

# Council

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**Wednesday 1 November 2017**

**5.00 pm**

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

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

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## COUNCIL

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**Wednesday 1 November 2017, at 5.00 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 Anne Murphy)  
THE DEPUTY LORD MAYOR (Councillor Magid Magid)

1	<i>Beauchief &amp; Greenhill Ward</i> Andy Nash Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Pauline Andrews Andy Bainbridge 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 Kieran Harpham Magid Magid	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 Moya O'Rourke	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayriss	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Craig Gamble Pugh Adam Hanrahan Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Richard Crowther Keith Davis
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; Topley 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 Zoe Sykes
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood

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John Mothersole

Chief Executive

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Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

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

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## **PUBLIC ACCESS TO THE MEETING**

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

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

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

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

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

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## **FACILITIES**

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

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

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**COUNCIL AGENDA  
1 NOVEMBER 2017**

**Order of Business**

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**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

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

**3. 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. NOTICE OF MOTION REGARDING "CHARGES TO ACCESS SERVICES IN HOSPITALS" - GIVEN BY COUNCILLOR PAULINE ANDREWS AND TO BE SECONDED BY COUNCILLOR JACK CLARKSON**

That this Council:-

- (a) expresses concern at what this Council believes to be the excessive charges being put on vulnerable patients and their families in our city's hospitals by private companies, such as Hospedia (a United States owned company), such as (i) charges for bedside television of £5 per day for the average package and £10 per day for the full package, (ii) the cost of incoming calls to patients from friends and relatives of 50p per minute, (iii) cashpoint fee of £2 and (iv) average car parking charges of £2.50 per hour;
- (b) believes it's unethical for private companies to make huge profits by preying on the patients and their families, especially at the end of life, and notes that, last year, Hospedia had a turnover of £22m in UK sales;
- (c) believes that whilst Sheffield Teaching Hospitals NHS Foundation Trust made no money from television packages, it does receive income from hospital car parking charges; and also believes that there is no evidence of money being reinvested; and, further, understands that NHS staff are also being hit with huge car parking fines, and believes that a parking space at work shouldn't be classed as a luxury, especially for staff working nights;

- (d) notes that the NHS health care service is supposedly free at the point of use, however, believes that the extra charges to access the service are far from healthy, causing additional stress to patients and their families;
- (e) believes it is not acceptable that some patients are being charged £10.00 per day to view a television, whilst inmates at HMP Lindholme Prison, Doncaster, pay just £1.00 for an entire week's worth of viewing; and
- (f) requests that the Cabinet Member for Health and Social Care writes to the Secretary of State for Health to demand an end to these excessive charges, which this Council believes are outrageous.

**5. NOTICE OF MOTION REGARDING "UNIVERSAL CREDIT" - GIVEN BY COUNCILLOR MOHAMMAD MAROOF AND TO BE SECONDED BY COUNCILLOR JIM STEINKE**

That this Council:-

- (a) believes the Government must pause and fix Universal Credit - design issues, together with the Government cuts and poor implementation, have undermined the aims of the policy which, initially, had such widespread and cross-party support;
- (b) believes it is unacceptable that at present the Department for Work and Pension (DWP) are failing to pay one in four new claims within their six week period and that the impact this is having on claimants cannot be understated, as it is driving debt, arrears and even evictions;
- (c) notes that nationally half of families in arrears under Universal Credit have said that their rent arrears started after they made their claim; with 42% of families in arrears stating that this is due to the long waiting times to receive payment, support being delayed or stopped, or administrative errors in the system;
- (d) notes the widespread concern expressed by landlords throughout the country, including this Council, that paying claimants rather than landlords direct under Universal Credit is causing hardship to many claimants;
- (e) further notes that changes to benefit payments was piloted for council homes in Sheffield, and in the piloted areas there was a 43% increase in arrears, and this was for people who were not in arrears beforehand, and that, should similar results be found when Universal Credit is rolled out completely, the Council will be faced with a huge shortfall, and this in turn will have a significant effect on the Housing Revenue Account (HRA), and the Council's ability to

build and repair council homes, and notes that the Authority has already had to make millions of pounds of provision in the HRA for loss of income;

- (f) notes that this Administration made clear its reservations about the proposed changes in payments to the Government, but that the Government has failed to take heed of our warnings, and the Administration is now working closely with people who will be affected by the roll out and will do everything it can to support tenants and make them aware of the changes;
- (g) notes the high costs of calling the Department of Work and Pensions (DWP) and their agencies over issues concerning Universal Credit, with some callers having to pay as much as 55p a minute when seeking support, believes this is outrageous, and notes that Jobcentres are telling people to use the 0345 number helpline;
- (h) notes that this situation is thankfully being resolved, with the Government now committing to making calls to the Universal Credit helpline free from November; and that this change in government policy was widely hailed as a victory for the Labour Leader, the Rt. Hon. Jeremy Corbyn MP, after he successfully challenged the Rt. Hon. Theresa May MP on the issue at last week's Prime Minister's Questions;
- (i) backs those calling on the Government to put on hold the national roll-out of Universal Credit, and notes the symbolic vote in Parliament recently where MPs backed a pause, after Conservative MPs were told to abstain, which the opposition won by 299 votes to 0; and, whilst noting that the outcome is not binding, believes the Government must "act on the clearly expressed will of Parliament", as stated by the Speaker of the House of Commons, and halt its roll out;
- (j) contends that the implementation of Universal Credit is causing havoc and notes that the Secretary of State for Work and Pensions, the Rt. Hon. David Gauke MP, is asking claimants to visit their local job centre, whilst at the very same time his Department is shutting nearly 70 job centres;
- (k) notes that Eastern Avenue Jobcentre is due to close imminently, despite the fact the service is currently receiving a spike in activity due to the failed implementation of Universal Credit, and that the DWP is yet to publish a cost benefit analysis for this decision, despite the fact they claim the decision is based solely on the need to make savings;
- (l) notes that, in answer to questions raised in Parliament by Louise Haigh MP, the Government admitted that they do not know whether

the closure of Eastern Avenue Job Centre will save any money;

- (m) reaffirms that Eastern Avenue Job Centre should be retained and backs the statement from Council Leader, Councillor Julie Dore, in June 2017 that the closure will have “a dreadful impact on how vital employment support is provided locally” and that “the initial decision has been made without a proper impact assessment and without a clear picture of how claimants will be affected, including extremely vulnerable claimants who may have disabilities or mental health problems”;
- (n) notes that Jobcentres are often not able to provide the support that is required for claimants and the Citizen’s Advice Bureau (CAB) are unlikely to be able to cope with an increased demand;
- (o) believes that the CAB play an essential role in providing support and advice to a great many people but that resources are becoming increasingly stretched; and that government cuts to local authorities, coupled with cuts to the welfare state since 2010, have created a “perfect storm” whereby advice agencies are unable to cope with demand;
- (p) believes that benefit claimants are coming under increasing pressure and that, even before the roll out of Universal Credit, the benefit freeze combined with the predicted rise in inflation could set some low-income households back £300 next year, as warned by the Joseph Roundtree Foundation (JRF);
- (q) further notes that the Resolution Foundation says loss of income due to benefit freezes would be £225 for a single parent in work, and backs the calls from the Director of the JRF that the Chancellor, the Rt. Hon. Philip Hammond MP, should use his upcoming Budget to “ease the squeeze on low and middle income families not make it worse” but that “Government policy is currently set to do the opposite, freezing the value of crucial support that 11 million families receive”; and
- (r) notes that with inflation approaching 3%, families are on course for the biggest real-terms cut in the value of their benefits for decades and calls on the Government to end what this Council believes to be their callous and ideologically driven programme of austerity which is causing such damage to so many.

**6. NOTICE OF MOTION REGARDING "HOUSING POLICY" - GIVEN BY COUNCILLOR TONY DOWNING AND TO BE SECONDED BY COUNCILLOR KIERAN HARPHAM**

That this Council:-

- (a) notes that between 1997 and 2010, the Labour Government built

two million homes, helped a million more families become home-owners, provided greater security for private renters and put in the biggest investment in social housing for a generation;

- (b) regrets that since 2010, however, home-ownership numbers have fallen, with 200,000 fewer home-owning households nationally since 2010, and many young people are now unable to make their way onto the property ladder as housing prices rise far quicker than wages;
- (c) further notes that the level of home-ownership in the UK has fallen since 2009-10 from 67.4% to 62.9% in 2015-16, the lowest rate for 30 years and, just as starkly, notes that the number of under-45s owning a home has fallen by 900,000 since 2009-10, noting the generational divide that opened as a result of Conservative-Liberal Democrat policies in Government;
- (d) highlights that nationally the number of people in the private rented sector has increased by a staggering 1.2 million households since 2010, with one in four families with children (1.6 million households) now renting privately;
- (e) believes that more and more people are renting instead of buying due to simple supply and demand economics due to seven years of failed government policies which did not do enough to provide sufficient numbers of affordable homes, noting that last year the Government built the fewest affordable homes for 24 years and Conservative-Liberal Democrat Ministers' cut government funding for affordable homes by 60% in 2010, and that, in total, the number of genuinely affordable homes for social rent started last year was fewer than 1,000, compared to 40,000 started in Labour's last year in Government;
- (f) judges that Conservative Ministers have failed to deliver one-for-one replacements for homes sold through the Right-to-buy scheme - instead only one is being built for every five sold and this is having a damaging impact on the Council's housing stock;
- (g) notes that the Government is still threatening to force councils to sell off the best of their homes to pay for the extension of the right to buy to housing associations, with independent estimates suggesting as many as 23,500 homes could be forced to be sold nationally;
- (h) contends that the Government is also badly letting down those who live in our council homes as, despite initial rhetoric to the counter, the Government have failed to provide additional funding for all of the fire safety up-grades the Council is making;
- (i) notes that in the wake of the Grenfell Fire disaster, this

Administration acted quickly and decisively in response to concerns raised and the Council will be fitting sprinklers in all 24 of its tower blocks, moving forward what was already planned by this Administration;

- (j) notes that the Authority has already spent millions on fire safety in our council homes and improvement works have been carried out over the last five years and that it had always been intended to review the policy on sprinklers later this year, but this Administration made a commitment to bring forward plans to provide extra reassurance to residents;
- (k) notes that whilst independent tests have shown that cladding in 23 council tower blocks in Sheffield are completely safe – being made from solid aluminium or brick - the remaining one, Hanover tower, is already having its cladding removed after one element of the system failed the Government's new fire safety test;
- (l) notes that Sheffield City Council has a rolling five-year programme of health and safety works to all council flats and maisonettes and, since 2010, this has focused on fire precaution works such as fire doors, filling cavities with a fire barrier product and hard-wired smoke alarms;
- (m) notes that this Administration acts decisively to ensure fire safety in Sheffield homes, but that because the Authority has proactively made arrangements, it is effectively being punished by the Government who are refusing to provide any additional funds for fire safety projects – despite the outcry as a result of the Grenfell disaster;
- (n) agrees with the words of Clive Betts, Labour MP for Sheffield South East, that the Government ought to share responsibility for ensuring that councils are able to implement the desired fire safety works, such as sprinklers as being undertaken by this Council, without it impacting on other services;
- (o) notes that under this Administration, a thousand new council homes will be created – the Administration is building council homes in the city for the first time in a generation, as well as acquiring them through acquisition, with all homes built to the National Lifetime Homes standard with potential to be adapted in the future for specific needs, the new homes have solar panels and heat recovery systems to keep running costs down, and some have been designed specifically for wheelchair users; and at the same time, this Administration is investing £300m to improve kitchens and bathrooms and help residents save money by improving insulation, heating and roofs;
- (p) notes that statistics released in April 2017 show that Labour

Councils have on average built 50% more homes than Conservative Councils since 2010, and a report by Local Housing Innovations shows that Labour Councils are not just building more homes but building better homes too;

- (q) notes that Labour's Shadow Housing Minister, the Rt. Hon. John Healey MP, has committed that a future Labour Government will take bold action to tackle the housing crisis, including investing to build 100,000 affordable council and housing association homes a year, to rent and buy, a new charter of renters' rights, and a new national plan to end rough sleeping, starting by doubling the number of affordable homes reserved for those with a history of sleeping rough; and
- (r) believes that national policies over the last seven years, since the formation of the Coalition Government, have failed millions for their housing needs and that Labour is now the only credible political party who can resolve this crisis.

**7. NOTICE OF MOTION REGARDING "LOCAL TRANSPORT SERVICES AND SCHEMES" - GIVEN BY COUNCILLOR IAN AUCKLAND AND TO BE SECONDED BY COUNCILLOR RICHARD SHAW**

That this Council :-

- (a) notes the importance to local communities of a simple, reliable, stable and affordable bus network;
- (b) is concerned about the lack of effective Member oversight at the City Region/South Yorkshire and City Council/Local Ward level of local transport services;
- (c) calls for the Administration to seek to re-establish a City Region/South Yorkshire Transport Body and for the reintroduction of a mechanism by the City Council to give oversight by Ward Members;
- (d) further notes the increasing length of the list of local transport scheme requests which must concern all members of this Council; and
- (e) by means of re-prioritisation or re-allocation of existing resources, calls for the establishment of local based funding, under the control of local Members in order to establish a funding source for Ward-led transport schemes.

**8. MEMBERS' QUESTIONS**

- 8.1 Questions relating to urgent business – Council Procedure Rule 16.6(ii).

8.2 Supplementary questions on written questions submitted at this meeting – Council Procedure Rule 16.4.

8.3 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>)

## **9. MINUTES OF PREVIOUS COUNCIL MEETING**

To receive the record of the proceedings of the meeting of the Council held on 4<sup>th</sup> October 2017 and to approve the accuracy thereof.

## **10. 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.

## **11. CHANGES TO THE CONSTITUTION**

Report of the Chief Executive outlining proposed changes to the Council's Constitution.

Chief Executive

Dated this 24 day of October 2017

**The next ordinary meeting of the Council will be held on 6 December 2017 at the Town Hall**

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

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# Agenda Item 9

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 4 October 2017, at 5.00 pm, pursuant to notice duly given and Summonses duly served.

## PRESENT

THE LORD MAYOR (Councillor Anne Murphy)  
THE DEPUTY LORD MAYOR (Councillor Magid Magid)

1	<i>Beauchief &amp; Greenhill Ward</i> Andy Nash Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Andy Bainbridge Steve Wilson	19	<i>Nether Edge &amp; Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Chris Rosling-Josephs	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park &amp; Arbourthorne</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 Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill &amp; Sharrow Vale Ward</i> Michelle Cook Kieran Harpham Magid Magid	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 Moya O'Rourke	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayriss	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Craig Gamble Pugh Adam Hanrahan Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Richard Crowther Keith Davis
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 Neale Gibson
9	<i>Dore &amp; Totley Ward</i> Joe Otten Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Zoe Sykes
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood



**1. FORMER COUNCILLOR AND MEMBER OF PARLIAMENT MR. WILLIAM MICHIE**

- 1.1 The Lord Mayor (Councillor Anne Murphy) reported with sadness, the death, on 22<sup>nd</sup> September, of former Councillor and Member of Parliament, Mr. William (Bill) Michie, who had served as a Member of the Council from 1970 to 1983 and as Member of Parliament for the Sheffield Heeley Constituency from 1983 to 2001. Members of the Council observed a minute's silence in his memory, and Councillor Peter Price spoke to pay tribute to him.
- 1.2 The Lord Mayor also reported with sadness, the death, on 28<sup>th</sup> September, of Mrs. Lillian Munn, who had served as Lady Mayoress in the Municipal Year 1976/77.

**2. RESOLUTION OF THANKS TO FORMER COUNCILLOR HELEN MIRFIN-BOUKOURIS**

- 2.1 The Lord Mayor (Councillor Anne Murphy) proposed a motion of thanks to former Councillor Helen Mirfin-Boukouris who had resigned on 4<sup>th</sup> September 2017 in order to focus on her PhD and work at the University of Sheffield's management school, after serving as a member of the Council, representing the Beighton Ward, since June 2004.
- 2.2 It was **RESOLVED:** that this Council places on record its thanks and appreciation to former Councillor Helen Mirfin-Boukouris for her hard work and service to the City of Sheffield.

**3. APOLOGIES FOR ABSENCE**

- 3.1 Apologies for absence were received from Councillors Pauline Andrews, Ben Curran, Alan Law, Colin Ross and Ian Saunders.

**4. ORDER IN WHICH NOTICES OF MOTION ARE LISTED ON THE COUNCIL AGENDA**

- 4.1 It was formally moved by Councillor Peter Rippon, and formally seconded by Councillor Michelle Cook, that approval be given, in accordance with Council Procedure Rule 10.2 (as revised on 6<sup>th</sup> September 2017), to the new formula, set out in the agenda for this meeting, for the order in which Notices of Motion shall be listed on the agenda for ordinary meetings of the Council for the remainder of the municipal year 2017/18, subject to the clarification that the formula will apply to the October and November Council meetings only, and is indicative in terms of the December, February and April meetings pending a future decision to be taken by the Council regarding changes to the operation of its meetings from December onwards.

- 4.2 Whereupon it was moved by Councillor Douglas Johnson, and formally seconded by Councillor Alison Teal, as an amendment, that the Motion be amended by the deletion of the words “as revised on 6<sup>th</sup> September 2017” as they have the effect of restricting opposition parties from submitting motions.
- 4.3 On being put to the vote, the amendment was negatived.
- 4.4 The original motion was then put to the vote and carried as follows:-

RESOLVED: That approval be given, in accordance with Council Procedure Rule 10.2 (as revised on 6<sup>th</sup> September 2017), to the new formula, set out in the agenda for this meeting, for the order in which Notices of Motion shall be listed on the agenda for ordinary meetings of the Council for the remainder of the municipal year 2017/18, subject to the clarification that the formula will apply to the October and November Council meetings only, and is indicative in terms of the December, February and April meetings pending a future decision to be taken by the Council regarding changes to the operation of its meetings from December onwards.

## **5. DECLARATIONS OF INTEREST**

- 5.1 Personal interests in Agenda Item 6 – Notice of Motion regarding “Police Cuts” (See Minute 8 below) were declared by (a) Councillor Garry Weatherall on the grounds that his son is a serving police officer and (b) Councillor Jack Clarkson on the grounds that he is a retired police officer.

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

### **6.1 Petitions**

#### **6.1.1 Petition Regarding Anti-Social Behaviour in the Firth Park Area**

The Council received a petition containing 5 signatures, regarding anti-social behaviour in the Firth Park area.

Representations on behalf of the petitioners were made by Mike Sheldon. Mr Sheldon said that he had lived in the area for 35 years and he believed that it had become one of the worst living areas in the Country. He said that the value of his property had significantly reduced because of the anti-social behaviour and problems of overcrowded housing. People did not feel that it was safe to walk in Firth Park and used taxis to travel the relatively short distance to hospital appointments. There was evidence of rubbish dumped and which included used needles.

The police were aware of the issues and had been called to deal with incidents and whilst they dealt with a particular problem at the time, it was felt that generally they had too few resources. The Council was requested to help by dealing with landlords who were not acting responsibly. He also

referred to issues relating to tampering with gas meters and concerns relating to gas safety. He said that he had received help from Councillor Mark Jones, his local ward Councillor. He asked the Council to take action with regards to the problems which he had outlined.

The Council referred the petition to Councillor Jayne Dunn, Cabinet Member for Neighbourhoods and Community Safety. Councillor Dunn acknowledged that there were a number of issues raised by the petition. She said there was a lot of work being done which it would not be appropriate for her to talk about at this meeting. With regards to the gas meters, she said that she was to meet with the relevant government agency and this was something which she had attempted to do for the past four months. Community policing was being re-established so that basic policing work could take place.

She said that she would like to arrange a meeting with Mr Sheldon and other residents with regards to all of the issues which had been the subject of the petition. The Council did prosecute landlords providing there was evidence and it also required the Courts to support such action. She hoped that the Council could be given more powers and financial resources in relation to enforcement in respect of landlords. She said that during the summer, there had been a significant amount of work carried out in connection with the problems described in the petition and she hoped that big changes would be seen as a result.

#### 6.1.2 Petition Requesting the Replacement of the Barriers at Victoria Quayside

The Council received an electronic petition containing 1011 signatures, requesting the replacement of the barriers at Victoria Quayside.

Representations on behalf of the petitioners were made by Hannah Padmore who made reference to the tragic loss of life of two young men at that location. She said that the precautions should be taken to make the area safer and that improvements were needed to the existing barriers at the Quayside

The Council referred the petition to Councillor Jayne Dunn, Cabinet Member for Neighbourhoods and Community Safety. Councillor Dunn said that she wished to extend sympathies to the family and friends of the two young people that had lost their lives. The area of the Victoria Quayside was private land and she would write to the landowner with regards to the points made in the petition. She said that the petitioners had the Council's full support.

#### 6.1.3 Petition Requesting the Immediate Cessation to the Felling of Healthy Street Trees and the Suspension of the Streets Ahead Contract with Amey on Health and Safety Grounds

The Council received a petition containing 11 signatures, requesting an immediate cessation to the felling of healthy street trees and the suspension the Streets Ahead contract with Amey on health and safety grounds.

Representations on behalf of the petitioners were made by Richard Davis. Mr Davis stated that the petitioners were requesting the Council to immediately suspend and either renegotiate or terminate the Private Finance Initiative contract with Amey. This had been the subject of an earlier petition in July 2017 and this petition was brought on the grounds of new evidence having been made available.

He said Amey had not disclosed a criminal conviction to the City Council as part of a pre-qualification process for the Streets Ahead contract and he believed that there would have been a breach of the Council's process for the submission of information as part of the bid process agreement.

He also referred to the issue of two Notices of contravention to Amey and Acorn Environmental by the Health and Safety Executive (HSE) for breaches of health and safety law in relation to which the HSE would work to intervene.

The Council referred the petition to Councillor Bryan Lodge, Cabinet Member for Environment and Streetscene. Councillor Lodge requested that the details were put in writing to him as the petition had raised several issues and he would make sure that a written response was made in response to the petition.

He said that he received an email from Mr Davis and said he could comment on the policy position but not with regard to detailed legal matters and he had suggested that Mr Davis put his concerns in writing. He was aware that similar allegations had been made at the injunction hearing in Court and that this had also been raised in the petition to Council in July.

#### 6.1.4 Petition Requesting the Installation of CCTV on East Bank Road

The Council received an electronic petition containing 11 signatures, requesting the installation of CCTV on East Bank Road. There was no speaker to the petition.

The Council referred the petition to Councillor Jayne Dunn, Cabinet Member for Neighbourhoods and Community Safety.

## 6.2 Public Questions

### 6.2.1 Public Question Concerning Devolution

Nigel Slack asked whether, since the failure of the devolution deal on the 18 September there had since been any discussions between the South Yorkshire Councils about the future of the Sheffield City Region Combined Authority; what discussions had taken place between the government and Sheffield City Region Combined Authority over holding and paying for the mayoral election; and were any conversations planned between any of the

parties involved to try and bring this issue to a more stable and rational conclusion?

Councillor Julie Dore, the Leader of the Council, responded to the question. She said that, yes [there had been discussions between the South Yorkshire Councils about the future of the Sheffield City Region Combined Authority]. Yes, there was ongoing discussion [between the government and the Combined Authority]; and yes, there had been and were ongoing conversations [between the parties involved to try and bring this issue to a more stable and rational conclusion].

#### 6.2.2 Public Question Concerning Carillion

Nigel Slack said that there had been reports in media business pages which indicated that the construction conglomerate Carillion had recently won part of a Framework agreement with Sheffield City Council. He asked the following questions:

1. Was this contract subject to Council scrutiny and if so when?
2. What are the 7 'lots' that this contract covers?
3. Mr Slack made reference to financial problems relating to the company and the possible sale of the company and asked whether this company was still a fit and proper contractor for this agreement?
4. Has the Cabinet Member for Environment and Streetscene been, in any way, involved with this contract and do any of the 'lots' fall under that Portfolio?
5. As an employee of Carillion will the Cabinet Member not be subject to potential conflicts of interest?

Councillor Bryan Lodge stated that his employment related to the Northern Rail contract and specifically the delay repay service. He was not part of the other functions and contracts side of the company, Carillion. His employment was not connected to the decision making with regard to the contracts part of Carillion nor the contract to which Mr Slack had referred. There was not a conflict of interest relating to his employment and Cabinet portfolio.

He commented that Councillors came on to the Council and public life to do the right thing and it was unfortunate that sometimes people implied that those in public life were in it only for themselves.

#### 6.2.3 Public Question Concerning Fracking

Nigel Slack stated that a company with an Ecclesfield site, FCC, had been given permission to treat Fracking waste within the city boundary. He said that the waste materials could include a broad range of poisonous compounds, including radioactive material. He said that the Council had

previously stated its opposition to Fracking on Council land.

Mr Slack asked the following questions:

1. Was the Council consulted on this permission by the Environment Agency, Ineos or FCC?
2. With the likely increase in heavy traffic to this site, can Council take any steps to mitigate the impact for the residents of Ecclesfield?
3. The site is within 100m of Blackburn Brook, what can Council do to demand extra safeguards for that watercourse?
4. This site is at high risk of surface water flooding and medium risk of river flooding, will Council consider challenging this permission on this basis, in view of the devastation that even a minor spill would cause if Fracking waste were to enter the watercourse?
5. Who owns the Atlas Business Park, where this site is located?
6. Does FCC have any contracts with the Council or its outsourced contractors?

Councillor Jack Scott, the Cabinet Member for Transport and Sustainability responded to the questions. He said the Sheffield City Council was one of the first councils to express a view with regards to Fracking. He commented that, even if the process could be made 'safe' it would still create a carbon based fossil fuel.

Councillor Scott said that he would write to Mr Slack setting out the Council's position on this matter.

#### 6.2.4 Public Question Concerning Streets Ahead

Nigel Slack said that on 26 September he had sent an email to the Leader of the Council, the Cabinet Member for Environment and Streetscene and the Chief Executive with concerns over an email sent out by a Director to two members of the Sheffield Tree Action Groups (STAG). His concern centred around decision making powers over what was and was not a breach of the recent injunction and the assertion that a failure to condemn actions by other people was in itself a breach of the same injunction.

He said he had asked two questions as follows, to which he had yet to receive a response:

On what statement by the Judge or other legal precedence does the Director base their decision and does the 'legal department' agree with this position?

Can you [the recipients of Mr Slack's email] confirm whether you were aware of or had approved this email before it went out and whether the threats and the deadline are still to be carried through?

Councillor Bryan Lodge, the Cabinet Member for Environment and Streetscene responded that the officers were acting within the guidelines with regard to the injunction. He said that he believed that the Director's email to which Mr Slack referred was clear and the Council had explained the meaning of the injunction and was asking the joint Chairs of STAG to advise people that there was an injunction in place and not to breach the injunction.

#### 6.2.5 Public Question Concerning Myanmar

Shahid Ali referred to the petition which had been submitted to the meeting of Council in September 2017 concerning events in Myanmar and requesting that the Freedom of the City granted to Aung San Suu Kyi be withdrawn. He asked what had been done to progress this matter.

In response, Councillor Julie Dore, the Leader of the Council, said that since the last meeting of Council, a cross party group had discussed whether the Council would wish to withdraw the Honorary Freedom of the City granted to Aung San Suu Kyi and was in the process of bringing the matter back to a meeting of Council, which it was expected would be at the next meeting, in November.

#### 6.2.6 Public Question Concerning Adverse Childhood Experiences

Gareth Slater referred to a motion regarding the impact of Adverse Childhood Experiences (ACEs) on the life prospects of children.

He said that he was a volunteer for a group currently producing the Sheffield Mental Health guide and was looking to help people live with the aftermath of ACEs. He said that he had an ACE score of 7, and even 28 years later had to explain to a new boss what that meant and the impact of the illness caused by it. It was therefore important to ensure more voices of survivors were heard and there are a number of issues holding back survivors coming forward and reducing the fear of reprisal would help children come forward.

He referred to the problems children encountered in dealing with adult situations which they might not understand and the ease with which they might be manipulated by adults.

He asked whether the Council supported "Sammy's Law" raised by Sammy Woodhouse who survived abuse in Rotherham, that any crimes committed under the influence of abuse would not be counted against the individual.

Councillor Jackie Drayton, the Cabinet Member for Children, Young People and Families responded and thanked Mr Slater for sharing his experiences. She said that the Annual report of the Director of Public Health, which had been submitted to Cabinet in September, included a chapter concerning Adverse Childhood Experiences and there was a recommendation and priorities for action in the report. The recommendation concerned a request for further research into the long term return on investment of tackling

Adverse Childhood Experiences. It was also important to continue to support adults who had experiences in the past and which led to continuing issues in adulthood.

Councillor Drayton said that she would write to Mr Slater and provide a link to the Director of Public Health Report.

#### 6.2.7 Public Question Concerning Standards in Public Life

Justin Buxton asked a question concerning adherence to the seven principles of public life by Members and Council Officers and as to the potential sanctions if these principles were not followed.

Councillor Julie Dore, the Leader of the Council, stated that there were policies and procedures in place with regard to a Members' Code of Conduct and councillors were aware of these when they made a declaration of acceptance of office. For councillors, there was a standards process which dealt with complaints and an Independent Person was appointed as part of the process of considering matters relating to complaints and the behaviour of councillors.

There was a similar process for officers in terms of employee conduct. There was a procedure to ensure that complaints were properly considered and investigated. Appropriate and relevant action was taken depending upon the nature of the complaint and the outcome of the process.

Councillor Dore said that, where someone believed there to have been a breach of the relevant code of conduct, the issue should be taken through the appropriate complaints procedure.

#### 6.2.8 Public Question Concerning Actions of Council Officers

Justin Buxton asked, if a Council Officer wrote to a citizen, claiming that they had been made aware that a law had been broken and had failed to provide evidence of the allegation, would it be acceptable or be considered as harassment and an abuse of power?

Councillor Julie Dore, the Leader of the Council responded that, if an officer responded to a query which stated that someone was believed to have behaved in a certain manner, then she would expect that assertion to be based on evidence. She said that if Mr Buxton was aware of an issue or particular case, he should write to her and she would follow up the matter.

#### 6.2.9 Public Question Concerning Awards

R Johnson asked if the Leader of the Council and Cabinet Member for Environment and Streetscene would join him in congratulating Councillors Alison Teal and Magid Magid for being nominated for the Local Government Information Unit (LGIU) Awards for 'Community Champion' and 'Young Councillor of the Year' respectively.

Councillor Julie Dore, the Leader of the Council, responded that she believed that any councillor that was recognised for their work for the City, citizens or society in general should be congratulated. Sometimes the job of a local councillor was difficult and their efforts were not always recognised and she would therefore congratulate all of them.

Councillor Bryan Lodge, the Cabinet Member for Environment and Streetscene said that he agreed with the comments made by the Leader of the Council. He said that councillors all did what they thought was best for the City and gave time and commitment and he would applaud people for putting themselves forward as local councillors.

#### 6.2.10 Public Question Concerning Member Conduct

R Johnson commented on what he said was the brusque treatment of members of the public at the last meeting of full Council and a style of chairing which he said that he believed was likely to deter citizens from participating. He invited the Lord Mayor to respond.

On the advice of the Chief Executive, the question was noted.

#### 6.2.11 Public Questions Concerning Streets Ahead

Dave Dillner asked why engineering solutions specified by the Head of Highway Maintenance at the second Tree Advisory Forum and Barrister Richard Honey in his answer to Mr Justice Gilbert were not being used on Kenwood Road on the tree at the main entrance to the Kenwood Hall Hotel.

Helen McIlroy asked how many kilometres or miles of pavement and carriageway were still awaiting resurfacing work on roads with no trees. She asked why there was a delay in completing the works.

Justin Buxton asked whether the five year tree management strategy also formed an integral part of the Streets Ahead contract and, if so, which criteria applied to the contract. He asked whether in those cases where the Council accepted the advice of the Independent Tree Panel, the trees concerned were removed from the contract and was the Council liable for future pruning of the tree and routine maintenance?

Shelley Cockayne referred to comments by the Cabinet Member for Environment and Streetscene to the effect that the Council would not wish to take legal action. She commented that she believed that this appeared to be disingenuous in the light of the fact that the media was aware that the Council did not have to take legal action. She asked whether there was concern as to how this matter reflected on the relevant political party.

Secondly, Shelley Cockayne asked whether there were controls on councillors to prevent them speaking out in relation to street trees. Thirdly, she asked a question with regard to an invitation to participate in mediation

and finding a way forward on issues relating to street trees and with regard to participation in consultation.

Declan Walsh stated that as a resident, he had noticed that resurfacing work had been halted in the past few weeks and he asked why this was so.

Councillor Bryan Lodge, the Cabinet Member for Environment and Streetscene, responded to the questions. He said that the Independent Tree Panel letter on the Council's website agreed with the decision to remove and replace the tree referred to on Kenwood Road. He said that none of the 14 engineering solutions were considered appropriate in that case. The Kerb was absent and there was a buttress root in the road.

Councillor Lodge said that he would provide written responses to the questions asked by Helen McIlroy and Justin Buxton.

With regards to the question asked by Shelley Cockayne, Councillor Lodge said that the Council did not wish to see people going through legal action in the courts and it supported people's right to peaceful protest. However, the Council could not support action which would prevent work from going ahead. Nonetheless, individuals would come to a decision as to their own actions. He said that the Council was the highways authority and it also had to take account of delays to the programme of work. If people were continuing to trespass in safety zones there was a process in place to respond to such action.

Councillor Lodge said that there were differences of opinion in relation to issues within the political group which formed the Administration of the Council. Nevertheless, the Council policy regarding the Streets Ahead programme had the backing of that political group.

He said that he would be pleased to arrange a further meeting with representatives of the Sheffield Tree Action Groups and this could be done through the Leader of the Council's office.

Councillor Lodge said that with regard to the progress of the resurfacing works to the highway, the relaying of the highway had been carried out by Aggregate Industries and there had been a pause in work. Tarmac was now continuing that carriageway resurfacing work. Updates would be provided to people when works were to take place in their area. Work was ongoing and would be accelerated to put in place replacement lighting, resurfacing etc so as to deliver what was right for the City.

Councillor Julie Dore, the Leader of the Council, added that she had never refused to meet with representatives of the Sheffield Tree Action Groups and would be pleased to meet with them.

**7. NOTICE OF MOTION REGARDING "SOUTH YORKSHIRE DEVOLUTION DEAL" - GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED AND TO BE**

**SECONDED BY COUNCILLOR MARTIN SMITH**

7.1 It was moved by Councillor Shaffaq Mohammed, and seconded by Councillor Martin Smith, that this Council:-

- (a) notes that a strong successful economy is vital for future opportunities in business for entrepreneurs and the people of Sheffield, with adult skills and transport schemes so needed at its core;
- (b) believes the Sheffield City Region Devolution Deal is a stepping stone to supporting a more locally driven economic policy;
- (c) is concerned that the recent breakdown in trust within South Yorkshire potentially puts at risk jobs and future investment in our local area;
- (d) notes with disappointment that other devolution deals started after the Sheffield City Region deal, like Tees Valley (October 2015) and West England (March 2016), are much more advanced than the Sheffield City Region deal;
- (e) notes that despite a number of years working on the deal there is still no agreement on funding for the HS2 Station remodelling and Supertram replacements;
- (f) notes that the Devolution deal also had figures of up to £5m per annum for running the new devolved Authority out of the £30m per annum deal;
- (g) is concerned that we could end up electing a regional Mayor with very limited powers at a cost of up to £1m;
- (h) suggests that to keep the prized devolution deal on the table, local politicians and Sheffield City Council now needs to focus on how to go forward and not blame other Councils for the impasse that we find ourselves in;
- (i) requests the Administration to work together with South Yorkshire partners to find a way forward for the Sheffield deal that accommodates all South Yorkshire partners; and
- (j) requests that the Leader of Sheffield City Council reports back every quarter to full Council on the progress made regarding the developments in keeping the South Yorkshire Devolution deal on the table.

7.2 Whereupon, it was moved by Councillor Robert Murphy, and seconded by the Deputy Lord Mayor (Councillor Magid Magid), as an amendment, that the Motion now submitted be amended by:-

- 1. the deletion of paragraphs (b), (d), (e), (h), (i) and (j) and the

relettering of paragraphs (c), (f) and (g) as new paragraphs (b) to (d); and

2. the addition of a new paragraphs (e) to (l) as follows:-

- (e) notes the results of the 2012 referendum where Sheffield people voted overwhelmingly against an elected mayor for Sheffield;
- (f) notes the decision of the Special Council meeting of Friday 18th March 2016, supported by the Administration and the main opposition group, to endorse the proposed Sheffield City Region Devolution Agreement and delegating authority to the Chief Executive to conclude the agreement;
- (g) notes that despite admitting that 'the City Region consultation was also imperfect' the proposal was voted through;
- (h) notes that after judicial review the High Court found the Sheffield City Region consultation on whether to include the Chesterfield area was unlawful;
- (i) notes the failure of the Sheffield City Region devolution deal after the withdrawal of all but two members of the City Region and believes that this failure has been caused by poor leadership across the region;
- (j) believes this Council should stop following this Government's agenda on devolution and listen instead to the views of the people of Sheffield;
- (k) believes Sheffield should join the 'Coalition of the Willing' 17 of the 20 Yorkshire Councils and pursue closer links and devolution for Yorkshire; and
- (l) believes that a final decision on devolution for Yorkshire should not be made without a Yorkshire-wide referendum.

7.3 It was then moved by Councillor Terry Fox, and seconded by Councillor Jack Scott, 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 since 2010 investment in regional economic growth has been decimated under both the Conservative/Liberal Democrat Coalition and Conservative Government;
- (b) believes that it is important that all Elected Members do everything possible to secure investment in Sheffield and that the South Yorkshire Devolution Deal was the responsible thing to do, to bring investment into the region, as has been seen in Greater Manchester, Merseyside, West Midlands and Tees Valley;

- (c) notes the recent decision of McLaren and Boeing to come to South Yorkshire and believes this further demonstrates the importance of the devolution deal as an additional source of resources and investment;
- (d) believes that this demonstrates that despite all the difficulties that have occurred, the Combined Authority has made a difference and working together across South Yorkshire it has supported the development of the region's economy with every part of the region receiving additional investment;
- (e) reaffirms the benefit of the South Yorkshire Deal being an economic deal and not one that takes over public services and implementing the Government's austerity agenda;
- (f) notes that, following the recent Combined Authority meeting, consultation will not now take place on the new powers secured as part of the deal, and although Sheffield and Rotherham both supported proceeding with the consultation, accepts that all local authorities have the right to make their own democratic decisions;
- (g) notes the letter from the Secretary of State for Communities and Local Government, the Rt. Hon. Sajid Javid MP, to the 'Coalition of the Willing', stating that he will not consider any proposals for a further devolution deal involving South Yorkshire Councils, and has confirmed that the scheduled 2018 mayoral election, signed off by all constituent members of Sheffield City Region Combined Authority, will go ahead;
- (h) notes that arrangements for regional economic development have changed significantly over recent years, noting that in only seven years since 2010 we have had Regional Development Agencies, then Local Enterprise Partnerships, then Combined Authorities and now Mayoral Combined Authorities;
- (i) therefore believes there is no reason why the South Yorkshire Deal would prohibit South Yorkshire authorities benefiting from further opportunities that come forward in the future and for example, supports the proposals outlined by the Labour Party to transform industrial policy through setting up a national investment bank and regional development banks, to help unlock £250 billion of investment and lending to address funding gaps in the private sector, revive local economies and incentivise economic activity;
- (j) believes therefore that whilst doing a South Yorkshire Deal does not prohibit Sheffield and South Yorkshire benefitting should a better opportunity come along in the future, it is, however, abundantly clear that there is no current prospect of a Yorkshire Deal to be implemented at the same pace as the South Yorkshire deal;

- (k) notes that this has been confirmed by the Secretary of State and that some of the 'coalition of the willing' are actually walking away from, instead of coming towards, a 'One Yorkshire' deal and that, in addition, there is no evidence that such a deal would be better for Sheffield and South Yorkshire than the current deal; and
- (l) therefore believes that the prospect of a better deal down the road, which has not come forward to date, should not prevent us from accessing investment now and will continue to do everything possible to secure the investment on the South Yorkshire footprint as a mayor will be elected in May, and will continue to work with other South Yorkshire authorities and the Government to attempt to take this forward.

7.4 Following debate on the matter under consideration, and a right of reply from Councillor Shaffaq Mohammed, the amendment moved by Councillor Robert Murphy was put to the vote and negatived.

7.4.1 The votes on the amendment were ordered to be recorded and were as follows:-

For the amendment (6) - Councillors Douglas Johnson, Robert Murphy, Alison Teal, Jack Clarkson, Keith Davis and John Booker.

Against the amendment (68) - Councillors Andy Nash, Bob Pullin, Richard Shaw, Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Moya O'Rourke, Craig Gamble Pugh, Adam Hanrahan, Mazher Iqbal, Zahira Naz, Joe Otten, Martin Smith, Andy Bainbridge, Steve Wilson, Roger Davison, Shaffaq Mohammed, Paul Scriven, Abdul Khayum, Abtisam Mohamed, Sue Alston, Andrew Sangar, Cliff Woodcraft, Lewis Dagnall, Cate McDonald, Chris Peace, Ian Auckland, Sue Auckland, Steve Ayriss, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, Terry Fox, Pat Midgley, David Barker, Tony Downing, Gail Smith, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, David Baker, Penny Baker, Vickie Priestley, Richard Crowther, Olivia Blake, Neale

Gibson, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Abstained from voting on the amendment (1) - The Lord Mayor (Councillor Anne Murphy)

7.5 The amendment moved by Councillor Terry Fox was then put to the vote and was carried.

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

RESOLVED: That this Council:-

- (a) notes that since 2010 investment in regional economic growth has been decimated under both the Conservative/Liberal Democrat Coalition and Conservative Government;
- (b) believes that it is important that all Elected Members do everything possible to secure investment in Sheffield and that the South Yorkshire Devolution Deal was the responsible thing to do, to bring investment into the region, as has been seen in Greater Manchester, Merseyside, West Midlands and Tees Valley;
- (c) notes the recent decision of McLaren and Boeing to come to South Yorkshire and believes this further demonstrates the importance of the devolution deal as an additional source of resources and investment;
- (d) believes that this demonstrates that despite all the difficulties that have occurred, the Combined Authority has made a difference and working together across South Yorkshire it has supported the development of the region's economy with every part of the region receiving additional investment;
- (e) reaffirms the benefit of the South Yorkshire Deal being an economic deal and not one that takes over public services and implementing the Government's austerity agenda;
- (f) notes that, following the recent Combined Authority meeting, consultation will not now take place on the new powers secured as part of the deal, and although Sheffield and Rotherham both supported proceeding with the consultation, accepts that all local authorities have the right to make their own democratic decisions;
- (g) notes the letter from the Secretary of State for Communities and Local Government, the Rt. Hon. Sajid Javid MP, to the 'Coalition of the Willing', stating that he will not consider any proposals for a further devolution deal involving South Yorkshire Councils, and has

- confirmed that the scheduled 2018 mayoral election, signed off by all constituent members of Sheffield City Region Combined Authority, will go ahead;
- (h) notes that arrangements for regional economic development have changed significantly over recent years, noting that in only seven years since 2010 we have had Regional Development Agencies, then Local Enterprise Partnerships, then Combined Authorities and now Mayoral Combined Authorities;
  - (i) therefore believes there is no reason why the South Yorkshire Deal would prohibit South Yorkshire authorities benefiting from further opportunities that come forward in the future and for example, supports the proposals outlined by the Labour Party to transform industrial policy through setting up a national investment bank and regional development banks, to help unlock £250 billion of investment and lending to address funding gaps in the private sector, revive local economies and incentivise economic activity;
  - (j) believes therefore that whilst doing a South Yorkshire Deal does not prohibit Sheffield and South Yorkshire benefitting should a better opportunity come along in the future, it is, however, abundantly clear that there is no current prospect of a Yorkshire Deal to be implemented at the same pace as the South Yorkshire deal;
  - (k) notes that this has been confirmed by the Secretary of State and that some of the 'coalition of the willing' are actually walking away from, instead of coming towards, a 'One Yorkshire' deal and that, in addition, there is no evidence that such a deal would be better for Sheffield and South Yorkshire than the current deal; and
  - (l) therefore believes that the prospect of a better deal down the road, which has not come forward to date, should not prevent us from accessing investment now and will continue to do everything possible to secure the investment on the South Yorkshire footprint as a mayor will be elected in May, and will continue to work with other South Yorkshire authorities and the Government to attempt to take this forward.

7.6.1 (NOTE: Councillors Andy Nash, Bob Pullin, Richard Shaw, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker and Vickie Priestley voted for paragraphs (b) to (h) and (j) and (k) of the Substantive Motion, voted against paragraphs (a) and (i) of the Motion, and abstained from voting on paragraph (l) of the Motion, and asked for this to be recorded.)

**8. NOTICE OF MOTION REGARDING "POLICE CUTS" - GIVEN BY COUNCILLOR BEN MISKELL AND TO BE SECONDED BY COUNCILLOR JAYNE DUNN**

8.1 It was moved by Councillor Ben Miskell, and seconded by Councillor Jayne Dunn, that this Council:-

- (a) notes the increasing pressures facing South Yorkshire Police (SYP) highlighted by recent information obtained by Louise Haigh MP which revealed SYP received 851,401 calls last year and already this year, as of September 2017, the Force has received 510,147 calls; overall since 2010 the number of calls in both emergency and non-emergency cases to police have increased year on year;
- (b) notes that official figures show that since 2010, and the forming of the Conservative-Liberal Democrat coalition government, SYP have 458 fewer police officers, with 2,974 employed in 2010 compared to 2,516 today, despite the fact that the Force now deals with an average of 53,359 non-emergency calls a month, up from 30,694 in 2010;
- (c) supports the warnings of the Labour Party that, nationally, police forces are reaching a breaking point, and completely condemns the Liberal Democrats for their complicity, whilst part of the Coalition Government, in the wide ranging cuts experienced by forces up and down the country and here in Sheffield;
- (d) believes that the Government should rethink their strategy for policing and adopt Labour's 2017 manifesto commitment; pledging to put 10,000 additional police on to the streets of England and Wales, to be paid for by reversing planned cuts to capital gains tax;
- (e) highlights that the seven year pay cap for police officers has seen morale collapse and that officers are £6,000 per year worse off in real terms, with wages failing to keep pace with inflation, and believes that lifting the pay cap will help to reward officers fairly, increase morale and officer retention rates and, ultimately, lead to a better standard of policing throughout the country;
- (f) derides the meagre one-off 1% lump sum pay rise being given by the Rt. Hon. Theresa May, MP's government to the police for the next year; noting that this one-off rise makes police pay still far below inflation which stands at 2.9% and is well short of the 5% pay increase being asked for by unions to help mitigate the extensive period of real term pay cuts already undertaken;
- (g) supports unions and others who have called the Government's offer 'pathetic' and believes that it is a damning indictment of the Conservative Party that they make tax cuts for the very richest whilst failing to give public servants a fair pay;

- (h) believes that in such austere times it is vitally important that police forces seek new innovations and praise should be given to SYP, The Sheffield Community Safety Partnership and the other SY community partnerships, for funding a new off-road Bike Unit to tackle the issue of off road biking in Sheffield;
- (i) notes that whilst the Council has no direct powers over policing, Councillors within the Administration have been working with local communities to forward their concerns, and that off road biking has been a prominent issue of late and that improved police efforts to deal with this blight are greatly welcome;
- (j) welcomes the SYP's new neighbourhood policing model, with its key emphasis on tackling crime and antisocial behaviour, and focus on problem solving and crime prevention through enhancing local intelligence gathering; it is hoped that police officers will work collaboratively with partner agencies to provide a bespoke service that best meets the needs of each community, with an increased focus on utilising early partnership based intervention;
- (k) believes that SYP's new neighbourhood policing model could be a big step forward for local policing but that, without proper government funding, policing in South Yorkshire will remain stretched; and
- (l) gives assurances that Councillors will continue to work closely in the communities they serve to make sure the police are responding appropriately and sufficiently to local issues.

8.2 Whereupon, it was moved by Councillor Joe Otten, and seconded by Councillor Ian Auckland, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraphs (a) to (k) and the re-lettering of paragraph (l) as a new paragraph (j); and
2. the addition of new paragraphs (a) to (i) as follows:-
  - (a) commends the officers of the South Yorkshire Police for their service on the front line of the fight against crime and terrorism, often placing themselves in harm's way to protect us;
  - (b) recognises the challenges caused by ongoing budgetary and pay restraint, believes this has gone too far, and fears that unless Brexit is prevented, never mind a hard or a 'no deal' Brexit, there will be yet less money available to the Treasury for public services, including police, in the future; nonetheless welcomes Liberal Democrat proposals for £300m extra police funding, meaning £6,810,000 extra for South Yorkshire;
  - (c) notes that 999 calls to South Yorkshire Police fell in 2012 and 2013

on the previous years, and did not exceed 2011 levels until 2016;

- (d) notes that non-emergency calls to South Yorkshire Police fell in 2012 and 2016 on the previous year, but showed a substantial discontinuous increase in 2014 for reasons that are not entirely clear, but in a manner suggestive of an operational or recording change or a change in public awareness of the service;
- (e) notes that South Yorkshire Police also faces cost pressures from a number of legacy issues including Hillsborough and CSE, and that Police and Crime Commissioner Billings spent over £500,000 in legal fees and other expenses on a failed attempt to dismiss Chief Constable David Crompton, a decision described by the High Court as “irrational, perverse, unreasonable, misconceived and wholly disproportionate”;
- (f) believes that the Labour Members of the South Yorkshire Police and Crime Panel, at its meeting on 7th July 2017, effectively closed ranks in not allowing a question to be put to Dr Billings, viz why his legal case against Mr Crompton did not address the issue of the conduct of police counsel at the Hillsborough Inquest, this being a principal grievance of the Hillsborough families;
- (g) notes that the most recent (2016) Peel assessment of South Yorkshire Police indicates that the Force 'requires improvement' in all three areas assessed, a decline from 2015 and 2014;
- (h) believes that the decision by Dr Billings and Chief Constable Crompton to integrate neighbourhood and response teams represented in practice an abolition of neighbourhood policing, that this was a false economy and has increased demand on response teams and led to a loss of intelligence;
- (i) welcomes the reversal of this decision under Chief Constable Watson, and calls on all Councillors and relevant community groups to engage constructively with the new neighbourhood policing model; and

8.3 Following debate on the matter under consideration, and a right of reply from Councillor Ben Miskell, the amendment was put to the vote and negated.

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

RESOLVED: That this Council:-

- (a) notes the increasing pressures facing South Yorkshire Police (SYP) highlighted by recent information obtained by Louise Haigh MP which revealed SYP received 851,401 calls last year and already this year, as of September 2017, the Force has received 510,147 calls; overall

- since 2010 the number of calls in both emergency and non-emergency cases to police have increased year on year;
- (b) notes that official figures show that since 2010, and the forming of the Conservative-Liberal Democrat coalition government, SYP have 458 fewer police officers, with 2,974 employed in 2010 compared to 2,516 today, despite the fact that the Force now deals with an average of 53,359 non-emergency calls a month, up from 30,694 in 2010;
  - (c) supports the warnings of the Labour Party that, nationally, police forces are reaching a breaking point, and completely condemns the Liberal Democrats for their complicity, whilst part of the Coalition Government, in the wide ranging cuts experienced by forces up and down the country and here in Sheffield;
  - (d) believes that the Government should rethink their strategy for policing and adopt Labour's 2017 manifesto commitment; pledging to put 10,000 additional police on to the streets of England and Wales, to be paid for by reversing planned cuts to capital gains tax;
  - (e) highlights that the seven year pay cap for police officers has seen morale collapse and that officers are £6,000 per year worse off in real terms, with wages failing to keep pace with inflation, and believes that lifting the pay cap will help to reward officers fairly, increase morale and officer retention rates and, ultimately, lead to a better standard of policing throughout the country;
  - (f) derides the meagre one-off 1% lump sum pay rise being given by the Rt. Hon. Theresa May, MP's government to the police for the next year; noting that this one-off rise makes police pay still far below inflation which stands at 2.9% and is well short of the 5% pay increase being asked for by unions to help mitigate the extensive period of real term pay cuts already undertaken;
  - (g) supports unions and others who have called the Government's offer 'pathetic' and believes that it is a damning indictment of the Conservative Party that they make tax cuts for the very richest whilst failing to give public servants a fair pay;
  - (h) believes that in such austere times it is vitally important that police forces seek new innovations and praise should be given to SYP, The Sheffield Community Safety Partnership and the other SY community partnerships, for funding a new off-road Bike Unit to tackle the issue of off road biking in Sheffield;
  - (i) notes that whilst the Council has no direct powers over policing, Councillors within the Administration have been working with local communities to forward their concerns, and that off road biking has been a prominent issue of late and that improved police efforts to deal with this blight are greatly welcome;

- (j) welcomes the SYP's new neighbourhood policing model, with its key emphasis on tackling crime and antisocial behaviour, and focus on problem solving and crime prevention through enhancing local intelligence gathering; it is hoped that police officers will work collaboratively with partner agencies to provide a bespoke service that best meets the needs of each community, with an increased focus on utilising early partnership based intervention;
- (k) believes that SYP's new neighbourhood policing model could be a big step forward for local policing but that, without proper government funding, policing in South Yorkshire will remain stretched; and
- (l) gives assurances that Councillors will continue to work closely in the communities they serve to make sure the police are responding appropriately and sufficiently to local issues.

8.4.1 (NOTE: 1. Councillors Andy Nash, Bob Pullin, Richard Shaw, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, David Baker, Penny Baker and Vickie Priestley voted for paragraphs (a) and (e) to (l) of the Motion, and voted against paragraphs (b) to (d) of the Motion, and asked for this to be recorded;

2. Councillors Douglas Johnson, Robert Murphy and Alison Teal voted for paragraphs (j) to (l) of the Motion, and abstained from voting on paragraphs (a) to (i) of the Motion, and asked for this to be recorded; and

3. Councillors Jack Clarkson, Keith Davis and John Booker voted for paragraphs (a), (b) and (e) to (l) of the Motion, and voted against paragraphs (c) and (d) of the Motion, and asked for this to be recorded.)

**9. NOTICE OF MOTION REGARDING "THE IMPACT OF AUSTERITY ON LIFE EXPECTANCY"- GIVEN BY COUNCILLOR ADAM HURST AND TO BE SECONDED BY COUNCILLOR DAWN DALE**

9.1 It was moved by Councillor Adam Hurst, and seconded by Councillor Dawn Dale, that this Council:-

- (a) notes that recent data looking into the health of the UK population shows that under its two main indicators, life expectancy and healthy life expectancy, health in the UK has got worse since the formation of the Coalition Government in 2010;
- (b) further notes that improvements to the average life expectancy for both women and men in the UK has been slowing down in the UK over the last few years; here in Sheffield there has been very little

improvement in women's life expectancy over the last 10 to 15 years, and for men we have seen an actual decrease in average life expectancy from 78.8 years in 2012-2014 to 78.7 years for the most recent period of 2013-2015;

- (c) agrees with the assessment of Sheffield City Council's Director of Public Health that austerity is the biggest factor in accounting for these worrying trends;
- (d) notes that not only are there worrying trends as to the length of life expectancy but also for the quality and health of this life; latest figures for Sheffield show that average healthy life expectancy for women decreased sharply from 61.5 years in 2009-11 to 59.9 years in 2013-15, and men's healthy life expectancy decreased from 59.3 years to 59 years;
- (e) supports the Administration's work, currently underway, in updating the Joint Strategic Needs Assessment, which will take a much more in-depth look at health and wellbeing in the city; this updating has included, for example, examining our progress across all the 159 indicators in the national Public Figures Health Outcomes Framework;
- (f) notes the growing body of evidence showing the profoundly damaging impact that adverse childhood experiences (ACEs) can have on a child's future outcomes across many areas including health and wellbeing, and these effects can last a lifetime; types of ACEs include child abuse (which includes emotional, physical or sexual abuse), neglect (both physical and emotional) and household challenges such as growing up in a household where there is substance misuse, mental illness, domestic violence, parent separation/divorce or where a member of the household is sent to prison;
- (g) notes that evidence shows there is a strong graded relationship between the number and category of childhood exposures and the risk of developing emotional and physical health problems in later life, with children who experience ACEs being more likely to become parents who raise their children in family environments where these risk factors are more common, thereby perpetuating the cycle of disadvantage and poor health;
- (h) supports, therefore, a course of preventative action to reduce the impact on ACEs, including:-
  - (i) Sheffield City Council and the Clinical Commissioning Group (CCG) requesting that Public Health England co-ordinate further research on identifying and describing the long term return on investment of tackling ACEs and effective primary and secondary prevention models;

- (ii) prioritising increasing public awareness of ACEs and their lifelong consequences in childhood, and gain political and organisational commitment for a coherent programme of work to prevent ACEs;
  - (iii) identifying what can be done at individual, family and community level to put in place effective interventions in the pre-natal period and first 3 years after birth for the most disadvantaged children and families;
  - (iv) exploring how we can incorporate our response to ACEs into our Early Years' delivery model, its pathways and services; and
  - (v) equipping Early Years' practitioners with a full understanding of ACEs, the importance of promoting bonding and attachment for good parent-child relationships and secure emotional attachment, and also promoting positive maternal, family and emotional health and resilience;
- (i) believes that under successive Conservative and Conservative-Liberal Democrat governments, children from poorer backgrounds have been disproportionately affected by austerity measures; and
  - (j) notes that in 2016 the United Nations condemned Conservative government policies for failing to ensure children's rights to adequate health, living standards, housing and education.

9.2 Whereupon, it was moved by Councillor Steve Ayriss, and seconded by Councillor Sue Alston, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraph (c) and the addition of a new paragraph (c) as follows:-
  - (c) also notes that according to the Office for National Statistics some of the factors that have historically driven improvement, such as a reduction in smoking and circulatory disease, may have largely been realised;
2. the deletion of paragraph (i) and the addition of a new paragraph (i) as follows:-
  - (i) believes that changes to life expectancy and healthy life expectancy are the result of long term changes, and supports efforts at a national and local level to improve the health of the population; and
3. the deletion of paragraph (a) and the re-lettering of paragraphs (b) to (j) as new paragraphs (a) to (i).

- 9.2.1 (NOTE: With the agreement of the Council and at the request of the mover of the amendment (Councillor Steve Ayris), the amendment as circulated at the meeting was altered by the substitution of the words “the Office for National Statistics” for the words “Public Health (England)”.)
- 9.3 It was then moved by Councillor Douglas Johnson, and seconded by Councillor Alison Teal, as an amendment, that the Motion now submitted be amended by the addition of a new paragraph (k) as follows:-
- (k) but believes that this Labour-controlled Council contributed to children’s disadvantage by closing Surestart centres and reducing funding to community nurseries in the most disadvantaged areas of Sheffield;
- 9.4 Following debate on the matter under consideration, and a right of reply from Councillor Adam Hurst, the altered amendment moved by Councillor Steve Ayris was put to the vote and negatived.
- 9.5 The amendment moved by Councillor Douglas Johnson was then put to the vote and was also negatived.
- 9.6 The original Motion was then put to the vote and carried as follows:-

RESOLVED: That this Council:-

- (a) notes that recent data looking into the health of the UK population shows that under its two main indicators, life expectancy and healthy life expectancy, health in the UK has got worse since the formation of the Coalition Government in 2010;
- (b) further notes that improvements to the average life expectancy for both women and men in the UK has been slowing down in the UK over the last few years; here in Sheffield there has been very little improvement in women’s life expectancy over the last 10 to 15 years, and for men we have seen an actual decrease in average life expectancy from 78.8 years in 2012-2014 to 78.7 years for the most recent period of 2013-2015;
- (c) agrees with the assessment of Sheffield City Council’s Director of Public Health that austerity is the biggest factor in accounting for these worrying trends;
- (d) notes that not only are there worrying trends as to the length of life expectancy but also for the quality and health of this life; latest figures for Sheffield show that average healthy life expectancy for women decreased sharply from 61.5 years in 2009-11 to 59.9 years in 2013-15, and men’s healthy life expectancy decreased from 59.3 years to 59 years;

- (e) supports the Administration's work, currently underway, in updating the Joint Strategic Needs Assessment, which will take a much more in-depth look at health and wellbeing in the city; this updating has included, for example, examining our progress across all the 159 indicators in the national Public Figures Health Outcomes Framework;
- (f) notes the growing body of evidence showing the profoundly damaging impact that adverse childhood experiences (ACEs) can have on a child's future outcomes across many areas including health and wellbeing, and these effects can last a lifetime; types of ACEs include child abuse (which includes emotional, physical or sexual abuse), neglect (both physical and emotional) and household challenges such as growing up in a household where there is substance misuse, mental illness, domestic violence, parent separation/divorce or where a member of the household is sent to prison;
- (g) notes that evidence shows there is a strong graded relationship between the number and category of childhood exposures and the risk of developing emotional and physical health problems in later life, with children who experience ACEs being more likely to become parents who raise their children in family environments where these risk factors are more common, thereby perpetuating the cycle of disadvantage and poor health;
- (h) supports, therefore, a course of preventative action to reduce the impact on ACEs, including:-
  - (i) Sheffield City Council and the Clinical Commissioning Group (CCG) requesting that Public Health England co-ordinate further research on identifying and describing the long term return on investment of tackling ACEs and effective primary and secondary prevention models;
  - (ii) prioritising increasing public awareness of ACEs and their lifelong consequences in childhood, and gain political and organisational commitment for a coherent programme of work to prevent ACEs;
  - (iii) identifying what can be done at individual, family and community level to put in place effective interventions in the pre-natal period and first 3 years after birth for the most disadvantaged children and families;
  - (iv) exploring how we can incorporate our response to ACEs into our Early Years' delivery model, its pathways and services; and
  - (v) equipping Early Years' practitioners with a full understanding of

ACEs, the importance of promoting bonding and attachment for good parent-child relationships and secure emotional attachment, and also promoting positive maternal, family and emotional health and resilience;

- (i) believes that under successive Conservative and Conservative-Liberal Democrat governments, children from poorer backgrounds have been disproportionately affected by austerity measures; and
- (j) notes that in 2016 the United Nations condemned Conservative government policies for failing to ensure children's rights to adequate health, living standards, housing and education.

9.6.1 The votes on the above Motion were ordered to be recorded and were as follows:-

For paragraphs (a), (c) and (i) (52) - The Lord Mayor (Councillor Anne Murphy) and Councillors Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Robert Murphy, Moya O'Rourke, Craig Gamble Pugh, Mazher Iqbal, Zahira Naz, Andy Bainbridge, Steve Wilson, Abdul Khayum, Abtisam Mohamed, Cate McDonald, Chris Peace, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David Barker, Tony Downing, Mohammad Maroof, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Jack Clarkson, Richard Crowther, Keith Davis, Neale Gibson, John Booker, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Against paragraphs (a), (c) and (i) (19) - Councillors Andy Nash, Bob Pullin, Richard Shaw, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker and Vickie Priestley.

Abstained from voting on paragraphs (a), (c) and (i) - Nil.

(0)

For paragraphs (b), (d) to (h) and (j) (71) - The Lord Mayor (Councillor Anne Murphy) and Councillors Andy Nash, Bob Pullin, Richard Shaw, Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Robert Murphy, Moya O'Rourke, Craig Gamble Pugh, Adam Hanrahan, Mazher Iqbal, Zahira Naz, Joe Otten, Martin Smith, Andy Bainbridge, Steve Wilson, Roger Davison, Shaffaq Mohammed, Paul Scriven, Abdul Khayum, Abtisam Mohamed, Sue Alston, Andrew Sangar, Cliff Woodcraft, Cate McDonald, Chris Peace, Ian Auckland, Sue Auckland, Steve Ayris, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David Barker, Tony Downing, Gail Smith, Mohammad Maroof, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson, Richard Crowther, Keith Davis, Neale Gibson, John Booker, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Against paragraphs (b), (d) to (h) and (j) (0) - Nil.

Abstained from voting on paragraphs (b), (d) to (h) and (j) (0) - Nil.

**10. NOTICE OF MOTION REGARDING "YORKSHIRE DEVOLUTION" - GIVEN BY COUNCILLOR ROBERT MURPHY AND TO BE SECONDED BY COUNCILLOR MAGID MAGID**

10.1 It was formally moved by Councillor Robert Murphy, and formally seconded by Councillor Douglas Johnson, that this Council:-

- (a) notes the results of the 2012 referendum where Sheffield people voted overwhelmingly against an elected mayor for Sheffield;
- (b) notes the decision of the Special Council meeting of Friday 18th

March 2016, supported by the Administration and the main opposition group, to endorse the proposed Sheffield City Region Devolution Agreement and delegating authority to the Chief Executive to conclude the agreement;

- (c) notes that despite admitting that 'the City Region consultation was also imperfect' the proposal was voted through;
- (d) notes that after judicial review the High Court found the Sheffield City Region consultation on whether to include the Chesterfield area was unlawful;
- (e) notes the failure of the Sheffield City Region devolution deal after the withdrawal of all but two members of the City Region and believes that this failure has been caused by poor leadership across the region;
- (f) believes this Council should stop following this Government's agenda on devolution and listen instead to the views of the people of Sheffield;
- (g) believes Sheffield should join the 'Coalition of the Willing' 17 of the 20 Yorkshire Councils and pursue closer links and devolution for Yorkshire; and
- (h) believes that a final decision on devolution for Yorkshire should not be made without a Yorkshire-wide referendum.

10.2 Whereupon, it was formally moved by Councillor Lisa Banes, and formally seconded by Councillor Mohammad Maroof, 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 since 2010 investment in regional economic growth has been decimated under both the Conservative/Liberal Democrat Coalition and Conservative Government;
- (b) believes that it is important that all Elected Members do everything possible to secure investment in Sheffield and that the South Yorkshire Devolution Deal was the responsible thing to do, to bring investment into the region, as has been seen in Greater Manchester, Merseyside, West Midlands and Tees Valley;
- (c) notes the recent decision of McLaren and Boeing to come to South Yorkshire and believes this further demonstrates the importance of the devolution deal as an additional source of resources and investment;
- (d) believes that this demonstrates that despite all the difficulties that have occurred, the Combined Authority has made a difference and

working together across South Yorkshire it has supported the development of the region's economy with every part of the region receiving additional investment;

- (e) reaffirms the benefit of the South Yorkshire Deal being an economic deal and not one that takes over public services and implementing the Government's austerity agenda;
- (f) notes that, following the recent Combined Authority meeting, consultation will not now take place on the new powers secured as part of the deal, and although Sheffield and Rotherham both supported proceeding with the consultation, accepts that all local authorities have the right to make their own democratic decisions;
- (g) notes the letter from the Secretary of State for Communities and Local Government, the Rt. Hon. Sajid Javid MP, to the 'Coalition of the Willing', stating that he will not consider any proposals for a further devolution deal involving South Yorkshire Councils, and has confirmed that the scheduled 2018 mayoral election, signed off by all constituent members of Sheffield City Region Combined Authority, will go ahead;
- (h) notes that arrangements for regional economic development have changed significantly over recent years, noting that in only seven years since 2010 we have had Regional Development Agencies, then Local Enterprise Partnerships, then Combined Authorities and now Mayoral Combined Authorities;
- (i) therefore believes there is no reason why the South Yorkshire Deal would prohibit South Yorkshire authorities benefiting from further opportunities that come forward in the future and for example, supports the proposals outlined by the Labour Party to transform industrial policy through setting up a national investment bank and regional development banks, to help unlock £250 billion of investment and lending to address funding gaps in the private sector, revive local economies and incentivise economic activity;
- (j) believes therefore that whilst doing a South Yorkshire Deal does not prohibit Sheffield and South Yorkshire benefitting should a better opportunity come along in the future, it is, however, abundantly clear that there is no current prospect of a Yorkshire Deal to be implemented at the same pace as the South Yorkshire deal;
- (k) notes that this has been confirmed by the Secretary of State and that some of the 'coalition of the willing' are actually walking away from, instead of coming towards, a 'One Yorkshire' deal and that, in addition, there is no evidence that such a deal would be better for Sheffield and South Yorkshire than the current deal; and
- (l) therefore believes that the prospect of a better deal down the road,

which has not come forward to date, should not prevent us from accessing investment now and will continue to do everything possible to secure the investment on the South Yorkshire footprint as a mayor will be elected in May, and will continue to work with other South Yorkshire authorities and the Government to attempt to take this forward.

10.3 It was then formally moved by Councillor Shaffaq Mohammed, 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) notes that a strong successful economy is vital for future opportunities in business for entrepreneurs and the people of Sheffield, with adult skills and transport schemes so needed at its core;
- (b) believes the Sheffield City Region Devolution Deal is a stepping stone to supporting a more locally driven economic policy;
- (c) is concerned that the recent breakdown in trust within South Yorkshire potentially puts at risk jobs and future investment in our local area;
- (d) notes with disappointment that other devolution deals started after the Sheffield City Region deal, like Tees Valley (October 2015) and West England (March 2016), are much more advanced than the Sheffield City Region deal;
- (e) notes that despite a number of years working on the deal there is still no agreement on funding for the HS2 Station remodelling and Supertram replacements;
- (f) notes that the Devolution deal also had figures of up to £5m per annum for running the new devolved Authority out of the £30m per annum deal;
- (g) is concerned that we could end up electing a regional Mayor with very limited powers at a cost of up to £1m;
- (h) suggests that to keep the prized devolution deal on the table, local politicians and Sheffield City Council now needs to focus on how to go forward and not blame other Councils for the impasse that we find ourselves in;
- (i) requests the Administration to work together with South Yorkshire partners to find a way forward for the Sheffield deal that accommodates all South Yorkshire partners; and
- (j) requests that the Leader of Sheffield City Council reports back every

quarter to full Council on the progress made regarding the developments in keeping the South Yorkshire Devolution deal on the table.

10.4 After a contribution from one Member and Councillor Robert Murphy declining his right of reply, the amendment moved by Councillor Lisa Banes was put to the vote and carried.

10.4.1 The votes on the amendment were ordered to be recorded and were as follows:-

For the amendment (46) - The Lord Mayor (Councillor Anne Murphy) and Councillors Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Moya O'Rourke, Craig Gamble Pugh, Mazher Iqbal, Zahira Naz, Andy Bainbridge, Steve Wilson, Abdul Khayum, Abtisam Mohamed, Cate McDonald, Chris Peace, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David Barker, Tony Downing, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Richard Crowther, Neale Gibson, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Against the amendment (25) - Councillors Andy Nash, Bob Pullin, Richard Shaw, Douglas Johnson, Robert Murphy, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, Alison Teal, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson, Keith Davis and John Booker.

Abstained from voting on the amendment (0) - Nil.

10.5 The amendment moved by Councillor Shaffaq Mohammed was then put to the vote and was negatived.

10.5.1 The votes on the amendment were ordered to be recorded and were as follows:-

- For the amendment (19) - Councillors Andy Nash, Bob Pullin, Richard Shaw, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, David Baker, Penny Baker and Vickie Priestley.
- Against the amendment (52) - The Lord Mayor (Councillor Anne Murphy) and Councillors Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Robert Murphy, Moya O'Rourke, Craig Gamble Pugh, Mazher Iqbal, Zahira Naz, Andy Bainbridge, Steve Wilson, Abdul Khayum, Abtisam Mohamed, Cate McDonald, Chris Peace, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David Barker, Tony Downing, Mohammad Maroof, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Jack Clarkson, Richard Crowther, Keith Davis, Neale Gibson, John Booker, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.
- Abstained from voting on the amendment (0) - Nil.

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

RESOLVED: That this Council:-

- (a) notes that since 2010 investment in regional economic growth has been decimated under both the Conservative/Liberal Democrat Coalition and Conservative Government;
- (b) believes that it is important that all Elected Members do everything possible to secure investment in Sheffield and that the South Yorkshire Devolution Deal was the responsible thing to do, to bring investment into the region, as has been seen in Greater Manchester, Merseyside, West Midlands and Tees Valley;

- (c) notes the recent decision of McLaren and Boeing to come to South Yorkshire and believes this further demonstrates the importance of the devolution deal as an additional source of resources and investment;
- (d) believes that this demonstrates that despite all the difficulties that have occurred, the Combined Authority has made a difference and working together across South Yorkshire it has supported the development of the region's economy with every part of the region receiving additional investment;
- (e) reaffirms the benefit of the South Yorkshire Deal being an economic deal and not one that takes over public services and implementing the Government's austerity agenda;
- (f) notes that, following the recent Combined Authority meeting, consultation will not now take place on the new powers secured as part of the deal, and although Sheffield and Rotherham both supported proceeding with the consultation, accepts that all local authorities have the right to make their own democratic decisions;
- (g) notes the letter from the Secretary of State for Communities and Local Government, the Rt. Hon. Sajid Javid MP, to the 'Coalition of the Willing', stating that he will not consider any proposals for a further devolution deal involving South Yorkshire Councils, and has confirmed that the scheduled 2018 mayoral election, signed off by all constituent members of Sheffield City Region Combined Authority, will go ahead;
- (h) notes that arrangements for regional economic development have changed significantly over recent years, noting that in only seven years since 2010 we have had Regional Development Agencies, then Local Enterprise Partnerships, then Combined Authorities and now Mayoral Combined Authorities;
- (i) therefore believes there is no reason why the South Yorkshire Deal would prohibit South Yorkshire authorities benefiting from further opportunities that come forward in the future and for example, supports the proposals outlined by the Labour Party to transform industrial policy through setting up a national investment bank and regional development banks, to help unlock £250 billion of investment and lending to address funding gaps in the private sector, revive local economies and incentivise economic activity;
- (j) believes therefore that whilst doing a South Yorkshire Deal does not prohibit Sheffield and South Yorkshire benefitting should a better opportunity come along in the future, it is, however, abundantly clear that there is no current prospect of a Yorkshire Deal to be implemented at the same pace as the South Yorkshire deal;

- (k) notes that this has been confirmed by the Secretary of State and that some of the 'coalition of the willing' are actually walking away from, instead of coming towards, a 'One Yorkshire' deal and that, in addition, there is no evidence that such a deal would be better for Sheffield and South Yorkshire than the current deal; and
- (l) therefore believes that the prospect of a better deal down the road, which has not come forward to date, should not prevent us from accessing investment now and will continue to do everything possible to secure the investment on the South Yorkshire footprint as a mayor will be elected in May, and will continue to work with other South Yorkshire authorities and the Government to attempt to take this forward.

10.6.1 The votes on the Substantive Motion were ordered to be recorded and were as follows:-

For paragraphs (a) and (i) of the Substantive Motion (48) - The Lord Mayor (Councillor Anne Murphy) and Councillors Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Moya O'Rourke, Craig Gamble Pugh, Mazher Iqbal, Zahira Naz, Andy Bainbridge, Steve Wilson, Abdul Khayum, Abtisam Mohamed, Cate McDonald, Chris Peace, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David Barker, Tony Downing, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Jack Clarkson, Richard Crowther, Keith Davis, Neale Gibson, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Against paragraphs (a) and (i) of the Substantive Motion (20) - Councillors Andy Nash, Bob Pullin, Richard Shaw, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker, Vickie Priestley and John Booker.

Abstained from voting on paragraphs (a) and (i) - Councillors Douglas Johnson, Robert Murphy and Alison Teal.

(i) of the Substantive Motion (3)

For paragraphs (b) to (h) and (j) and (k) of the Substantive Motion (67)

- The Lord Mayor (Councillor Anne Murphy) and Councillors Andy Nash, Bob Pullin, Richard Shaw, Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Moya O'Rourke, Craig Gamble Pugh, Adam Hanrahan, Mazher Iqbal, Zahira Naz, Joe Otten, Martin Smith, Andy Bainbridge, Steve Wilson, Roger Davison, Shaffaq Mohammed, Paul Scriven, Abdul Khayum, Abtisam Mohamed, Sue Alston, Andrew Sangar, Cliff Woodcraft, Cate McDonald, Chris Peace, Ian Auckland, Sue Auckland, Steve Ayris, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David Barker, Gail Smith, Tony Downing, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson, Richard Crowther, Keith Davis, Neale Gibson, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Against paragraphs (b) to (h) and (j) and (k) of the Substantive Motion (1)

- Councillor John Booker.

Abstained from voting on paragraphs (b) to (h) and (j) and (k) of the Substantive Motion (3)

- Councillors Douglas Johnson, Robert Murphy and Alison Teal.

For paragraph (l) of the Substantive Motion (48)

- The Lord Mayor (Councillor Anne Murphy) and Councillors Chris Rosling-Josephs, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Moya O'Rourke, Craig Gamble Pugh, Mazher Iqbal, Zahira Naz, Andy Bainbridge, Steve Wilson, Abdul Khayum, Abtisam Mohamed, Cate McDonald, Chris Peace, Bob Johnson, Josie Paszek, Lisa Banes, Pat Midgley, David

Barker, Tony Downing, Mohammad Maroof, Jim Steinke, Julie Dore, Ben Miskell, Jack Scott, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Jack Clarkson, Richard Crowther, Keith Davis, Neale Gibson, Adam Hurst, Zoe Sykes, Mick Rooney, Jackie Satur and Paul Wood.

Against paragraph (I) of the Substantive Motion (1) - Councillor John Booker.

Abstained from voting on paragraph (I) of the Substantive Motion (22) - Councillors Andy Nash, Bob Pullin, Richard Shaw, Douglas Johnson, Robert Murphy, Adam Hanrahan, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Gail Smith, Alison Teal, David Baker, Penny Baker and Vickie Priestley.

## **11. MEMBERS' QUESTIONS**

### **11.1 Urgent Business**

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

### **11.2 Supplementary Questions**

11.2.1 A schedule of questions to Cabinet Members, submitted in accordance with Council Procedure Rule 16, and which contained written answers, was circulated.

11.2.2 Supplementary questions (under the provisions of Council Procedure Rule 16.4) were not able to be asked before the meeting terminated (under the provisions of Council Procedure Rule 5.5, as revised on 6<sup>th</sup> September 2017) after three hours duration.

### **11.3 South Yorkshire Joint Authorities**

11.3.1 Questions relating to the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions (under the provisions of Council Procedure Rule 16.6i), were not able to be asked before the meeting terminated (under the provisions of Council Procedure Rule 5.5, as revised on 6<sup>th</sup> September 2017) after three hours duration.

**12. MINUTES OF PREVIOUS COUNCIL MEETING**

- 12.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Michelle Cook, that the minutes of the meeting of the Council held on 6<sup>th</sup> September 2017 be approved as a true and accurate record.

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

- 13.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Michelle Cook, that Councillor Jim Steinke be appointed to fill a vacancy as a Substitute Member of the Planning and Highways Committee.

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## Report to Council

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**Report of:** Chief Executive

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**Date:** 1 November 2017

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**Subject:** Changes to the Constitution

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

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**Summary:**

This report provides details of proposed changes to the Constitution.

**Recommendations:**

That the Council considers adopting the changes to the following Parts of the Constitution, as set out in the report and appendices:-

- (a) Part 2 - Article 6 (Overview and Scrutiny)
  - (b) Part 2 - Article 16 (Suspension, Interpretation and Publication of the Constitution)
  - (c) Part 3 - Responsibility for Functions
  - (d) Part 4 - Financial Procedure Rules (Financial Regulations)
  - (e) Part 5 - Members' Code of Conduct
- 

**Background Papers:**

None

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**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial implications</b>
NO - Cleared by Pauline Wood
<b>Legal implications</b>
YES – Cleared by Gillian Duckworth
<b>Equality of Opportunity implications</b>
YES – Cleared by Adele Robinson
<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 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 Part 4 - Financial Procedure Rules (Financial Regulations)**

3.1.1 The Financial Procedure Rules (Financial Regulations) were last updated in October 2015 and are an important part of the Council's financial governance arrangements. They provide the rules for the Council to follow so as to protect public money and give clarity for both Members and Officers regarding responsibilities for financial management.

3.1.2 Following 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 included a general review and update of job titles and links and amendments to the sections on Financial Planning, Income Management and Purchasing.

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

**3.2 Part 5 - Members' Code of Conduct**

3.2.1 The Members' Code of Conduct sets out the standards which are required of all members of the authority in carrying out their duties and in their relationships with the Council and its officers and applies to Elected Members and Co-opted Members.

3.2.2 The Code of Conduct was last changed in June 2013 when the seven principles of public life were amended. The Code was also reviewed in March 2015 as part of changes to the Procedure for Dealing with Standards Complaints and no changes were proposed at that time.

- 3.2.3 Following a review of the Code, the Audit and Standards Committee recommended to Council a number of minor changes relating to the Equalities section. Paragraph 4.1 has been updated to reflect changes in legislation that have been repealed and incorporated into the Equality Act 2010. Paragraph 4.3 has also been updated to reflect changes to the titles of Council Policy documents.
- 3.2.4 In addition, the Equality, Diversity and Inclusion Policy Statement 2017 has also been added to the list of policies in Appendix A of the Code and included as part of the New Member Induction Pack.
- 3.2.5 A revised version of the Code is attached at Appendix C to the report.
- 3.3 Part 2 - Article 6 (Overview and Scrutiny) and Part 3 - Responsibility for Functions
- 3.3.1 The terms of reference of the Safer and Stronger Communities Scrutiny and Policy Development Committee in Part 3 of the Constitution have been updated to reflect that the Committee is the Council's Crime and Disorder Committee and exercises the function under Section 19 of the Police and Justice Act 2006.
- 3.3.2 A change is also proposed to Article 6.03 paragraph (b) (iii) to reflect that under that Act an authority's Crime and Disorder Committee must make arrangements which enable a Member of the authority who is not a member of the Committee to refer local crime and disorder matters to the Committee.
- 3.3.3 The proposed changes are set out in Appendix D to the report.
- 3.4 Part 2 - Article 16 (Suspension, Interpretation and Publication of the Constitution)
- 3.4.1 Minor changes are proposed to Article 16.03 regarding publication of the Constitution to reflect current practice. In addition, a hard copy of the Constitution will continue to be made available to each Political Group and in the Members' Library. An amended version is attached at Appendix E to the report.
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.
5. **Financial Implications**
- 5.1 There are no financial implications.
6. **Equality of Opportunity Implications**
- 6.1 As a Public Authority, we have legal requirements under Section 149 of the Equality Act 2010. These are often collectively referred to as the 'general duties to promote equality'. To help us meet the general equality duties, we also have specific duties, as set out in the Equality Act 2010 (Specific Duties) Regulations 2011.

6.2 We have considered our obligations under this Duty in this report and the Members' Code of Conduct has been updated to reflect the changes in equality legislation and the Equality, Diversity and Inclusion Policy Statement 2017 has been added to the list of appendices to the Code.

7. **Recommendations**

7.1 That the Council considers adopting the changes to the following Parts of the Constitution, as set out in the report and appendices:-

- (b) Part 2 - Article 6 (Overview and Scrutiny)
- (a) Part 2 - Article 16 (Suspension, Interpretation and Publication of the Constitution)
- (c) Part 3 - Responsibility for Functions
- (d) Part 4 - Financial Procedure Rules (Financial Regulations)
- (e) Part 5 - Members' Code of Conduct

**Chief Executive**

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# **Sheffield City Council Financial Regulations 2017**

**Summary of changes from the 2015 Regulations**

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### **Foreword**

This document summarises the main changes from the 2015 to the 2017 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 2015/16 Financial Regulations.

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

All job titles have been amended to reflect the Finance and Commercial Services restructure, for example all references to the Director of Finance have been replaced by either the Head of Strategic Finance or Head of Commercial Business Development (Capital and Income Management chapters). It was also necessary to include the Director of Finance & Commercial Services on occasion in the Financial Regulations and the Financial Protocol.

All links have been reviewed and updated.

### 2. Financial Planning (Chapter 3)

#### 2.1. 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).

### 3. Income Management (Chapter 7)

#### 3.1. Payment of Fees and Charges - Invoiced

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.

#### 3.2. Debt Recovery – Disputed Debts

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.

#### 3.3. Debt Recovery – 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 Income Collection and Management (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.

#### 3.4. Bad and Doubtful Debt Provisions

The year-end bad debt provision will be calculated based on historic collection trends (*amendment based upon a KPMG recommendation*).

### 3.5. Bad Debt Write-offs

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

### 3.6. 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.

## 4. Purchasing (Chapter 8)

### 4.1. Authorisation Matrix

All purchase orders must be approved in line with the Council's authorisation matrix 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

### 4.2. Roles and Responsibilities

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.

---

## Appendices – 2015/16 Financial Regulations

### A. Financial Planning (Chapter 3)

#### Annual Revenue Budget Monitoring

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

- Monitoring reports, prepared on an accrued basis, will be reported to Portfolio Management Teams on a monthly basis (except month 1).
- Monthly monitoring reports will be presented to Executive Management Team (except months 1, 4, 8 and 11).
- Monthly overall monitoring reports will be presented to the Cabinet (except months 1, 2, 4, 8 and 11).

### B. Income Management (Chapter 7)

#### Payment of Fees and Charges – Invoiced

New paragraph in the 2017/18 Financial Regulations.

#### Debt Recovery – Disputed Debts

New line in the 2017/18 Financial Regulations.

#### Debt Recovery – Legal Action

New sub-section in the 2017/18 Financial Regulations.

#### Bad and Doubtful Debt Provisions

New line in the 2017/18 Financial Regulations.

#### Bad Debt Write-offs

New paragraph in the 2017/18 Financial Regulations.

#### Local Land Charges

New section in the 2017/18 Financial Regulations.

### C. Purchasing (Chapter 8)

#### Roles and Responsibilities

New line in the 2017/18 Financial Regulations.

#### Authorisation Matrix

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

Order Amount	Authorisation Level
£0 - £249	Supervisor / Line Manager
£250 - £499	Middle Manager
£500 - £2,499	Business Unit Manager

## Appendix A

£2,500 - £24,999	Assistant Head of Service / Assistant Director
Over £25,000	Head of Service / Director / Asst Chief Executive / Chief Executive
Orders over £250 must also be reviewed by the Council's Commercial Processes Team to ensure compliance with Council <a href="#">Standing Orders</a> etc.	

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**Sheffield City Council  
Financial Regulations  
2017**

## Appendix B

**VERSION: 1.0**

**DATE OF ISSUE:**

**AUTHOR: Eugene Walker**

**APPROVED BY: Full Council -**

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## Appendix B 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.

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Capital Project	A project which uses capital resources to acquire assets, and/or build, improve, increase the market value of, or substantially lengthen the useful life of an asset.
Capital Reporting and Approval Timetable	This sets out the deadlines for submission of Capital Approval Forms, dates of review meetings, monitoring and forecasting cycles, reporting dates and finance system schedules.
Capital Spending	Spending to purchase, build, improve, increase the market value of or substantially lengthen the useful life of an asset. Examples include the Decent Homes Programme, Building Schools for the Future and the Local Transport Plan.
Chief Property Officer	This means the Director of Capital and Major Projects, or such other Director who may be nominated as such from time to time by the Executive Director, Place.
<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 the Finance Service with specific responsibility for supporting Executive Directors and their teams through the provision of financial advice and decision support.

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Finance Service	The Council's consolidated financial support service 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.

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Revenue Spending	Any expenditure by the Council that falls outside the definition of Capital Spending. Typically the day-to-day running costs of the Council such as salaries, rent, utility bills and payments to service providers.
Section 151 Officer	Under section 151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988, the Chief Finance Officer has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of its financial affairs. The Executive Director – Resources is the responsible officer (Chief Finance Officer) for the purposes of s151.
Senior member of the Finance Service	These are the officers designated in 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.

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## **Appendix B**

### **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 (previously Oracle Enterprise One (OEO)) 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.

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- 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 Service staff.
- Identifying any training requirements that their staff need to comply with these Regulations and to meet the required financial competencies.

#### **1.6.2. 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.

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- Ensuring that the e training and guidance provided as part of the Council's finance system (Integra (previously Oracle Enterprise One (OEO)) 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.

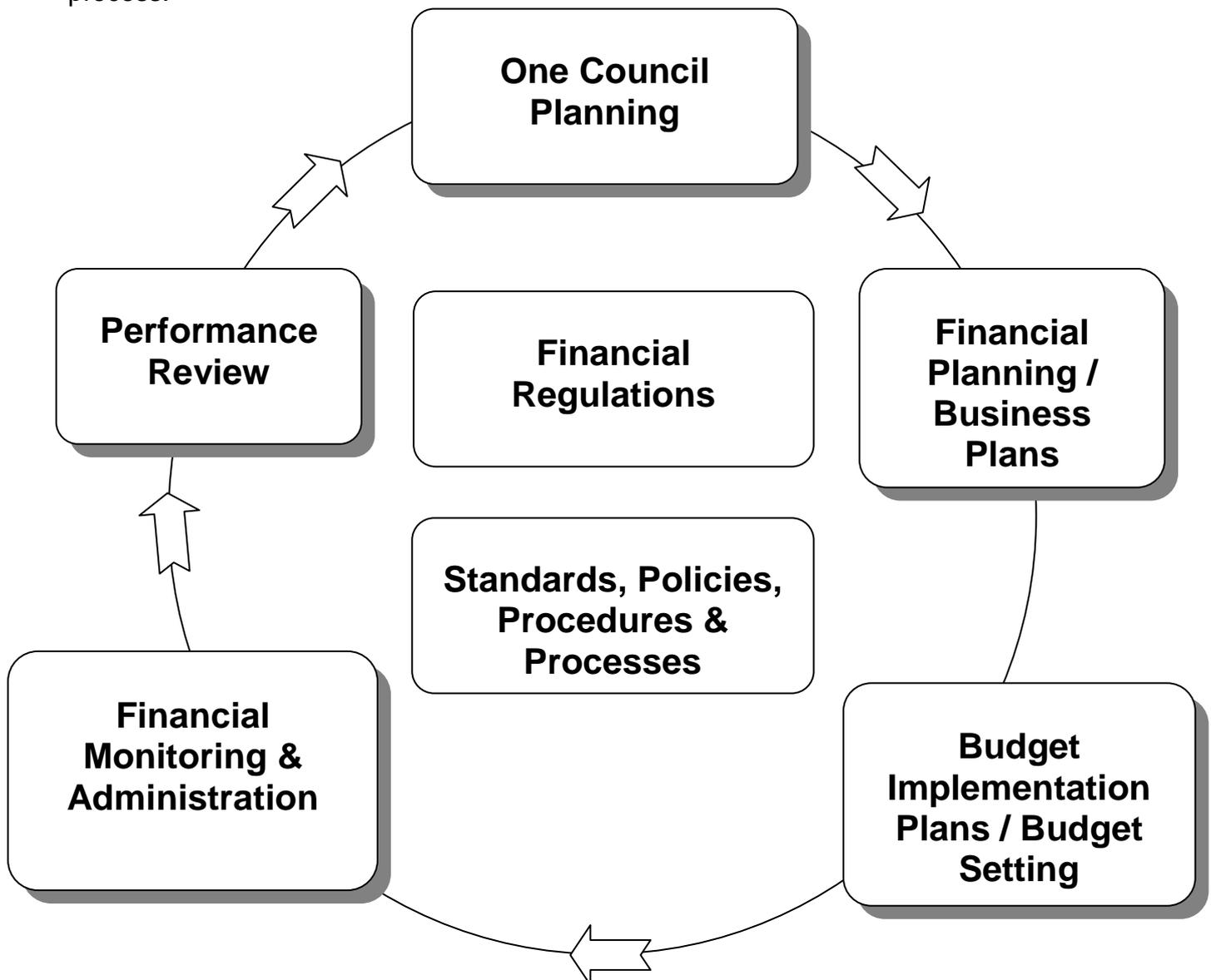
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### 2. Financial Management

#### 2.1. The Cycle

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

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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 monthly budget monitoring report outlining the financial position for the whole Council.

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

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

#### 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 monthly 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:

## **Appendix B**

- 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.

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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.

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### **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 monthly 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](#).

## **Appendix B**

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.

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## **Appendix B**

### **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.

## Appendix B

### 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).
- Monthly overall monitoring reports will be presented to the Executive Management Team and Cabinet (quarterly – months 3, 6, 9 and 12).

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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.

### 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)

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

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

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

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

The 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.

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### **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.

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### 4. Financial Implications

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

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

- Executive Reports, supporting decisions taken by the Leader, the Cabinet, Individual Cabinet Members and Committees.
- Executive Reports supporting Officer Key Decisions.
- Executive Reports supporting Officer Non-Key Decisions that require publication.
- 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 Service officer is responsible for ensuring that the Officer who has prepared the report has taken all relevant advice, e.g. specialist financial or taxation advice, before they sign off financial implications.

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

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## **Appendix B**

### **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 monthly monitoring reports.

This responsibility extends to the approval of any requests for in year additions and variations to approved projects to the value stated in [section 5.3.5](#) 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.

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- 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.

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- 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](#).

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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.

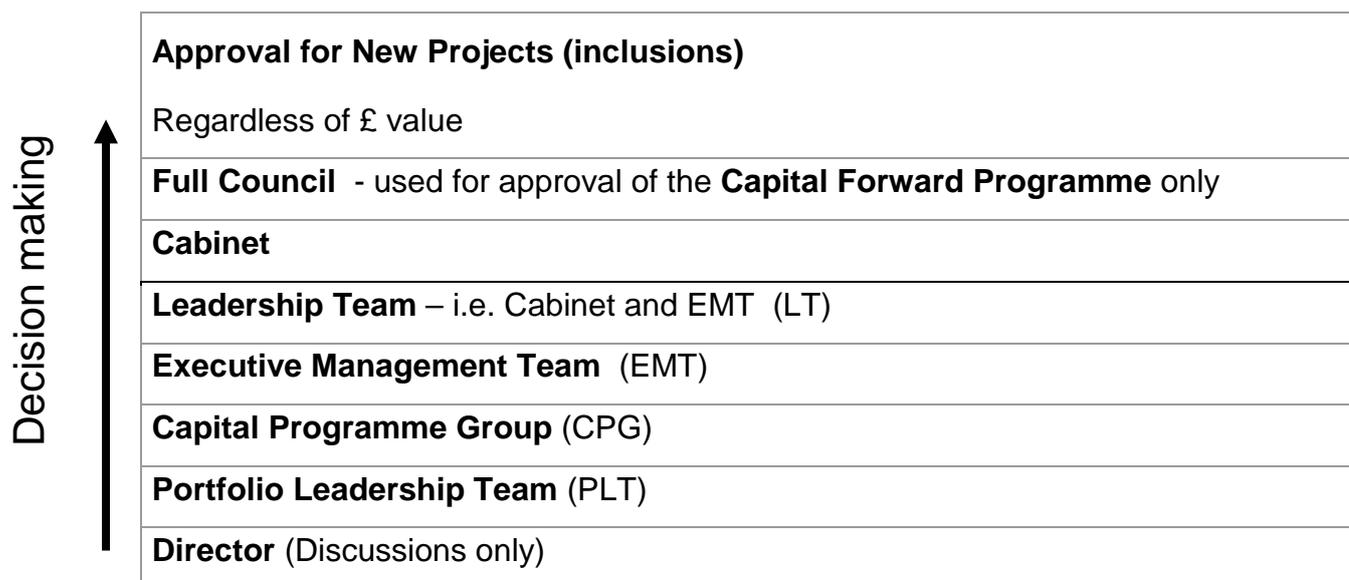
### 5.3.4. Approval for New Projects / Inclusions / Changes

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.

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### **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.

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### **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.

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### 6. External Funding / Grants

#### 6.1. Background

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

The Council relies on a significant amount of external funding to finance the service activity and specific projects/ programmes needed to meet 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 the Finance Service.
- Grant applications are correctly completed and submitted by the required date with a view to maximising the income to the Council in terms of cash flow.
- All completed grant claims and certifications are approved by the 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.

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- 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 the Finance Service.

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

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

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

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

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

Where the retention period in the agreement exceeds the one prescribed in the Financial Records Retention Schedule ([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.

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## Appendix B

### 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.

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- 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 the Finance Service.
- Providing training and advice on the raising of invoices. On a day-to-day basis this responsibility is discharged by the Financial Systems Support Group in the Finance Service.
- All debt recovery actions except Housing Rents. In respect of sundry debt this responsibility is discharged by the ICAM Team in the Finance Service. In respect of local taxation and Housing Benefit overpayment debt this responsibility is discharged by the Revenues and Benefits Team within the Finance Service.
- Providing advice on best practice for cash storage and banking.
- Receiving disclosures about Money Laundering activities within the Council.
- Having procedures and policies in place for the administration of Direct Debits for the collection of Sundry Debts.

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### 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	<p>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.</p> <p>Arranging for cash to be physically put into the Council's Bank Account. This may be done via the G4S collection service.</p>
Monitoring income received, banked and outstanding	<p>Checking money that has been banked equals the amount that is on the receipts.</p> <p>Monthly monitoring of outstanding debts.</p>

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

### 7.3. Payment of fees and charges

#### 7.3.1. Not - Invoiced

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

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

See also [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.

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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 the Finance Service on a case-by-case basis as required.

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

**Table 1: Not Invoiced**

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

**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

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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 the Finance Service, subject to annual reviews of costs.

#### 7.3.11. Interest on late payment of debt

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

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- 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 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.

#### 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 the Finance Service.

### 7.7. Bad Debt Write-offs

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

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

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

If a Service Business Unit Manager fails to authorise write-offs within a month of receiving notification from the Council's finance system (Integra (previously Oracle Enterprise One (OEO))). 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.

## 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.

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## 8. Purchasing

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

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- 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 Corporate Contract providers are used wherever possible. Where this is not considered appropriate, advice must be sought from Commercial Services on choosing an alternative supplier and [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 Corporate Contract providers.
- Formally declare any relationships with existing or potential Council contractors prior to the obtaining of quotations or the awarding of contracts.
- Withdraw from any P2P process when either they themselves or a member of their family or one of their close associates are involved directly or indirectly with the transaction.

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

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

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

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

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

## Appendix B

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 Utility Bills and 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

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 Matrix

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

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

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

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£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 matrix.

This matrix 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.

Officers are required to enter a receipt 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 through the Council's procurement system.

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

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

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

#### **8.5.2. Payments**

No payment will be made unless supported by an appropriately authorised Purchase Order. Exceptions to this are Recurring, Multiple, One-Off, Foreign Payments and purchases made using a Credit or a Procurement Card and as described above.

## Appendix B

Where the details on both the supplier invoice 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.

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

### 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.

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## **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.

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## **10. Payroll, Expenses and Petty Cash Floats**

### **10.1. Roles and responsibilities**

#### **10.1.1. Executive Directors**

Executive Directors are responsible for ensuring:

- That payroll information is correct and is provided within the agreed timetables for the running of the payroll.
- That all amendments to the payroll, e.g. Post and Establishment changes, individual contract changes etc., are notified in line with the procedures as approved by the Director of Human Resources.
- That all payments to employees are:
  - Made through the payroll.
  - That they are made only to official employees.
  - In accordance with individual contracts of employment.
  - 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.

## Appendix B

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.

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## **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.

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## **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.

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### **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.

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## **14. Retention of Records**

### **14.1. Roles and responsibilities**

#### **14.1.1. Executive Directors**

Executive Directors are responsible for ensuring that all records, as defined by the Council's Document and Records Management Policy are managed in line with that Policy and that they are retained for a period that satisfies the requirements of 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.

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## 15. Financial Systems

The Council's finance system (Integra (previously Oracle Enterprise One (OEO)) 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. CareFirst, 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 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 Information Systems (BIS) Team should be consulted for advice and guidance on data protection and information management issues.
- Ensuring that the Head of Strategic Finance and their BIS Business Partner are consulted prior to the purchase and implementation of any new computerised financial systems. This includes any income collection systems.

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## **16. Accounting**

The 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.

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## 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.

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**18. Companies, Joint Ventures, Partnerships, Joint Committees etc.**

Where the Council has a controlling interest in Companies, Joint Ventures, Partnerships, Joint Committees, or is the Lead Authority, then these organisations will be required to use the Council's finance system and to follow these regulations.

Where the Council is involved as a minority interest in partnership arrangements or Joint Committees that use their own finance systems, the arrangement must include an agreement on appropriate, robust financial governance control arrangements to the satisfaction of the 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.

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## **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.

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## **20. Council Supply Agreements**

Executive Directors are responsible for ensuring that Council Supply Agreements within their area of responsibility are approved in accordance with the requirements of the [Leader's Scheme 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.

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## **A. Financial Protocol for Financial Year 2017-18**

### **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.

## Appendix B

### 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.

## Appendix B

### 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 the Finance Service 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.

Appendix B

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: .....

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**B. Financial Implications template**

The Financial Implications template can be accessed [here](#)

**C. Financial Records: Recommended Retention Schedule**

(Note that all figures used relate to years, e.g. Current + 6 is Current Year's records plus the previous 6 years documents).

**C.1. Accountancy/Financial**

General example of type of Record	Recommended Retention	Action after retention
Abstract of accounts	Current + 6	Destroy as confidential records
Annual Budget	Current + 6	Destroy as confidential records
Annual statements	Current + 6	Destroy as confidential records
Budgetary control records	Current + 6	Destroy as confidential records
Costing records	Current + 6	Destroy as confidential records
Estimate working papers	Current + 2	Destroy as confidential records
Financial ledgers	Current + 6	Destroy as confidential records
Grant claim records	Current + 6	Destroy as confidential records
Investment records	Current + 2	Destroy as confidential records
Journals	Current + 6	Destroy as confidential records
Leasing Records	Current + 2	Destroy as confidential records
Record re closing ledgers	Current + 6	Destroy as confidential records
School Fund records	Current + 6	Destroy as confidential records
Telephone call records	Current + 2	Destroy as confidential records
VAT claims	Current + 6	Destroy as confidential records
VAT records	Current + 3	Destroy as confidential records
Voluntary fund accounts	Current + 6	Destroy as confidential records

**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

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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

## Appendix B

	of contract have expired. Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records
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### 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

Appendix B  
**C.8. Payroll Records**

<b>Type of Record</b>	<b>Recommended Retention</b>	<b>Action after retention</b>
BACS amendments and output	Current + 3	Destroy as confidential records
Copy payslips	Current + 6	Destroy as confidential records
Correspondence	Current + 6	Destroy as confidential records
Payroll adjustment documentation	Current + 6	Destroy as confidential records
Part – time employees' claim forms	Current + 6	Destroy as confidential records
SSP records	Current + 4	Destroy as confidential records
SSP variations	Current + 3	Destroy as confidential records
Staff transfer records	Current + 6	Destroy as confidential records
Starters forms	Current + 2	Destroy as confidential records
Tax and NI records	Current + 6	Destroy as confidential records
Tax code notifications	Current + 2	Destroy as confidential records
Timesheets and Pay Returns	Current + 6	Destroy as confidential records
Union documentation	Current + 2	Destroy as confidential records
Personnel files	Current + 2	Destroy as confidential records
Staff contracts	Current + 6	Destroy as confidential records
Unsuccessful applications	Current + 1	Destroy as confidential records

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## Appendix C

### Sheffield City Council – Constitution Part 5 – Members’ Code of Conduct (Revised June 2013)

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- 2.3.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- 2.3.3 This duty to notify the Monitoring Officer does not apply where the gift is accepted on behalf of the Council and does not apply to the role of Lord Mayor.

### 3. Bias

- 3.1. Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you are not prohibited from participating in a decision in your political role as member. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 3.2. When making a decision, you must consider the matter with an open mind and on the facts before the meeting at which the decision is to be taken.

### 4. Equalities

- 4.1 Members must ensure that they adhere to all related legal requirements, such as the [Equality Act 2010](#), ~~[Race Relations Act](#)~~, ~~[Sex Discrimination Act](#)~~, ~~[Disability Discrimination Act](#)~~ and the Human Rights Act [1998](#).
- 4.2 Members must promote equality and inclusion by providing an environment free from harassment, discrimination, and victimisation and bullying and by treating people with respect, regardless of their age, disability, gender, race, religion/ belief, sexual orientation or marriage/ civil partnership status.
- 4.3 Members must act in accordance with the Council's Equality, [Diversity and Inclusion Policy](#), and ~~[Single Equality Scheme and the Council's Harassment, Discrimination, Victimisation and Bullying Policy](#)~~ [Dignity and Respect at Work Policy](#).
- 4.4 Members must have regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 to:
- Eliminate discrimination, harassment and victimisation
  - Advance equality of opportunity
  - Foster good relations.

## Appendix C

Sheffield City Council – Constitution

Part 5 – Members’ Code of Conduct (Revised June 2013)

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### APPENDIX A

#### LIST OF POLICIES

- Sheffield City Council Electronic Communications Policy
- Members’ ICT Usage Policy
- [Equality, Diversity and Inclusion Policy Statement 2017](#)

## Appendix D

Part 2, Article 6 - Para 6.03 (b) (iii)

(iii) consider referrals from Members who are not members of the Overview and Scrutiny and Policy Development Committee of any matter relevant to the Committee's functions, ~~which is not an excluded matter. An excluded matter is defined as a local crime and disorder matter within the meaning of section 19 of the Police and Justice Act 2006. A matter which consists of an allegation of systemic failure of an authority to discharge a function for which the authority is responsible may be referred to an Overview and Scrutiny and Policy Development Committee, notwithstanding the fact that the allegation specifies matters which would otherwise be excluded.~~

Part 3, page 33

SAFER AND STRONGER COMMUNITIES SCRUTINY AND POLICY DEVELOPMENT COMMITTEE

Terms of Reference/Remit

To carry out overview (policy and performance review) and scrutiny (holding decision-makers to account) of matters falling within the following remit:

- Housing
- Community Safety and Crime
- Community Cohesion
- Social Inclusion
- Locality Management

In addition the Committee is the Council's Crime and Disorder Committee and exercises the functions under Section 19 Police and Justice Act 2006.

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## Appendix E

Sheffield City Council – Constitution  
Part 2 - Articles of the Constitution (Minor amendment March 2015)

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### Article 16 - Suspension, Interpretation and Publication of the Constitution

#### 16.01 Suspension of the Constitution

- (a) **Limit to suspension.** The Articles of this Constitution may not be suspended. The Rules in other Parts of this Constitution may be suspended as set out in and to the extent permitted within those Rules and the law.
- (b) **Procedure to suspend.** A motion to suspend any rules will not be moved without notice unless at least one half of the Councillors entitled to vote are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

#### 16.02 Interpretation

The ruling of the Lord Mayor as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

#### 16.03 Publication

- ~~(a) The Monitoring Officer will give a printed copy of this Constitution to each Member of the Council upon delivery to him/her of that individual's declaration of acceptance of office on the Member first being elected to the Council.~~
- ~~(ab) The Monitoring Officer will ensure that copies are available for inspection at Council offices, libraries and other appropriate locations, and on the Council's website can be purchased by members of the local press and the public on payment of a reasonable fee.~~
- ~~(be) The Monitoring Officer will ensure that a summary of the Constitution is made widely available within the area and is updated as necessary.~~

#### 16.04 Definitions

In this Constitution '**Executive Director**' means an Officer designated in the Council's management Structure in Part 7 as an Executive Director.

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