issues which had been referred to, both in terms of the volume and speed of traffic using Myrtle Road and also the location of the School and Heeley City Farm. He also noted the options which the petitioners had suggested to help resolve some of the problems, including speed, parking restrictions and a one-way system. The Council would need to



take a rounded view of the best way to manage vehicles safely in that area. Councillor Scott said that a meeting would be arranged urgently, together with other community representatives and local councillors to consider what the options were and what might be done relatively quickly and also potentially in the future when time and resources permitted.

3.1.2 Petition Opposing the Introduction of Double Yellow Lines Outside King Edward Swimming Pool, Clarkehouse Road

The Council received a petition containing 594 signatures, opposing the introduction of double yellow lines outside King Edward Swimming Pool, Clarkehouse Road.

There was no speaker to the petition.

The Council referred the petition to Councillor Jack Scott, Cabinet Member for Transport and Development.

3.1.3 Petition Requesting the Abolition of the Lord Mayor

The Council received an electronic petition containing 47 signatures, requesting the abolition of the Lord Mayor.

There was no speaker to the petition.

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

3.1.4 Petition Requesting the Council to Keep Councillor Magid Magid as Mayor of Sheffield

The Council received an electronic petition containing 17,558 signatures, requesting the Council to keep Councillor Magid Magid as Mayor of Sheffield.

There was no speaker to the petition.

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

(Note: Whilst the number of signatures on the petition had reached the required threshold, the lead petitioner had waived the right to (a) speak to the petition and (b) have the petition debated by the Council).

The Council referred both of the petitions relating to the Lord Mayor to the Leader of the Council, Councillor Julie Dore. Councillor Dore stated that it was her understanding that there had been three petitions relating to the Lord Mayor. In addition to the two petitions submitted to this meeting, there had been an online petition which had indicated that, in the opinion of the petitioners, the Lord Mayor had acted inappropriately and not in accordance with their views. However, there had been some comments made on the

online petition which she said were totally inappropriate and of a potentially racist nature. The petition in question had subsequently been removed. Council Dore said that as she understood it, the second of the two petitions submitted to Council at this meeting had been brought to counter that earlier and subsequently withdrawn online petition.

Councillor Dore said that each Lord Mayor brought their own individual personality to the role of Lord Mayor both in terms of their perspective and priorities for their year in office. The Lord Mayor undertook both regular activities and engagements and also carried out their own additional activities.

Councillor Dore commented that she could not in recent times recall such a public and vocal debate about the role of Lord Mayor as was the case in the present Municipal Year. However, this had shown that for some, there appeared to be a lack of understanding of the role of Lord Mayor.

Councillor Dore proposed that the matter was referred to the Overview and Scrutiny Management Committee, with a request that the Committee examines how to raise the profile of the role of Lord Mayor and how to improve understanding of the role. As part of this exercise she said that it may be appropriate to examine and revisit relevant protocols which had developed over time and on a cross party basis.

The Lord Mayor had a role as first citizen of the City and to engage with people. As well as a wider understanding of the role of Lord Mayor, it was apparent that some groups and individuals were more aware of how to gain access to the Lord Mayor than others. She felt that such matters could be addressed so as to raise the profile of the role of Lord Mayor and their function as an ambassador for Sheffield acting for the benefit and in the interests of the City.

## 3.2 Public Questions

### 3.2.1 Public Question Concerning Serious Violent Crime

Saeed Brasab referred to incidents which had occurred in different parts of Sheffield and to the tragic death of Fahim Hersi, who grew up in Broomhall and accessed services at the Unity Gym and had later become a volunteer.

He asked what steps the Council intended to take in tackling the growing problem of violent crime and what new initiatives would be forthcoming and whether the Council would commit to working with community organisations and workers to address the growing community concerns relating to youth violence and knife crime.

He said that whilst the Council and Police had said that Sheffield was amongst the safest cities in the UK and, although that might be the case in some neighbourhoods, it was not so for some young people and particularly for deprived neighbourhoods like Broomhall. The successful public health approaches to knife crime elsewhere suggested that a new, holistic approach

was required and he said that surely it was the time to try new ways of working together in order to safeguard young people, families and communities.

Councillor Julie Dore, the Leader of the Council, stated that gun and knife crime was a complex and serious issue for Sheffield. According to particular indicators and measures, Sheffield was considered to be one of the safest cities. However, that did not mean that violent crime did not affect certain communities nor that it was something to which the city should not respond in a serious manner. This was something which the Council did in partnership with other organisations, including the police and others, including stakeholders, particularly because the causes of crime were complex and there were many people and organisations involved which might address the issues collectively.

Councillor Jim Steinke was the Cabinet Member appointed to the Executive and Serious Organised Crime Board and, as Leader of the Council, she met regularly with the Police Chief Superintendent for Sheffield and the Police and Crime Commissioner. Ward Councillors would also have regular contact with policing arrangements in their locality to raise issues affecting the area. She commented that one of the Council meetings during the year was dedicated to the scrutiny of a particular matter. This normally took place in January and, in the past community safety was a matter that had been considered. She would recommend to the Overview and Scrutiny Management Committee that community safety be considered by Council at the January 2019 meeting. In addition, she would ask the Leaders of other political groups on the Council, together with the Lord Mayor and Whips to consider whether, at the next meeting of full Council, it would be appropriate to include an item to address to most current and serious issues relating to serious and organised crime. This was an issue which affected people, their families and communities and serious and organised crime was becoming more prevalent in the country as a whole and especially in cities. There were strategies in this regard, which Councillor Steinke would explain further.

Councillor Jim Steinke, the Cabinet Member for Neighbourhoods and Community Safety said that in relation to the joint approach that the Council was taking with the Police, there was a knife crime strategy which had been launched as a precursor to a wider organised violent crime strategy. The Serious Organised Crime Board would also be examining particular areas, which included Broomhall and would meet with community organisations and local councillors to explain what the Police were doing as part of the multi-agency approach and Operation Fortify, which was trying to address the issue of gangs and also to look at the ways in which communities might be supported where they had suffered directly or indirectly as a result of knife crime.

With regards to the approach which was being taken, this involved the Police, the Council and other agencies such as Sheffield Futures and was based on the Glasgow model, which had sought to and had successfully addressed knife crime to a point where, in 2017, there had not been a death from knife crime in Glasgow and which demonstrated that something could be done.

Both he and Councillor Jayne Dunn, the Cabinet Member for Education and Skills on behalf of the Council were leading work with the Police in order to work with schools and, for example, pupils in Year 7 with regard to the dangers of carrying a knife. Creative use of funding was also something which might be used to help support community organisations working in this area. He also commented that discussion of the matters at a meeting of full Council would be welcome.

There was also work to progress matters with the South Yorkshire Police and Crime Commissioner and local MPs. As regards the safer city approach, there was a need to look at the issue of serious violent crime objectively and he looked forward to meeting with Saeed Brasab and the organisations in the Broomhall community soon.

### 3.2.2 Public Question Concerning Right to Roam

Nigel Slack stated that a clause in right-to-roam legislation introduced in 2000 stated that any pre-1949 paths must be recorded by 2026 to continue to carry public rights. The Countryside and Rights of Way Act contained a provision that would extinguish those rights if the paths had not been properly recorded. Old footpaths and bridleways that are not recorded on the Council's official Definitive Map of Rights of Way may cease to carry public rights.

He said that this may have particular issues for Sheffield, where there were potentially hundreds of urban alleys, gennels and cut-throughs, as well as meandering paths through some green spaces, that may not appear on the Council's official maps. He asked if there was a Council strategy to address this issue and, considering the lack of capacity within Council as a result of austerity cuts, was the Council working with any third sector organisations.

Councillor Jack Scott, the Cabinet Member for Transport and Development, stated that the 2000 Countryside Rights of Way Act represented an enduring commitment to people which enshrined a commitment to the right to roam. The Council would use the tools available under the Act to encourage the development of more public rights of way. It was however not without its controversies and the Council did receive applications from landowners to de-register permissive paths and public rights of way. He said that as Cabinet Member, he had not approved such a request and could not imagine a situation whereby a right of way would be removed. The Council did, however approve the re-routing of paths in some circumstances.

The Act had set a deadline of 2026 for historic or recorded rights of way not yet been determined by legally definitive maps. He understood that work would be completed by the 2026 deadline. In addition, rights of way could also be recognised for non-historic reasons and it was most important to get the network of rights of way right in accordance with the Council's ambition. The Council worked with partners, including the Sheffield Local Access Forum, the Ramblers Association and the British Horse Society to assess and determine any historic routes which might be added to the definitive list as part of the pathfinder project and this had resulted in some 400 additional routes being

added in recent years and there were also a significant number of other potential additions.

There was not currently an up to date plan or strategy with regard to the approach to rights of way and permissive pathways and that was something which needed to be addressed. He would be working with the Cabinet Members for Environment and Streetscene and Culture, Parks and Leisure in order to address issues relating to transport and active travel, street scene and land ownership and he believed that others would also wish to be involved in that work as well. He commented that rights of way were vital and precious and the Council would act to protect and enhance them in the future.

### 3.2.3 Public Question Concerning 'Loan Charge Law'

Nigel Slack asked what the Council's understanding was of the impact on Sheffield workers of the 'Loan Charge Law' of 2017, which he said would affect employees paid through 'Contractor Loan Schemes' created to help employers escape responsibility for National Insurance charges for those people they employed who were previously treated as contractors?

Secondly, he asked how many employees delivering public services in the City would be affected by this move of HMRC to collect on the tax avoidance by the individual employee, despite the fact that they often had no choice but to subscribe to these schemes if they wanted to take up or retain their jobs?

Thirdly, he asked if it was found that employees were delivering Council services, was there anything Council can do to help prevent them being made bankrupt and how would the Council deal with employers using the schemes to avoid National Insurance costs?

Councillor Olivia Blake, the Cabinet Member for Finance and Deputy Leader of the Council said that unfortunately, she did not have any detailed analysis that she was able to share with regards to this matter and she was not aware of any individual situations. However, she would respond to the question in writing when the information was made available to her by Council officers. She commented that it was a disgraceful situation which some people may be facing and it would be treated in an appropriate way and in view of the available data.

### 3.2.4 Public Question Concerning Broad Lane Walk-in service

Nigel Slack commented in relation to the Notice of Motion on the agenda for this meeting concerning the Broad Lane walk –in service and said that whilst agreeing with the sentiment of the Motion, he was disappointed that the opportunity had been missed to urge that the Broad Lane Walk-in service be returned to real NHS control, rather than the private company, currently delivering the service under the NHS brand.

He asked whether there was an opportunity to amend the Motion to reflect that issue and for the Council and MPs etc. to campaign to prevent public money

that should be spent on care being diverted to shareholders.

Councillor Chris Peace, the Cabinet Member for Health and Social Care, referred to the notice of motion at this meeting of Council regarding the walk-in centre. She stated that with regard to privatisation in the NHS, many contracts were let to private providers and in some cases, providers had taken action to sue the NHS when they did not get a contract. She commented that this situation was not sustainable and it was something which was also fuelled by the Health and Social Care Act 2012. She said that the extended market based approach to health care was not right and she did not wish to see a health service subject to fragmentation or privatisation. The Council would actively seek to influence the health and social care agenda anywhere it could. The Council had a strong voice and the campaign concerning the urgent care review had demonstrated that it was possible to act together and take an active part and to put forward a message.

### 3.2.5 Public Question Concerning St Paul's Tower

Nigel Slack asked whether for clarity the Council would comment on its understanding of the issues with the St Paul's Tower. He asked what was the problem, what was the cause, what remedial action was taken and was any further action either needed or expected?

Councillor Jack Scott, the Cabinet Member for Transport and Development, stated that the Council had been alerted to potentially loose cladding which a resident had heard from the 31<sup>st</sup> floor of the St Paul's loft building, which it was thought was due to windy conditions. However, nothing had fallen from the building. Following an inspection, it was decided to declare an exclusion zone on Arundel Gate to the junction with Furnival Gate, which was in place until 12.45pm. A specialist abseiling team attended the site to secure the panel and inspect the surrounding area with the cooperation of the building owner and tenants.

He apologised for the inconvenience caused to people by the closure of the road and the impact on people travelling to work and public transport. Further work would be undertaken on St Pauls Tower in the near future to check that this was not a wider issue. At this time, he understood that this related to a single pane which had become slightly loose and caused noise which a tenant had heard outside of their window. He said that further updates would be provided as necessary and he wanted to reassure people, once the further work was complete and an assessment had been done.

### 3.2.6 Public Question Concerning Social Media

Dave Dillner referred to the reputation of the Council and he asked the Leader of the Council to remind Councillors that when posting social media comments on sensitive matters, what was said did reflect poorly on the Council, despite declarations stating that what was said was a personal opinion.

Councillor Julie Dore, the Leader of the Council, said that she would be

pleased to remind Councillors that posts on social media and particularly on a sensitive and emotive matter, could and did reflect poorly on the Council.

### 3.2.7 Public Question Concerning Nether Edge Hospital

Natasha Boyd asked a question concerning the Michael Carlisle Centre, Nether Edge. She said that there were families living in the area and that there were issues with regard to road safety. The Michael Carlisle Centre was a mental health institution. She believed that the Centre was providing inadequate care to some patients. There were indications of violence against women and drugs related issues. She said that she would strongly advise the Council to look at what was happening at the Nether Edge Hospital and the health and safety concerns in the Nether Edge Ward. She said that the Council should look at this as a matter of urgency.

Councillor Chris Peace, the Cabinet Member for Health and Social Care responded that she would provide a written response to the matters that had been raised. She said that the issues that had been raised were of great concern to the Council and there was a need to know what was happening and for the Council to influence matters, although it might not have direct control of certain issues. She gave an assurance that she would look at the matters that had been raised in the question.

Councillor Peace said that it would also be helpful to meet with Natasha Boyd and to discuss matters further.

### 3.2.8 Public Question Concerning European Union

Neill Schofield made reference to polling by YouGov during the summer, which had shown that there had been movement in a number of Sheffield constituencies to people who wanted to remain in the European Union. He said that (in reference to the poll) Sheffield Brightside and Hillsborough and Sheffield Heeley were both 'remain' constituencies. He asked what the Council was doing to reflect that in its contact with MPs and with outside organisations. He asked whether it would be possible to bring forward the consideration of this item of business on the agenda for this meeting.

Councillor Julie Dore, the Leader of the Council, responded that there were a number of amendments to the notice of motion on the subject of Brexit and the position of each political party represented on the Council was set out in the motion and amendments, a copy of which could be made available to Mr Schofield. She said that she did not wish to pre-empt the debate, which would take place at this meeting. The Council would vote on the issue and arrive at an outcome. She invited people to stay and listen to the debate.

### 3.2.9 Public Question Concerning It's Our City Campaign

Kaltun Elmi asked how the changes proposed by It's Our City were likely to be funded and why that group was insisting it was not political when she said it had campaigned on behalf of six candidates in the last Local Elections.

Councillor Julie Dore, the Leader of the Council stated that she was not able to answer the question of whether the It's Our City group was political or not. However, the group had submitted a question to Council in September 2018. She commented that the It's Our City website did present the group as semi-political, but she was not certain as to whether the group considered itself political or not. There were such issues as campaigning and electioneering literature to be considered as these needed to be within permitted election expenses.

As regards the proposed changes to governance, if the Council wanted to consider changing its governance arrangements, it would require a major conversation with all stakeholders in the City. There were nearly 600,000 people in the City and consideration would need to be given as to how peoples' views might be canvassed and obtained. The Council would have to fund any change and, as part of the assessment of options around governance structures, it would have to take into account any additional costs. Moving to a committee model of governance may incur additional cost and this would need to be considered in the context of the Council's budget. Consideration would also need to be given as to whether a change of governance was a priority for the Council as set against other issues such as social care.

### 3.2.10 Public Question Concerning Selective Licensing

Kaltun Elmi asked with regard to Page Hall Selective Licensing, which was to end in 2019, whether it could be confirmed that the scheme would be extended to other streets in the area and how the ongoing problems with some properties and as regards overcrowding could be addressed. She also asked for confirmation of any other areas of the City where Selective Licensing was being considered.

Councillor Jim Steinke, the Cabinet Member for Neighbourhoods and Community Safety, responded to the questions. He referred to the problems which occurred at Fir Vale School, which had been resolved in terms of the immediate issues within the school. There were issues relating to cohesion in the area, which he, the Chief Executive and others had examined in a recent meeting in order to address the situation.

He said that it was recognised that with the Selective Licensing scheme coming to an end there were issues to address. Selective Licensing had been successful in Page Hall. However, there were clearly issues which had not been addressed and it was also important that improvements do not get lost and lessons were learnt so that things were done better in the future. There was a need to look at the potential to widen some of the benefits of Selective Licensing beyond the streets that were within the Selective Licensing schemes at present.

Councillor Steinke said that the Selective Licensing model was very prescriptive and it had to be self-funding. A change of Government policy was required and the Council was seeking to put pressure on the Government to



make policy changes. The Council had also looked at other local authorities with regard to licensing schemes which may be broader than the strict criteria of Selective Licensing.

He also said that, ideally, all private sector housing would be licensed. He made reference to the potential to use some of the Housing Revenue Account more creatively.

London Road, Abbeydale Road and Chesterfield Road were to have Selective Licensing schemes in November 2018. Landlords were currently required to register for those schemes.

Selective Licensing did seek to address a range of issues, including health and safety and fire safety, benefit fraud, overcrowding, poor quality housing, and issues relating to immigration and trafficking.

### 3.2.11 Public Question Concerning Ethical Procurement

Alan Story made reference to the ethical procurement policy which had been adopted by the Council, which required that companies with which the Council had contracts must pay tax, be tax compliant and operate transparently. He asked if this was the Council's policy, why it was not applied to the Streets Ahead Private Finance Initiative.

Councillor Olivia Blake, the Cabinet Member for Finance and Deputy Leader of the Council, said that the ethical procurement policy was a robust policy and one which was leading the way in local government procurement and commissioning. The policy covered a range of issues not only including tax avoidance and tax evasion but issues such as grave misconduct and where the Council could use discretion to exclude firms and it sought clarity in relation to supply chains, values and ethics.

The Council also wanted more public sector bodies to adopt a similar approach to ethical procurement and would have discussions with partner organisations in the City. She commented that she did not believe that the Government had gone far enough in addressing the issue at a national level.

Councillor Blake said that the policy was agreed in March 2018 and was not in place when the Streets Ahead contract was arranged and signed. Therefore the processes within the policy including the pre-qualification questionnaire and the code of conduct were not in place at that time. The ethical procurement policy was future facing and not something which could be pushed back in time. However, the ethical procurement policy did demonstrate the direction that the Council wished to take. The Council would always hold contractors to account and continue to ensure that the policy and its social values were promoted and applied in relation to future commissioning and procurement.

3.2.12 Public Question Concerning Leaving the European Union

Stephen Porter referred to research as regards the effect on business of leaving the European Union (EU) and asked what the Council could do to ensure that retail, academic, manufacturing industries were made aware and safeguarded from the negative effects of Brexit?

Councillor Julie Dore, the Leader of the Council, said that she agreed with the research which had concluded that the impact on Britain of leaving the EU would be damaging not only to industry but to people's lives. She also referred to the benefits of European legislation.

An assessment was being carried out as to the impact of Brexit on the Council and the continuity in providing Council services, including supplies and the workforce and matters which directly affected the Council. The Chamber of Commerce and Local Enterprise Partnership (LEP) were looking at work on the actual impact on industry and the sectors of industry mentioned in the question were also doing impact assessments.

The problem was that there was no certainty as to how Britain would leave the EU, if at all, which meant that it was problematic to undertake any assessment or analysis. She said that she believed that whatever deal was concluded, things would be worse than they were at present. The Council was continuing to engage with the LEP and other organisations, including the Chamber of Commerce, the Cutlers Association and Business Advisory Panel and through Creative Sheffield and Council's economic team. She hoped that collectively, the City would be as prepared as it could be.

3.2.13 Public Question Concerning Webcasting

Mr A Benson asked why Sheffield was the only Council Chamber in South Yorkshire with no facility for webcasting and similarly with facility to webcast its Scrutiny Committees.

Councillor Olivia Blake, the Cabinet Member for Finance and Deputy Leader of the Council, said that she was acutely aware that the Council did not have webcasting facilities in place at this time. The Council was currently conducting a review of how it might achieve this. A consideration was the number of potential hours to be webcast and the cost. The Council was committed to podcasting or webcasting in a cost effective way and was considering options, including in-house solutions. People would also be aware that the audio equipment in the Council Chamber also needed to be looked at.

**4. MEMBERS' QUESTIONS**

4.1 Urgent Business

4.1.1 There were no questions relating to urgent business under the provisions of Council Procedure Rule 16.6(ii).

4.2 Written Questions

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

4.3 South Yorkshire Joint Authorities

4.3.1 There were no questions relating to the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue or Pensions, under the provisions of Council Procedure Rule 16.6(i).

**5. NOTICE OF MOTION REGARDING "NHS URGENT PRIMARY CARE IN SHEFFIELD" - GIVEN BY COUNCILLOR FRANCYNE JOHNSON AND TO BE SECONDED BY COUNCILLOR PAT MIDGLEY**

5.1 It was moved by Councillor Francyne Johnson, and seconded by Councillor Pat Midgley, that this Council:-

- (a) welcomes the recent decision by the Clinical Commissioning Group (CCG) to put on hold their proposals to change urgent primary care services in Sheffield;
- (b) notes that, as such, the walk-in centre on Broad Lane and the minor injuries unit at the Royal Hallamshire Hospital will now be secured until at least March 2021 – and that any decisions on the future of these sites will not be made prior to another public consultation, expected to begin in summer 2019;
- (c) notes that the CCG's original proposals were heavily criticised and that a petition to save these services was signed by more than 10,000 people;
- (d) further notes the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee's submission detailed many concerns with the plans and concluded that "we do not feel that we have seen sufficient evidence to assure us that the proposals are in the best interests of Sheffield people";
- (e) praises the co-ordinated efforts of local MPs, councillors across the city, political activists, Sheffield Save Our NHS, Healthwatch, and all the campaign groups and individuals who responded to the consultation in opposing the CCG's original plans - and hopes that together we can reach a suitable solution for maintaining easy access to urgent health care for everyone in Sheffield;

- (f) believes that the combined campaign shows that Sheffield fights austerity at its best when working in partnership, and that this victory should be shared by all and it is wrong for any one group to try to take ownership of this issue; and
  - (g) reaffirms that this Administration is committed to reducing health inequalities and that ensuring easily accessible urgent health care for everyone in Sheffield is of paramount importance.
- 5.1.1 (NOTE: With the agreement of the Council and at the request of the mover of the Motion (Councillor Francyne Johnson), the Motion as published in the Summons was altered by the substitution, in paragraph (b), of the words "March 2021" for the words "September 2020".)
- 5.2 Whereupon, it was moved by Councillor Steve Ayris, seconded by Councillor Gail Smith, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (e) and (f) as follows, and the re-lettering of original paragraphs (e) to (g) as new paragraphs (g) to (i):-
- (e) recalls the Notice of Motion put to this Council in December 2017 calling upon the Leader of the Council to set up a group of Party Leaders on the Council to co-ordinate a campaign by the Council in opposing the closure of the Walk-In Centre on Broad Lane and the Minor Injuries Unit at the Royal Hallamshire Hospital;
  - (f) regrets that this was not taken up by the Administration at that time;
- 5.3 It was then moved by Councillor Martin Phipps, seconded by Councillor Douglas Johnson, as an amendment, that the Motion now submitted be amended by:-
1. the insertion, in paragraph (e), of the words ", students' unions" after the word "Healthwatch"; and
  2. the addition of new paragraphs (g) and (h) as follows, and the re-lettering of original paragraph (g) as a new paragraph (i):-
- (g) notes the Care Quality Commission's recent review criticising the lack of scrutiny from the single-party Sheffield Health & Wellbeing Board, and supports the intention for the membership of this Board to be reassessed;
  - (h) notes that one criticism of the CCG's consultation was the lack of any actual proposal to improve access to patients' own GPs for continuity of care, and therefore calls upon the CCG to bring forward quantitative proposals on how they intend to strengthen Primary Care in Sheffield;
- 5.4 After contributions from seven other Members, and following a right of reply from Councillor Francyne Johnson, the amendment moved by Councillor Steve Ayris was put to the vote and was negatived.

- 5.5 The amendment moved by Councillor Martin Phipps was then put to the vote and was also negated, except for part 1 of the amendment, which was carried.
- 5.6 The original Motion, as altered and as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) welcomes the recent decision by the Clinical Commissioning Group (CCG) to put on hold their proposals to change urgent primary care services in Sheffield;
- (b) notes that, as such, the walk-in centre on Broad Lane and the minor injuries unit at the Royal Hallamshire Hospital will now be secured until at least March 2021 – and that any decisions on the future of these sites will not be made prior to another public consultation, expected to begin in summer 2019;
- (c) notes that the CCG’s original proposals were heavily criticised and that a petition to save these services was signed by more than 10,000 people;
- (d) further notes the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee’s submission detailed many concerns with the plans and concluded that “we do not feel that we have seen sufficient evidence to assure us that the proposals are in the best interests of Sheffield people”;
- (e) praises the co-ordinated efforts of local MPs, councillors across the city, political activists, Sheffield Save Our NHS, Healthwatch, students’ unions, and all the campaign groups and individuals who responded to the consultation in opposing the CCG’s original plans - and hopes that together we can reach a suitable solution for maintaining easy access to urgent health care for everyone in Sheffield;
- (f) believes that the combined campaign shows that Sheffield fights austerity at its best when working in partnership, and that this victory should be shared by all and it is wrong for any one group to try to take ownership of this issue; and
- (g) reaffirms that this Administration is committed to reducing health inequalities and that ensuring easily accessible urgent health care for everyone in Sheffield is of paramount importance.

**6. NOTICE OF MOTION REGARDING "TACKLING MODERN DAY SLAVERY - COMMITTING THE COUNCIL TO THE CO-OPERATIVE PARTY'S CHARTER AGAINST MODERN SLAVERY" - GIVEN BY COUNCILLOR BEN CURRAN AND TO BE SECONDED BY COUNCILLOR ABTISAM MOHAMED**

6.1 It was moved by Councillor Ben Curran, and seconded by Councillor Abtisam Mohamed, that this Council:-

- (a) notes with immense sadness that the injustice of slavery still persists in the modern world, with an estimated 13,000 victims of slavery in the UK today – with sexual exploitation, trafficking or domestic servitude, and forced labour, just some of the horrific forms it can take;
- (b) believes that modern slavery can often operate in plain sight and that everything possible must be done to eradicate the scourge of slavery;
- (c) contends that Labour and Labour & Co-operative councils across England are leading the way with a new Charter to ensure exploitation has no place in council supply chains;
- (d) notes that the Co-operative Party's Charter against Modern Slavery goes further than existing law and guidance, committing councils to proactively vetting their own supply chain to ensure no instances of modern slavery are taking place;
- (e) welcomes the commitment from the present Administration to fully adopt the Co-operative Party's Charter against Modern Slavery;
- (f) notes that, by doing so, the Council is pledging to guarantee that modern slavery is cut from the supply chain by committing to 10 measures, including: challenging abnormally low-cost tenders to ensure they do not rely on potential contractors practising modern slavery; ensuring workers throughout the supply-line are free to join a trade union and are not treated unfairly for belonging to one; and that the Council will report publicly on the implementation of the policy every year;
- (g) contends that the Government's hostile environment on immigration since 2010 demonstrates their lack of authenticity in dealing with modern day slavery and, as such, it is even more essential that leadership in tackling this is provided by local government; and
- (h) believes that tackling modern slavery and focusing on ethical trade is essential and support is given to the Administration for ensuring high standards of ethical practice in the way the Council works through the Ethical Procurement Policy.

6.2 Whereupon, it was moved by Councillor Penny Baker, seconded by Councillor Richard Shaw, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraphs (c), (d) and (g), and the re-lettering of original paragraphs (e) and (f) as new paragraphs (c) and (d);
2. the addition of new paragraphs (e) to (k) as follows:-
  - (e) welcomes the on-going review of the Modern Slavery Act and hopes this will result in a less hostile environment that allows victims of modern slavery and human trafficking to come forward without fear of prosecution or unwelcome ramifications;
  - (f) welcomes the recent announcement that the UK government and other international governments have committed to adopting principles to tackle modern slavery in the supply line;
  - (g) notes the Liberal Democrats in Government helped to deliver the Modern Slavery Act which makes it easier to identify victims and bring traffickers to justice, and prosecutions have increased as a result;
  - (h) however, believes that many of the current Government's policies are undermining this effort to tackle it, for example they created a new offence of "illegal working", which traffickers use to keep victims in fear of prosecution if they seek help;
  - (i) commends the work achieved by Liberal Democrats in Government to deliver the Work in Freedom initiative to prevent trafficking and forced labour among women migrant workers from South Asia, which the Department for International Development continues to fund;
  - (j) believes that Brexit will massively damage the fight to end modern slavery and human trafficking, as workers will rely on their employer for visas, meaning anyone attempting to escape exploitation could face deportation, especially in regards to temporary farm workers;
  - (k) further believes that Brexit puts at risk vital cross-border institutions and co-operation that we rely on to fight modern slavery and human trafficking;
3. the re-lettering of original paragraph (h) as a new paragraph (l).

6.3 It was then moved by Councillor Douglas Johnson, seconded by Councillor Kaltum Rivers, as an amendment, that the Motion now submitted be amended by:-

1. the addition of new paragraphs (g) to (i) as follows, and the re-lettering of original paragraphs (g) and (h) as new paragraphs (j) and (k);
- (g) notes that, by doing so, the Council would also commit to imposing requirements on its contractors, with contract termination as a possible sanction for non-compliance;

- (h) looks forward to an assessment by this Administration of whether, and how, it meets each of the points in the Charter against Modern Slavery;
- (i) further, looks forward to an audit by this Administration of which of its suppliers currently comply with section 54 of the Modern Slavery Act by publishing a slavery and human trafficking statement each year;

2. the addition of new paragraphs (l) and (m) as follows:-

- (l) notes that, despite this Council, on 2nd July 2014, resolving to use powers to exclude companies with a poor track record of breaches of human rights and equality laws, its ethical procurement policy was not brought into force until 2018; and
- (m) calls on the Administration to publish a final version of the Council's own Modern Slavery Strategy.

6.4 After contributions from four other Members, and following a right of reply from Councillor Ben Curran, the amendment moved by Councillor Penny Baker was put to the vote and was negated.

6.4.1 (NOTE: Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy and Martin Phipps voted for part 3 and paragraphs (e), (f), (h), (j) and (k) of part 2 of the amendment, and abstained from voting on part 1 and paragraphs (g) and (i) of part 2 of the amendment, and asked for this to be recorded.)

6.5 The amendment moved by Councillor Douglas Johnson was then put to the vote and was also negated.

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

RESOLVED: That this Council:-

- (a) notes with immense sadness that the injustice of slavery still persists in the modern world, with an estimated 13,000 victims of slavery in the UK today – with sexual exploitation, trafficking or domestic servitude, and forced labour, just some of the horrific forms it can take;
- (b) believes that modern slavery can often operate in plain sight and that everything possible must be done to eradicate the scourge of slavery;
- (c) contends that Labour and Labour & Co-operative councils across England are leading the way with a new Charter to ensure exploitation has no place in council supply chains;
- (d) notes that the Co-operative Party's Charter against Modern Slavery goes further than existing law and guidance, committing councils to proactively vetting their own supply chain to ensure no instances of modern slavery are taking place;



- (e) welcomes the commitment from the present Administration to fully adopt the Co-operative Party's Charter against Modern Slavery;
- (f) notes that, by doing so, the Council is pledging to guarantee that modern slavery is cut from the supply chain by committing to 10 measures, including: challenging abnormally low-cost tenders to ensure they do not rely on potential contractors practising modern slavery; ensuring workers throughout the supply-line are free to join a trade union and are not treated unfairly for belonging to one; and that the Council will report publicly on the implementation of the policy every year;
- (g) contends that the Government's hostile environment on immigration since 2010 demonstrates their lack of authenticity in dealing with modern day slavery and, as such, it is even more essential that leadership in tackling this is provided by local government: and
- (h) believes that tackling modern slavery and focusing on ethical trade is essential and support is given to the Administration for ensuring high standards of ethical practice in the way the Council works through the Ethical Procurement Policy.

6.6.1 (NOTE: Councillors Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayriss, Gail Smith, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (a), (b), (d), (e), (f) and (h), and against paragraphs (c) and (g) of the Motion, and asked for this to be recorded.)

**7. NOTICE OF MOTION REGARDING "PEOPLE'S VOTE - SUPPORTING THE CALL FOR THE PEOPLE TO BE GIVEN THE FINAL SAY OVER BREXIT" - GIVEN BY COUNCILLOR JOE OTTEN AND TO BE SECONDED BY COUNCILLOR MOHAMMED MAHROOF**

7.1 It was moved by Councillor Joe Otten, and seconded by Councillor Mohammed Mahroof, that this Council:-

- (a) notes the ongoing impasse in Brexit negotiations, and the increasing risk of a "no deal" Brexit;
- (b) notes the opposition to the Chequers Plan in Parliament and among EU Heads of Government;
- (c) notes that agreement has not yet been reached on many of the issues arising from the Brexit referendum, including Government red lines, and both sides have stated that "nothing is agreed until everything is agreed";
- (d) notes that whilst the principle of a Northern Ireland backstop has been

agreed, the UK's plan to temporarily avoid a hard border on the island of Ireland has not been agreed and there is still no agreement on a long-term solution;

- (e) notes that HM Treasury has stated that a no-deal Brexit could require the UK to borrow £80 billion more by 2033, the Government have begun releasing the 84 no-deal technical notes, and the UK health sector is stockpiling medicines in case of a no-deal;
- (f) notes that the 2016 EU referendum gave no clear destination for Brexit, as the terms of any deal were not yet known, but that many options were said to be possible including staying in the Single Market (the Norway model);
- (g) notes the resolution put to the Labour Party conference calling for a People's Vote to be considered, and strong support for a People's Vote among Labour Party members;
- (h) believes that there is no deal that could be negotiated through the Article 50 process that could be more beneficial than continued membership of the EU, and that leaving the EU would therefore be damaging to the UK's fundamental national interests, and the interests of Sheffield in particular, as a university and manufacturing city in a region which has received significant investment from the European Union;
- (i) believes that the recent shifts in global affairs, including the USA withdrawing from the United Nations Human Rights Council, re-emphasise the vital importance of UK membership of the EU and the values upon which the EU was formed;
- (j) believes that promises of a stronger trading position in the world have been seen to be empty, as illustrated by the policy of Donald Trump's USA Administration relating to air travel, which seeks to take advantage of the UK's weakened position as a non-EU member;
- (k) condemns the Government's approach to Brexit negotiations, which this Council regards as disastrous, and urges MPs to work across parties in the national interest and allow the people to have the final say on the Brexit deal with the option to remain in the European Union and a chance to exit from Brexit;
- (l) supports the principle of extending the franchise to 16-17 year olds for the People's Vote and all other elections and referendums;
- (m) resolves to seek access to Government impact assessments of all Brexit options for all sectors that are significant to Sheffield, prior to any "meaningful vote" in Parliament; and
- (n) resolves to send a copy of this resolution to all Sheffield MPs and to the Prime Minister.

7.2 Whereupon, it was moved by Councillor Ben Miskell, seconded by Councillor Adam Hurst, as an amendment, that the Motion now submitted be amended by the deletion of paragraphs (g) to (k), the addition of new paragraphs (g) to (m) as follows, and the re-lettering of original paragraphs (l) to (n) as new paragraphs (n) to (p):-

- (g) accepts that the public voted to leave the EU, but believes that when people voted to 'take back control' they were not voting for fewer rights, economic chaos or to risk jobs, and welcomes efforts to hold the Government to account on this;
- (h) believes that the Conservatives should not be given a 'blank cheque' to drive through a destructive Brexit deal and notes that workers in industries across the economy, in ports, food, pharmaceuticals, manufacturing, energy, chemicals, in our public services and beyond, are worried about the impact of a hard Brexit on livelihoods and communities;
- (i) believes we need a relationship with the EU that guarantees full participation in the Single Market, but the Brexit deal being pursued by the Prime Minister, the Rt. Hon. Theresa May MP, is a threat to jobs, freedom of movement, the NHS, and peace in Northern Ireland, and that a Conservative Brexit means a future of dodgy trade deals and American-style deregulation, undermining our rights, freedoms and prosperity, and notes that Labour has set six robust tests for the final Brexit deal and believes that Parliament should vote against any deal failing to meet these tests in full;
- (j) notes the Labour Party's commitment to the Good Friday Agreement of 1998, including no hard border in Ireland, and believes that there is no satisfactory technological solution that is compliant with the Good Friday Agreement, and resolves to oppose any Brexit deal that would see the restoration of a border on the island of Ireland in any form for goods, services or people;
- (k) notes that the recent Labour Party conference passed a motion that if Parliament should vote down the Prime Minister's Brexit deal, or the talks end in no-deal, this would constitute a loss of confidence in the Government and in these circumstances, the best outcome for the country is an immediate general election;
- (l) believes that if a general election is not forthcoming, then support should be given to all options remaining on the table, including campaigning for a public vote, and contends that if the Government is confident in negotiating a deal that working people, our economy and communities will benefit from, they should not be afraid to put that deal to the public;
- (m) believes that crashing out of Europe without a deal risks being, in the words of the Rt. Hon Jeremy Corbyn MP, "a national disaster" and that

the Government and EU officials must do all they can to avoid a no-deal outcome; which would be so damaging to jobs and living standards in both the UK and EU countries;

7.3 It was then moved by Councillor Douglas Johnson, seconded by Councillor Martin Phipps, as an amendment, that the Motion now submitted be amended by the addition of a new paragraph (o) as follows:-

(o) resolves that this Council supports a People's Vote, which includes the option to remain.

7.4 It was then moved by Councillor John Booker, seconded by Councillor Jack Clarkson, 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 addition of the following words:-

(a) notes that UKIP stands for a complete and total withdrawal from the European Union, and contends that the democratic will of the people must be respected and acted upon; Brexit must mean exit;

(b) further contends that, irrespective of whatever 'Withdrawal Agreement' HM Government agrees with the EU, we must continue to fight for the UK's total independence from the EU, and to fully restore the UK's former status as an independent, self-governing, sovereign state;

(c) believes that no more money should be paid to the EU, no more EU laws should be imposed upon us, and there should be no more jurisdiction over us by the European Court and no more open-border EU immigration;

(d) contends that a clean exit from the EU must include withdrawing from the PESCO (Permanent Structure Cooperation), the EU's 'Defence Union', or nascent Army, which the Government agreed to prior to Brexit;

(e) believes that, post-Brexit, the UK will be free of the costs and impositions of the Common Agricultural Policy, and will be able to move from a system which subsidises large landowners to one that supports food producers and environmental protection, and further believes that leaving the EU will enable the UK to design a tailor-made agricultural policy, rather than a one-size fits all scheme designed to benefit continental farmers; allowing us to (i) introduce a Single Farm Payment to support British farmers; (ii) create a National Agricultural Council to ensure 'joined-up thinking' between different Government Departments for food, farming and environmental matters; (iii) re-establish the Agricultural Wages Board for England, which would protect the incomes and conditions of farm workers; and (iv) introduce legislation for food labelling to show country of origin, method of production, transport and slaughter;

- (f) also believes the UK must have total withdrawal from the EU's Common Fisheries Policy without a transition period, and that (i) post-Brexit, the UK should take control of the full 200-mile Exclusive Economic Zone (EEZ), as is our entitlement under international law; allowing us to rebuild our fishing industry, its ancillary industries, and our coastal towns, (ii) we need a complete overhaul of our fisheries systems for a fairer allocation of post-Brexit fishing opportunities, with priority given to the low-impact, small-scale fishers, (iii) there must be an end to the discard system, with no fish going to waste, and (iv) the UK Government must invest in British ports and fishing infrastructure, and amend the Maritime Shipping Act with a view to limiting the exploitation of UK fishing waters by foreign vessels; and that these changes will provide opportunities for British business and career opportunities for British citizens;
- (g) notes that Britain's trade policy has been under the control of the EU since we joined in 1973, and our businesses have been obliged to obey EU legislation, even when they do not export to the EU, and believes that leaving the EU will free Britain to pursue its own trade and commercial policies, which offer enormous opportunity for increased trade and employment; and
- (h) contends that, outside the European Union, Great Britain will be a more prosperous nation, it will gain control of its trade policy, free business from unnecessary regulation, regain control of its agricultural industry and restore its fishing industry, and that increased prosperity will mean more jobs, and more tax revenue to pay for the things we all want for the British people.

7.5 It was then moved by Councillor Colin Ross, seconded by Councillor Andrew Sangar, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (o) to (r) as follows:-

- (o) notes the closeness of the referendum result in Sheffield where 49% of residents voted to stay in the EU and the national result of 48% of the UK population voting to stay in the EU;
- (p) notes that analysis by The Centre for European Reform shows that the UK economy is already 2.5% smaller than it would have been had Remain won the referendum;
- (q) believes there should be a People's Vote on the final terms of the deal which includes an option to remain in the European Union; and
- (r) calls on the Council to actively support a People's Vote on the final deal which includes an option to remain in the European Union.

7.6 After a contribution from one other Member, and following a right of reply from Councillor Joe Otten, the amendment moved by Councillor Ben Miskell was put to the vote and was carried.

- 7.7 The amendment moved by Councillor Douglas Johnson was then put to the vote and was negated.
- 7.8 The amendment moved by Councillor John Booker was then put to the vote and was also negated.
- 7.9 The amendment moved by Councillor Colin Ross was then put to the vote and was also negated.
- 7.9.1 The votes on the amendment were ordered to be recorded and were as follows:-
- For the amendment (22) - Councillors Bob Pullin, Richard Shaw, Kaltum Rivers, Douglas Johnson, Martin Phipps Adam Hanrahan, Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, Penny Baker, Vickie Priestley and Mike Levery.
- Against the amendment (51) - The Deputy Lord Mayor (Councillor Tony Downing) and Councillors Chris Rosling-Josephs, Ian Saunders, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Jackie Drayton, Talib Hussain, Robert Murphy, Anne Murphy, Mazher Iqbal, Mary Lea, Zahira Naz, Andy Bainbridge, Moya O'Rourke, Steve Wilson, Abdul Khayum, Alan Law, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Chris Peace, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Peter Price, Garry Weatherall, Mike Chaplin, Jayne Dunn, Jack Clarkson, Francyne Johnson, Olivia Blake, Ben Curran, Neale Gibson, John Booker, Adam Hurst, Mick Rooney, Jackie Satur and Paul Wood.
- Abstained from voting on the amendment (1) - The Lord Mayor (Councillor Magid Magid).
- 7.10 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) notes the ongoing impasse in Brexit negotiations, and the increasing risk of a "no deal" Brexit;
- (b) notes the opposition to the Chequers Plan in Parliament and among EU Heads of Government;
- (c) notes that agreement has not yet been reached on many of the issues arising from the Brexit referendum, including Government red lines, and both sides have stated that "nothing is agreed until everything is agreed";
- (d) notes that whilst the principle of a Northern Ireland backstop has been agreed, the UK's plan to temporarily avoid a hard border on the island of Ireland has not been agreed and there is still no agreement on a long-term solution;
- (e) notes that HM Treasury has stated that a no-deal Brexit could require the UK to borrow £80 billion more by 2033, the Government have begun releasing the 84 no-deal technical notes, and the UK health sector is stockpiling medicines in case of a no-deal;
- (f) notes that the 2016 EU referendum gave no clear destination for Brexit, as the terms of any deal were not yet known, but that many options were said to be possible including staying in the Single Market (the Norway model);
- (g) accepts that the public voted to leave the EU, but believes that when people voted to 'take back control' they were not voting for fewer rights, economic chaos or to risk jobs, and welcomes efforts to hold the Government to account on this;
- (h) believes that the Conservatives should not be given a 'blank cheque' to drive through a destructive Brexit deal and notes that workers in industries across the economy, in ports, food, pharmaceuticals, manufacturing, energy, chemicals, in our public services and beyond, are worried about the impact of a hard Brexit on livelihoods and communities;
- (i) believes we need a relationship with the EU that guarantees full participation in the Single Market, but the Brexit deal being pursued by the Prime Minister, the Rt. Hon. Theresa May MP, is a threat to jobs, freedom of movement, the NHS, and peace in Northern Ireland, and that a Conservative Brexit means a future of dodgy trade deals and American-style deregulation, undermining our rights, freedoms and prosperity, and notes that Labour has set six robust tests for the final Brexit deal and believes that Parliament should vote against any deal failing to meet these tests in full;

- (j) notes the Labour Party's commitment to the Good Friday Agreement of 1998, including no hard border in Ireland, and believes that there is no satisfactory technological solution that is compliant with the Good Friday Agreement, and resolves to oppose any Brexit deal that would see the restoration of a border on the island of Ireland in any form for goods, services or people;
- (k) notes that the recent Labour Party conference passed a motion that if Parliament should vote down the Prime Minister's Brexit deal, or the talks end in no-deal, this would constitute a loss of confidence in the Government and in these circumstances, the best outcome for the country is an immediate general election;
- (l) believes that if a general election is not forthcoming, then support should be given to all options remaining on the table, including campaigning for a public vote, and contends that if the Government is confident in negotiating a deal that working people, our economy and communities will benefit from, they should not be afraid to put that deal to the public;
- (m) believes that crashing out of Europe without a deal risks being, in the words of the Rt. Hon Jeremy Corbyn MP, "a national disaster" and that the Government and EU officials must do all they can to avoid a no-deal outcome; which would be so damaging to jobs and living standards in both the UK and EU countries;
- (n) supports the principle of extending the franchise to 16-17 year olds for the People's Vote and all other elections and referendums;
- (o) resolves to seek access to Government impact assessments of all Brexit options for all sectors that are significant to Sheffield, prior to any "meaningful vote" in Parliament; and
- (p) resolves to send a copy of this resolution to all Sheffield MPs and to the Prime Minister.

7.10.1 (NOTE: Councillors Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (a) to (j) and (n) to (p) of the Substantive Motion, and voted against paragraphs (k) to (m) of the Substantive Motion, and asked for this to be recorded.)



**8. NOTICE OF MOTION REGARDING "UNION SAFETY REPRESENTATIVES"  
- GIVEN BY COUNCILLOR JOHN BOOKER AND TO BE SECONDED BY  
COUNCILLOR KEITH DAVIS**

8.1 It was moved by Councillor John Booker, and formally seconded by Councillor Jack Clarkson, that this Council:-

- (a) contends that councillors exist to serve their communities, and believes that one of the best ways to do this is by offering them a say in what happens on their doorstep, and that Localism puts real power in the hands of the people;
- (b) further contends (i) that the Grenfell Tower disaster sadly showed the total lack of local government run housing and relevant safety checks, (ii) notes that the TUC and its affiliated Trades Unions have a large amount of Accredited Union Health and Safety Representatives (USRs), whose primary role is accident prevention and risk assessment, in the three categories – generic, local and on-site, (iii) further notes that building safety inspections is part of what these individuals sign up for when they do their training, (iv) believes that local councils who look to outsource this work are perpetrating a great injustice on the local communities they represent and (v) further believes that the resources they need are right under their feet, and that the USRs could be transferred from their normal work on a rota basis to facilitate building safety inspections;
- (c) believes it is all about sharing responsibility for public safety, noting that council rent payers pay rent to the council, the council pays wages to its employees, and some employees live in council housing; and
- (d) (i) contends that most social housing is a direct extension of many local government employees' workplace; for many, this is at the end of a keyboard (e.g. customer accounts), for others its hands on, such as plumbing, wiring, painting and property repairs, but that, directly or indirectly, as local government employees, social housing is inevitably part of their workplace and (ii) as such, believes that safety checks should be carried out by USRs from construction stage to periodical safety checks; the purpose, to preserve life and prevent accidents.

8.2 Whereupon, it was moved by Councillor Mike Chaplin, seconded by Councillor Jim Steinke, 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 addition of the following words:-

- (a) believes that the Grenfell Tower disaster tragically demonstrated what can happen when tenants are not listened to properly and the relevant safety checks are not carried out;
- (b) notes that Sheffield City Council acted swiftly and responsibly in the wake of the disaster – ensuring that tenants were well communicated

with, reassured and that safety checks were carried out on all 24 local authority tower blocks to an even higher standard than the later government-required standards;

- (c) believes that it is of paramount importance that the Council do all that is necessary to ensure that our tenants can live in comfort, safety and in complete peace of mind, and notes that this Administration has adopted a policy of “zero tolerance to anyone operating in the city who does not share this approach”;
- (d) notes that, prior to the Grenfell disaster, health and safety checks on our tower blocks were undertaken every 6 weeks by staff working in our estates teams;
- (e) further notes that, after Grenfell, this Administration acted swiftly and proactively to carry out further tests on council-owned tower blocks, and this was in advance of the Government mandating this;
- (f) notes that a single element of cladding in Hanover failed the new test, though it met the pre-Grenfell government standards, and that as soon as this was identified, immediate action was taken to remove this cladding, and that significant work was undertaken to ensure that tenants and the tenants’ and residents’ association (TARA) were communicated with and reassured throughout this process, and that the new cladding will be installed at Hanover very shortly;
- (g) further notes that, post-Grenfell, the Administration has moved housing repairs and activity “in-house” into the Council’s Repairs Policy team, where trained staff have extensive experience of building maintenance;
- (h) further notes that these inspections are supplemented by an annual Fire Risk Assessment undertaken by trained Fire Risk Assessors who work in the Council’s Facilities Management Team;
- (i) notes that, in addition to these routine checks, sample inspections by an independent Fire Expert are carried out and that, following recent investigations, the Council identified some actions for repairs and housing, for example improving signage and removing waste materials, and that it is expected that these matters will be completed over the next few months;
- (j) contends that Sheffield City Council officers also respond to short notice audits by South Yorkshire Fire and Rescue Service (SYFRS) for council-owned tower blocks and that any concerns will be worked on together;
- (k) believes that there is no reason to doubt the robustness or validity of these health and safety checks and that, whilst the TUC and its affiliated Trades Unions have a large amount of Accredited Union Health and Safety Representatives (USRs), it is well understood that they are not qualified to do the relevant fire safety checks on these buildings,

however, the Council should ensure that Trade Unions are regularly updated; and

- (l) further contends that ensuring the continued safety of tenants is of paramount importance to this Administration and notes that the Chief Executive has set up a Fire Safety Board to respond to the Hackitt review and an action plan is being developed to ensure residents living in high rise accommodation (regardless of tenure) in Sheffield are safe.

8.3 It was then moved by Councillor Mike Levery, and formally seconded by Councillor Martin 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 addition of the following words:-

- (a) recognises the role of the Union Safety Representative as described under the Health and Safety at Work Act 1974, namely that "USRs are there to represent the interests and concerns of their co-workers in the workplace, and respond on their behalf";
- (b) notes that any inspection of a building by a USR is in the context of ensuring that co-workers are in a safe environment to enable them to carry out their duties;
- (c) recognises that safety inspections of buildings at any stage, from construction through operation to demolition, is the responsibility of the building owner, through the use of Building Inspectors who have specialist expertise in the Construction (Design and Management) Regulations 2015, well beyond the scope of workplace inspections;
- (d) commends the work of all safety representatives, who hold management to account, ensuring that everyone has a right to excellent health and safety in the workplace;
- (e) recognises the work undertaken by council officers and the fire brigade to ensure the safety of those living in, and working in, high rise properties;
- (f) notes the fatal fire at Ganrock Court, Irvine, in 1999 where the fire spread through external cladding in a 14 storey residential tower block in just 10 minutes, and, following a parliamentary enquiry, recommendations were made for cladding to meet new requirements in the Building Regulations, and that this included the fire testing of cladding and insulation as a whole system to be carried out on any high rise building;
- (g) notes that, even after 12 months, the Government have still not produced a final report on the terrible tragedy at Grenfell Tower where 76 people died and the cladding on the property has still not been banned; and

- (h) calls on the Government to strengthen the Building Regulations on insulation and cladding, including strictly specifying the requirements of fire testing, in order that the likelihood of fire spreading externally on high rise buildings is eradicated.
- 8.4 The amendment moved by Councillor Mike Chaplin was put to the vote and was carried.
- 8.5 The amendment moved by Councillor Mike Levery was put to the vote and was negated.
- 8.5.1 (NOTE: Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy and Martin Phipps, voted for the amendment on the basis that the new paragraphs be deemed to be additional paragraphs rather than be replacement paragraphs, and asked for this to be recorded.)
- 8.6 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 the Grenfell Tower disaster tragically demonstrated what can happen when tenants are not listened to properly and the relevant safety checks are not carried out;
- (b) notes that Sheffield City Council acted swiftly and responsibly in the wake of the disaster – ensuring that tenants were well communicated with, reassured and that safety checks were carried out on all 24 local authority tower blocks to an even higher standard than the later government-required standards;
- (c) believes that it is of paramount importance that the Council do all that is necessary to ensure that our tenants can live in comfort, safety and in complete peace of mind, and notes that this Administration has adopted a policy of “zero tolerance to anyone operating in the city who does not share this approach”;
- (d) notes that, prior to the Grenfell disaster, health and safety checks on our tower blocks were undertaken every 6 weeks by staff working in our estates teams;
- (e) further notes that, after Grenfell, this Administration acted swiftly and proactively to carry out further tests on council-owned tower blocks, and this was in advance of the Government mandating this;
- (f) notes that a single element of cladding in Hanover failed the new test, though it met the pre-Grenfell government standards, and that as soon as this was identified, immediate action was taken to remove this cladding, and that significant work was undertaken to ensure that

tenants and the tenants' and residents' association (TARA) were communicated with and reassured throughout this process, and that the new cladding will be installed at Hanover very shortly;

- (g) further notes that, post-Grenfell, the Administration has moved housing repairs and activity "in-house" into the Council's Repairs Policy team, where trained staff have extensive experience of building maintenance;
- (h) further notes that these inspections are supplemented by an annual Fire Risk Assessment undertaken by trained Fire Risk Assessors who work in the Council's Facilities Management Team;
- (i) notes that, in addition to these routine checks, sample inspections by an independent Fire Expert are carried out and that, following recent investigations, the Council identified some actions for repairs and housing, for example improving signage and removing waste materials, and that it is expected that these matters will be completed over the next few months;
- (j) contends that Sheffield City Council officers also respond to short notice audits by South Yorkshire Fire and Rescue Service (SYFRS) for council-owned tower blocks and that any concerns will be worked on together;
- (k) believes that there is no reason to doubt the robustness or validity of these health and safety checks and that, whilst the TUC and its affiliated Trades Unions have a large amount of Accredited Union Health and Safety Representatives (USRs), it is well understood that they are not qualified to do the relevant fire safety checks on these buildings, however, the Council should ensure that Trade Unions are regularly updated; and
- (l) further contends that ensuring the continued safety of tenants is of paramount importance to this Administration and notes that the Chief Executive has set up a Fire Safety Board to respond to the Hackitt review and an action plan is being developed to ensure residents living in high rise accommodation (regardless of tenure) in Sheffield are safe.

8.6.1 (NOTE: Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy and Martin Phipps, voted for paragraphs (a) and (l), and abstained from voting on paragraphs (b) to (k) of the Substantive Motion, and asked for this to be recorded.)

**9. CHANGES TO THE CONSTITUTION**

- 9.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Dianne Hurst, that this Council approves the changes to the following parts of the Council's Constitution, as set out in the report of the Chief Executive now submitted, and its appendices:-
- (a) Part 4 – Contracts Standing Orders; and
  - (b) Part 5 – Monitoring Officer Protocol – Appendix A (Procedure For Dealing With Complaints Regarding City, Parish And Town Councillors And Co-Opted Members).

**10. MINUTES OF PREVIOUS COUNCIL MEETING**

- 10.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Dianne Hurst, that the minutes of the meeting of the Council held on 5<sup>th</sup> September 2018, be approved as a true and accurate record.

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

- 11.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Dianne Hurst, that:-

(a) approval be given to the following changes to the memberships of Committees, Boards, etc.:-

Admissions Committee - Councillor Bob Pullin to replace Councillor Paul Scriven

(b) representatives be appointed to serve on other bodies as follows:-

Sheffield City Region Combined Authority Scrutiny Committee - Councillors Peter Rippon and Colin Ross to serve as additional substitute members of the Committee

Sheffield City Region Combined Authority Audit Committee - Councillors Ian Auckland, Andy Bainbridge, Peter Rippon and Colin Ross to serve as substitute members of the Committee

Sheffield Safer and Sustainable Communities Partnership - Councillor Penny Baker to replace Councillor Steve Ayris