



## COUNCIL SUMMONS

To Members of the Metropolitan Borough Council

Dear Councillor

You are requested to attend a Meeting of the Sefton Metropolitan Borough Council to

be held on **Thursday 19th January, 2023 at 6.30 pm at the Town Hall, Bootle** to

transact the business set out on the agenda overleaf.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Dwayne", with a horizontal line extending to the right.

Chief Executive

Town Hall,  
Southport

Wednesday 11 January 2023

Please contact Steve Pearce, Interim Democratic Services Manager  
on 0151 934 2068 or e-mail [steve.pearce@sefton.gov.uk](mailto:steve.pearce@sefton.gov.uk)

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

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# **A G E N D A**

## **1. Apologies for Absence**

## **2. Declarations of Interest**

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

## **3. Minutes of Previous Meeting**

(Pages 7 - 18)

Minutes of the meeting held on 17 November 2022

## **4. Mayor's Communications**

### **Public Session**

## **5. Matters Raised by the Public**

To deal with matters raised by members of the public resident within the Borough, of which notice has been given in accordance with the procedures relating to public questions, motions or petitions set out in Paragraph 36 to 47 of the Council and Committee Procedure Rules in Chapter 4 of the Council Constitution.

(Details of any further petitions notified or questions submitted by members of the public will be circulated at the meeting).

## **Council Business Session**

### **6. Questions Raised by Members of the Council**

To receive and consider questions to Cabinet Members, Chairs of Committees or Spokespersons for any of the Joint Authorities upon any matter within their portfolio/area of responsibility, of which notice has been given by Members of the Council in accordance with Paragraph 49 to 51 of the Council and Committee Procedure Rules, set out in Chapter 4 of the Council Constitution.

### **7. Financial Management 2022/23 to 2024/25 and Framework for Change 2020 - Revenue and Capital Budget Update 2022/23 - Additional Estimates** (Pages 19 - 26)

Report of the Executive Director of Corporate Resources and Customer Services

### **8. Council Tax Reduction Scheme and Council Tax Base 2023/24** (Pages 27 - 82)

Report of the Executive Director of Corporate Resources and Customer Services

### **9. Consultation and Engagement Framework** (Pages 83 - 116)

Report of the Executive Director of Corporate Resources and Customer Services

### **10. Amendments to the Constitution** (Pages 117 - 192)

Report of the Executive Director of Corporate Resources and Customer Services

### **11. Pay Policy - 1 April 2023 to 31 March 2024** (Pages 193 - 212)

Report of the Chief Personnel Officer

### **12. Programme of Meetings – 2023/24 Municipal Year** (Pages 213 - 236)

Report of the Chief Legal and Democratic Officer

### **13. Member Development in Sefton - The Next Steps** (Pages 237 - 260)

Report of the Executive Director of Corporate Resources and Customer Services

### **14. Membership of Committees 2022/23**

To consider any changes to the Membership of any committees etc.

15. **Motion Submitted by Councillor Roscoe - Care Experience** (Pages 261 - 262)  
Copy attached
16. **Motion Submitted by Councillor Corcoran - Housing Benefit Discrimination** (Pages 263 - 264)  
Copy attached
17. **Motion Submitted by Councillor Halsall - Sefton's Workers** (Pages 265 - 266)  
Copy attached

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**THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"**

## COUNCIL

### MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 17TH NOVEMBER, 2022

PRESENT: The Mayor (Councillor Carragher) in the Chair  
The Deputy Mayor (Councillor June Burns) Vice  
Chair

Councillors Atkinson, Bennett, Bradshaw, Brodie -  
Browne, Brough, Danny Burns, Byrom, Cluskey,  
Corcoran, Cummins, D'Albuquerque, Dodd, Dowd,  
Doyle, Evans, Fairclough, Grace, Halsall, Hansen,  
Hardman, Howard, Irving, John Kelly,  
John Joseph Kelly, Sonya Kelly, Killen, Lappin,  
Lloyd-Johnson, Lunn-Bates, Ian Maher,  
Chris Maher, McGinnity, Moncur, Morris, Murphy,  
Myers, O'Brien, Page, Prendergast, Pugh, Richards,  
Riley, Robinson, Roche, Roscoe, John Sayers,  
Shaw, Spencer, Thomas, Anne Thompson,  
Lynne Thompson, Tweed, Veidman, Waterfield,  
Webster and Wilson

#### 63. APOLOGIES FOR ABSENCE

Apologises for absence were received from Councillors Carlin, Hardy,  
Jones, McKinley, Sathiy and Sir Ron Watson.

#### 64. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the  
following declarations of personal interest were made, and the Members  
remained in the room during the consideration of the item:

Member	Minute No.	Nature of Interest
Councillor Brodie-Browne	Minute No. 72 - Financial Management 2022/23 to 2024/25 and Framework for Change 2020 - Medium-Term Financial Plan 2023/24 to 2024/25	He is a Trustee of the Southport Pier Trust and reference is made to the Southport Pier Decking Project in the report.

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Councillor Brough	Minute No. 72 - Financial Management 2022/23 to 2024/25 and Framework for Change 2020 - Medium-Term Financial Plan 2023/24 to 2024/25	He is a Trustee of the Southport Pier Trust and reference is made to the Southport Pier Decking Project in the report.
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Councillor Waterfield	Minute No. 72 - Financial Management 2022/23 to 2024/25 and Framework for Change 2020 - Medium-Term Financial Plan 2023/24 to 2024/25	She is a Trustee of the Southport Pier Trust and reference is made to the Southport Pier Decking Project in the report.
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## 65. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the Council meeting held on 29 September 2022 be approved as a correct record, subject to the reference to Aintree Motorcycle Racing Club in Minute No. 44 being amended to read Aintree Circuit Club.

## 66. MAYOR'S COMMUNICATIONS

Former Councillor Robert Brennan

The Mayor reported that Robert (Bobby) Brennan had resigned as a Councillor on 31 October 2022, after giving 28 years' service on the Council. He was elected as a Labour Councillor for the Orrell Ward on 5 May 1994 which was re-named as the Netherton and Orrell Ward in 2000/01.

Robert Brennan was the Mayor of Sefton Council in 1999/2000 and the Armed Forces Member Champion from 2012 to 2022. He was the Chair of the Overview and Scrutiny Committee (Children's Services) from 2011/12



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to 2014/15 and the Chair of the Audit and Governance Committee from 2015/16 to 2018/19.

Prior to that, he was Vice-Chair of the Scrutiny Review Committee (Cabinet; Best Value; Corporate Resources; and Licensing) from 2001/02 to 2002/03 and Vice-Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) from 2006/07 to 2008/09.

On behalf of the Council, The Mayor extended her best wishes to Robert Brennan for the future and thanked him for his dedicated service to the Council over the last 28 years.

Councillors Maher and Bradshaw paid tribute to the service given to Council by Mr Robert Brennan.

### Remembrance Sunday Services

The Mayor thanked all the Members of the Council who had attended the Remembrance Sunday Services last weekend. All the services were extremely well attended, and the Mayor had been honoured to attend the Southport Service this year.

### Citizens 4 Good Awards

The Mayor reported that on 13 October 2022, she had hosted her second Citizens 4 Good Awards at Southport Town Hall. The Mayor indicated that the awards gave an insight into the great work people do to support and help their local communities. A further Awards event would be held on 15 February 2023 at Maghull, and the Mayor encouraged Members of the Council to submit nominations if they were aware of any great work been done in the community by their constituents.

### Mayoral Charity Donation

The Mayor reported that she had been invited to lunch at Castle Bingo on 27 October 2022 and was shocked and overwhelmed to receive a donation of £1,500 to her Charity Fund. The money was raised by the members and Castle Bingo do a huge amount for the community. The Mayor indicated that it was great to get an insight into what they do.

### Jurgen Klopp

The Mayor reported that she was delighted to attend the Freedom of the City of Liverpool award to Jurgen Klopp on 2 November 2022 at the Town Hall, Liverpool.

### Mayoral Charity Quiz Night

The Mayor extended a huge thank you to everyone who attend the Mayoral Charity Quiz on 3 November 2022 at The Albion Pub, Bootle, which was a great night and £586.00 was raised on the night for her Charity Fund.

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## Maghull Musical Theatre Company

The Mayor reported that on 4 November 2022, she had attended a performance by the Maghull Musical Theatre Company called 'Jekyll and Hyde'. The Mayor indicated that it was a fantastic performance and wonderful to see a local theatre group with such a high quality and professional performance and she encouraged Members of the Council to see one of their productions, if they get a chance to do so.

## Mayoral Charity Events

The Mayor reported that tickets were now available for her next two Charity Nights, which would be an 80's Night on Saturday 18 February 2023 at St William of York, Thornton, with tickets priced at £10 and then on Saturday 1 April 2023, it would be the Mayoral Gala Charity Ball, to be held at the Waterfront Hotel, Southport, with tickets priced at £50.00. Tickets were available from the Mayoral and Civic Services Officer.

## Kate Walker – Aintree Circuit Club

The Mayor reported that Kate Walker, a member of the Aintree Circuit Club had finished second in the National Steelsport Championship and she had been the only competitor to obtain 30 podium finishes from 30 races, which was an amazing achievement.

## **67. MATTERS RAISED BY THE PUBLIC**

The Mayor reported that no matters had been raised by members of the public.

## **68. QUESTIONS RAISED BY MEMBERS OF THE COUNCIL**

The Council considered a schedule setting out the written questions submitted by:

- (1) Councillor Prendergast to the Leader of the Council (Councillor Maher)
- (2) Councillor Prendergast to the Cabinet Member for Locality Services (Councillor Fairclough)
- (3) Councillor Evans to the Leader of the Council (Councillor Maher)
- (4) Councillor Shaw to the Cabinet Member for Education (Councillor Roscoe)

together with responses given. Supplementary questions were responded to by the Leader of the Council and the Cabinet Member for Locality Services. The Leader of the Council indicated that he would send a written response to the supplementary question to question 3.

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## **69. HEALTH AND WELLBEING BOARD - TERMS OF REFERENCE**

The Council considered the report of the Executive Director of Adult Social Care and Health which provided details of the revised set of Terms of Reference for the Health and Wellbeing Board, which forms part of the Council's Constitution. This was in response to the introduction of the Health and Care Act 2022 and following a programme of development delivered in partnership with the Local Government Association.

It was moved by Councillor Moncur, seconded by Councillor Cummins and

RESOLVED:

That the revised terms of reference for the Health and Wellbeing Board be approved and the Constitution be amended accordingly.

## **70. TREASURY MANAGEMENT POSITION TO SEPTEMBER 2022**

Further to Minute No. 86 of the meeting of the Cabinet held on 3 November 2022, the Council considered the report of the Executive Director of Corporate Resources and Customer Services which provided a review of the Treasury Management activities undertaken to 30 September 2022. The document was the mid-year report to Cabinet and Council, as well as the second report of the ongoing quarterly monitoring provided to Audit and Governance Committee whose role was to carry out scrutiny of treasury management policies and practices.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED:

That the Treasury Management update to 30 September 2022, the effects of decisions taken in pursuit of the Treasury Management Strategy and the implications of changes resulting from regulatory, economic and market factors affecting the Council's treasury management activities be noted.

## **71. FINANCIAL MANAGEMENT 2022/23 TO 2024/25 AND FRAMEWORK FOR CHANGE 2020 - REVENUE AND CAPITAL BUDGET UPDATE 2022/23 - ADDITIONAL ESTIMATES**

Further to Minute No. 84 of the meeting of the Cabinet held on 3 November 2022, the Council considered the report of the Executive Director of Corporate Resources and Customer Services which provided an update on the Capital Programme and sought approval to a supplementary estimate in respect of essential repairs and maintenance required at two Leisure Centres.

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It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED:

That approval be given to a supplementary capital estimate of £0.350m for essential repairs and maintenance at two Leisure Centres funded by Prudential Borrowing.

## **72. FINANCIAL MANAGEMENT 2022/23 TO 2024/25 AND FRAMEWORK FOR CHANGE 2020 - MEDIUM-TERM FINANCIAL PLAN 2023/24 TO 2024/25**

Further to Minute No. 85 of the meeting of the Cabinet held on 3 November 2022, the Council considered the report of the Executive Director of Corporate Resources and Customer Services which provided:

1. An update to the Medium-Term Financial Plan for 2023/24 to 2025/26 taking account of all currently available information; and
2. The position in respect of the Council's High Needs Budget, the commencement of the Delivering Better Value programme and within this, the need to reach an annual financially sustainable position. In addition, these plans will be shared with the Council's External Auditor.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED:

That the updated Medium-Term Financial Plan for 2023/24 to 2025/26 and any assumptions made, be approved.

## **73. HONORARY FREEDOM OF THE BOROUGH - ALEX GREENWOOD**

The Council considered the report of the Executive Director (People) on proposals for the Honorary Freedom of the Borough to be conferred on Alex Greenwood.

It was moved by Councillor Maher, seconded by Councillor Fairclough and

RESOLVED Unanimously:

That:

- (1) In accordance with Section 249 (5) of the Local Government Act 1972, this Council wishes to place on record its high appreciation of Alex Greenwood as an ambassador for Bootle and an outstanding role model for women and girls in sport and football, and in the light of her hard work, dedication and success, the Council resolves that

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the Honorary Freedom of the Borough be conferred on Alex Greenwood in recognition of her outstanding achievements; and

- (2) the Executive Director of Corporate Resources and Customer Services be authorised to take all the necessary actions associated with (1) above and arrange a civic reception for Alex Greenwood and invited guests to take place at the rising of an Extra-ordinary Council meeting in Bootle Town Hall on a date to be arranged.

#### **74. MEMBERSHIP OF COMMITTEES 2022/23**

- (1) The Mayor reported on the following proposed changes to the membership of the Health and Wellbeing Board:
  - Joe Rafferty, the Chief Executive of the Mersey Care NHS Foundation Trust to be the representative of the Trust on the Board; and
  - Nina Russell to replace Anne-Marie Stretch as a representative of the NHS Acute Provider Sector on the Board.
- (2) The Mayor reported that the Labour Group wished to make the following changes to the membership of the following Committees:

##### Overview and Scrutiny Committee – Regulatory, Compliance and Corporate Services

Councillor McGinnity to be appointed as a Member of the Committee in place of former Councillor Brennan.

##### Overview and Scrutiny Committee – Adult Social Care and Health

Councillor Roche to be the Substitute Member for Councillor Myers.

##### Overview and Scrutiny Committee – Children’s Services and Safeguarding

Councillor Howard to be the Substitute Member for Councillor Burns and Councillor Tweed to be the Substitute Member for Councillor Spencer.

##### Local Joint Consultative Committee

Councillor Anne Thompson to be the Substitute Member for Councillor Carlin and Councillor Burns to be the Substitute Member for Councillor O’Brien.

##### Joint Consultative Committee for Teaching Staffs

Councillor Thomas to be the Substitute Member for Councillor Waterfield.

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## Liverpool City Region Combined Authority Transport Committee

Councillor Hansen to be a Member of the Committee in place of the Late Gordon Friel.

## Liverpool City Region Combined Authority Overview and Scrutiny Committee

Councillor O'Brien to be a Member of the Committee in place of the Councillor Hansen.

- (3) Councillor Shaw reported that the Liberal Democrat and Progressive Alliance Group wished to make the following changes to the membership of the following Committees:

### Overview and Scrutiny Committee – Children's Services and Safeguarding

Councillor Lloyd-Johnson to be a Member of the Committee in place of Councillor Evans and Councillor Evans to be the Substitute Member for Councillor Lloyd-Johnson.

### Overview and Scrutiny Committee – Regeneration and Skills

Councillor Dodd to be a Member of the Committee in place of Councillor Sathiy and Councillor Sathiy to be the Substitute Member for Councillor Dodd.

RESOLVED:

That the changes as detailed above be approved.

## **75. MOTION SUBMITTED BY COUNCILLOR DOYLE - EXPANSION OF FREE SCHOOL MEALS**

It was moved by Councillor Doyle, seconded by Councillor Roscoe:

This Council notes the latest data released by the Government on the 31 March 2022, shows that 9501 of the children in the borough of Sefton live in relative low-income families. The highest density of families living in relative poverty live in the south of the borough, but there are also areas in the north where many families face the same issues.

At Sefton Council, we are well placed to see the impact of the cost-of-living crisis on our residents and their children and families. As an authority, we are focused on ensuring that our most disadvantaged children are not left behind, in line with our anti-poverty strategy.

To help us do that, we must make sure that every child has the nutrition they need to be able to learn and work to their potential during the school day. Not doing so would undermine all the great efforts of the education and healthcare workforce to tackle inequalities. We understand the

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benefits free school meals provide to those currently entitled. For many, it is the only hot, nutritious meal they have in a day. A quality school meal helps improve children's concentration and behaviour during lessons. We understand the effect they can have on improving school attendance, on children's health, and academic performance.

We know that, prior to the current cost of living crisis:

One in three school-age children in England living in poverty (800,000) missed out on free school meals despite cost-of-living struggles of families. In large part, this is because of the restrictive eligibility criteria and lack of universal provision for all ages.

Government action in England lags far behind Scotland and Wales, where government funding means primary schools are moving towards free school meals for all children.

The intensifying cost-of-living crisis means many more are now struggling to afford school lunches. Children are falling into school meal debt, and there is a serious threat to take-up of school meals and the viability of the catering service, not to mention risking the health and wellbeing of our pupils.

We hear from school leaders about the devastating reality of children coming to school unable to afford to buy lunch, because their family circumstances mean they fall outside the restrictive free school meal eligibility criteria. The Food Foundation's latest data indicates an estimated 2.6 million children live in households that missed meals or struggled to access healthy food during April 2022. Additionally, the Institute of Health Equity has estimated that by January 2023, 66% or 18 million households, in the UK will be in fuel poverty, thus adding to the crisis.

Excluding so many vulnerable children is a real barrier to learning and must be urgently addressed. Now is the right moment for the government to commit to an expansion of free school meals, providing a nutritional safety net that supports all children to learn and achieve.

The clear solution to ensuring fairness and equity across our schools is to extend universal provision, as Wales and Scotland are now committed to deliver.

Therefore, Council asks the Leader of the Council and Chief Executive to write to the Secretary of State for Education, Gillian Keegan, to call for:

1. An alleviation of financial pressure on hard working families struggling to feed their children during the cost-of-living crisis by implementing an urgent extension of free school meals to ensure universal provision for all school age groups, for a time limited period to match the cost-of-living crisis.

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2. A simultaneous review of the eligibility criteria and realistic threshold that would increase the number of children entitled to free school meals. Current eligibility for free school meals means a household on universal credit in England must earn less than £7,400 a year (after tax and not including benefits), regardless of the number of children in the family. This low threshold means that many children from working families in poverty are not entitled to free school meals. Universal provision to end only once this threshold has been implemented.
3. Food provision for children on free school meals to be provided during the school holidays as standard. Children need healthy, nutritious meals all year round, and we need certainty that this will be provided continuously, outside of term time.

An **amendment** was moved by Councillor Pugh, seconded by Councillor Shaw that the Motion be amended by the addition of the following text at the end of the Motion:

- “4. Additional financial support for the extension of free school meals to be ‘new money’ and delivered at no detriment to schools’ or special needs funding which this Council believes to be currently under severe pressure; and
5. Sufficient resource be made available to ensure the delivery of a quality hot meal offsetting the real terms decline in the value of school meals since the introduction of free infant meals in 2014.”

In accordance with Paragraph 72 in Chapter 4 of the Constitution, Councillor Pugh offered the amendment as a friendly amendment and it was accepted by Councillor Doyle as a friendly amendment.

Following a debate on the **amendment**, the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **amendment was carried** by 54 votes to none with 4 abstentions.

Following a debate on the **Substantive Motion** the Chief Legal and Democratic Officer officiated a vote and the Mayor declared that the **Substantive Motion was carried** by 54 votes to none with 4 abstentions, and it was:

RESOLVED:

This Council notes the latest data released by the Government on the 31 March 2022, shows that 9501 of the children in the borough of Sefton live in relative low-income families. The highest density of families living in relative poverty live in the south of the borough, but there are also areas in the north where many families face the same issues.

At Sefton Council, we are well placed to see the impact of the cost-of-living crisis on our residents and their children and families. As an authority, we



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are focused on ensuring that our most disadvantaged children are not left behind, in line with our anti-poverty strategy.

To help us do that, we must make sure that every child has the nutrition they need to be able to learn and work to their potential during the school day. Not doing so would undermine all the great efforts of the education and healthcare workforce to tackle inequalities. We understand the benefits free school meals provide to those currently entitled. For many, it is the only hot, nutritious meal they have in a day. A quality school meal helps improve children's concentration and behaviour during lessons. We understand the effect they can have on improving school attendance, on children's health, and academic performance.

We know that, prior to the current cost of living crisis:

One in three school-age children in England living in poverty (800,000) missed out on free school meals despite cost-of-living struggles of families. In large part, this is because of the restrictive eligibility criteria and lack of universal provision for all ages.

Government action in England lags far behind Scotland and Wales, where government funding means primary schools are moving towards free school meals for all children.

The intensifying cost-of-living crisis means many more are now struggling to afford school lunches. Children are falling into school meal debt, and there is a serious threat to take-up of school meals and the viability of the catering service, not to mention risking the health and wellbeing of our pupils.

We hear from school leaders about the devastating reality of children coming to school unable to afford to buy lunch, because their family circumstances mean they fall outside the restrictive free school meal eligibility criteria. The Food Foundation's latest data indicates an estimated 2.6 million children live in households that missed meals or struggled to access healthy food during April 2022. Additionally, the Institute of Health Equity has estimated that by January 2023, 66% or 18 million households, in the UK will be in fuel poverty, thus adding to the crisis.

Excluding so many vulnerable children is a real barrier to learning and must be urgently addressed. Now is the right moment for the government to commit to an expansion of free school meals, providing a nutritional safety net that supports all children to learn and achieve.

The clear solution to ensuring fairness and equity across our schools is to extend universal provision, as Wales and Scotland are now committed to deliver.

Therefore, Council asks the Leader of the Council and Chief Executive to write to the Secretary of State for Education, Gillian Keegan, to call for:

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1. An alleviation of financial pressure on hard working families struggling to feed their children during the cost-of-living crisis by implementing an urgent extension of free school meals to ensure universal provision for all school age groups, for a time limited period to match the cost-of-living crisis.
2. A simultaneous review of the eligibility criteria and realistic threshold that would increase the number of children entitled to free school meals. Current eligibility for free school meals means a household on universal credit in England must earn less than £7,400 a year (after tax and not including benefits), regardless of the number of children in the family. This low threshold means that many children from working families in poverty are not entitled to free school meals. Universal provision to end only once this threshold has been implemented.
3. Food provision for children on free school meals to be provided during the school holidays as standard. Children need healthy, nutritious meals all year round, and we need certainty that this will be provided continuously, outside of term time.
4. Additional financial support for the extension of free school meals to be 'new money' and delivered at no detriment to schools' or special needs funding which this Council believes to be currently under severe pressure; and
5. Sufficient resource be made available to ensure the delivery of a quality hot meal offsetting the real terms decline in the value of school meals since the introduction of free infant meals in 2014.

# Agenda Item 7

<b>Report to:</b>	Council	<b>Date of Meeting:</b>	Thursday 19 January 2023
<b>Subject:</b>	Financial Management 2022/23 to 2024/25 and Framework for Change 2020 - Revenue and Capital Budget Update 2022/23 - Additional Estimates		
<b>Report of:</b>	Executive Director of Corporate Resources and Customer Services	<b>Wards Affected:</b>	All Wards
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	No		

## Summary:

This report sets out supplementary estimates for approval in the Council's Revenue Budget and Capital Programme following recommendation by Cabinet on 5 January.

## Recommendation(s):

Council is recommended to:

- 1) Approve a supplementary revenue estimate of £1.200m to be fully funded by the Better Care Fund (BCF) – Discharge Grant.
- 2) Approve a supplementary revenue estimate of £2.171m for Improving Technology in Care Settings to be fully funded by the grants outlined in paragraph 2.3.
- 3) Note that, of the three grants received for Improving Technology in Care Settings totalling £2.171m, Sefton has been initially allocated £0.222m (Digitisation of Social Care Records £0.147m and Supporting Independence Through Technology £0.075m).
- 4) Approve that Sefton passports grants for Improving Technology in Care Settings to partner agencies in line with agreed allocations.
- 5) Approve a supplementary capital estimate of £0.540m for Ainsdale Coastal Gateway funded by £0.490m of capital receipts and £0.050m of external grant funding.
- 6) Approve a supplementary revenue estimate of £1.196m for the allocations outlined in paragraph 4.4 which will be fully funded by the UK Shared Prosperity Fund.

## Reasons for the Recommendation(s):

To approve updates to the Revenue Budget and Capital Programme so that they can be applied to schemes in the delivery of the Council's overall financial strategy.

## Alternative Options Considered and Rejected: (including any Risk Implications)

N/A

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## What will it cost and how will it be financed?

### (A) Revenue Costs

The total value of schemes funded through the Better Care Fund will be £1.2m.

Sefton will deliver £0.222m of schemes for Improving Technology in Care Settings funded by £0.147m Digitisation of Social Care Records grant and £0.075m Supporting Independence Through Technology grant. The remaining balance of grants will be passported to partner agencies for delivery.

Sefton will deliver £1.196m of schemes funded by the UK Shared Prosperity Fund.

### (B) Capital Costs

The total cost of the scheme at Ainsdale Coastal Gateway will be £0.892m funded by £0.352m prudential borrowing (approved January 2021), £0.490m capital receipts and £0.050m Changing Places grant. Contributions will also be made from the approved Highways Capital Programme.

## Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>	
None	
<b>Legal Implications:</b>	
None	
<b>Equality Implications:</b>	
There are no equality implications.	
<b>Climate Emergency Implications:</b>	
The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	No
The allocations of funding outlined in this report may be spent on projects that will have a high climate change impact as they could relate to new build, rebuild, refurbishment, retrofit and demolition proposals. Environmental consideration will be taken into account when specific projects are designed and tendered – which will help to mitigate negative impacts.	

## Contribution to the Council's Core Purpose:

Effective Financial Management and the development and delivery of sustainable annual budgets support each theme of the Councils Core Purpose.

Protect the most vulnerable: See comment above
Facilitate confident and resilient communities: See comment above
Commission, broker and provide core services: See comment above
Place – leadership and influencer: See comment above
Drivers of change and reform: See comment above
Facilitate sustainable economic prosperity: See comment above
Greater income for social investment: See comment above
Cleaner Greener: See comment above

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7078/23) and the Chief Legal and Democratic Officer (LD 5278/23) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

N/A

## Implementation Date for the Decision

Immediately following the Council meeting.

<b>Contact Officer:</b>	Graham Hussey
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## Appendices:

There are no appendices to this report

## Background Papers:

There are no background papers available for inspection.

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## 1. Better Care Fund – Discharge Grant

- 1.1. On 16th November 2022, the Minister for Social Care wrote to all Councils advising them of additional winter discharge funding. The letter states “the fund can be used flexibly on the interventions that best enable the discharge of patients from hospital to the most appropriate location for their ongoing care.” All scheme types are related to hospital discharge only. Discharges from acute mental health services are also included. While care home services are included in the list of scheme types, areas are encouraged to use a ‘Home first’ approach where possible.
- 1.2. Returns are required to be submitted to through the Better Care Fund and there will be ongoing monitoring on the performance and impact of any new schemes.
- 1.3. A number of schemes are currently being developed in Sefton working with system partners. These include:
  - Additional block-booked Domiciliary Care capacity to support with hospital discharges reducing waiting times.
  - Creation of ‘Discharge Hub’ with greater Social Work and Occupational Therapy capacity.
  - Expansion of Intermediate Care / Transitional care home bed capacity
  - Support through the Voluntary Sector to meet other Social Care and Housing needs.
  - Further support to Market Management and strengthened brokerage offers, assisting to find the most appropriate service quicker.
  - Assistance to providers to support people with higher needs and acuity.
- 1.4. This will equate to £1.2m for Sefton Council and is to be managed through the Better Care Fund.

## 2. Improving Technology in Care Settings

- 2.1. NHS England and the Department for Health and Social Care (DHSC) have made grants available for the financial year 2022/23 to Cheshire and Mersey ICB for improving technology in care settings. The Agreement is signed on behalf of the Locality by Executive Director of Health and Social Care for Knowsley and by the Funding Recipient Director of Finance, NHS Cheshire and Merseyside.
- 2.2. Sefton have been asked to host the grant and passport allocations to the other partners, primarily local authorities and health bodies within Cheshire and Mersey area.
- 2.3. There are 3 grants with a total value to £2.171m outlined below:
  - **Digitisation of Social Care Records.** Total grant £1.402m of which Sefton has been allocated £0.147m.
  - **SITT (Supporting Independence through technology).** Total grant £0.739m of which Sefton has been allocated £0.075m.
  - **Better Security Better Care.** Total grant £0.030m – no award to Sefton.

- 2.4. The management of the grant programmes, including returns, will be undertaken by staff based at Knowsley MBC. There is the potential that further allocations may be made as the programme develops.

### **3. Ainsdale Coastal Gateway**

- 3.1. The Sefton Coast Plan recognises the need to create high quality visitor infrastructure at a number of access points, known as coastal gateways, along Sefton's Coast. The purpose is to drive growth within the visitor economy to the benefit of local businesses, provide a high-quality visitor experience at these access points, and reduce visitor pressure on areas of high conservation value and on local residents. Ainsdale-on-Sea has been recognised as one of these coastal gateways.
- 3.2. The area is formally protected as internationally important dune habitat and supporting many rare and important species of flora and fauna. It is designated as an SSSI, SAC, SPA, Ramsar site and Local Nature Reserve. The area includes natural sand dune, a "good" bathing water quality beach, and is one of the key bases for Green Sefton. It also contains a number of buildings that are owned by Sefton, including Toad Hall, and the former Sands public house.
- 3.3. Consultation relating to this project has taken place as part of the Southport Town Deal bid (Summer 2020). As a response to theme three: Stronger Economy, the investment in Ainsdale-on-Sea Visitor Hub featured as the third most popular option. It was suggested that Ainsdale-on-Sea is in need of investment.
- 3.4. A number of operational changes to the way visitors were welcomed to the coast were introduced in the summers of 2020 and 2021. These included the increasing of staffing, including into the evening when the car park was then closed, the engagement of volunteers as 'ambassadors', the introduction of free bin bags, and the introduction of skips/ euro bins. The existing toilets were closed during the Covid pandemic, with temporary portaloos provided during this period. Basic improvements to the toilets were carried out while they were closed, and they were reopened for the summer of 2022.
- 3.5. A further consultation exercise completed in the summer of 2021, built on the comments received from the Town Deal consultation, the operational changes that have taken place over the last two years, and the developments planned for the area. These helped inform proposals for a number of longer-term development projects. These include:
- External artwork on Toad Hall (now completed).
  - Toilet and wash facility improvements, including introducing a Changing Places toilet unit.
  - A new seasonal pop-up food and drink facility off beach, in the picnic area.
  - Improved off-beach car parking, with pedestrian and cycle access improvements, and EV charging points.

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- A suite of other infrastructure improvements, such as fencing to guide visitors appropriately, new signage and picnic area improvements.

3.6. The improved off-beach car parking facility will generate new income to Green Sefton that would cover all operational and revenue costs for the project. Mitigations measures will be expected by Natural England as part of their consent for such works to go ahead.

3.7. A project budget of £0.352m was previously approved by Council in January 2021 funded by Prudential Borrowing. Approval is now sought for a further supplementary capital estimate of £0.540m to implement the improvements outlined above funded by £0.490m of Capital Receipts and £0.050m from Changing places grant for the changing places toilet unit. Contributions to the scheme will also be made as part of the Council's approved Highways Capital Programme.

## 4. UK Shared Prosperity Fund

4.1. The UK Shared Prosperity Fund (UKSPF) is the government's domestic replacement for the European Structural and Investment Programme (ESIF) which the UK continues to participate in until 2023. The ESIF programme was essential for local regeneration, employment and skills and has been routinely accessed in Sefton for many years to support a host of regeneration, community development and employment-based activities.

4.2. The UK Shared Prosperity Fund (UKSPF) is a central pillar of the UK government's Levelling Up agenda and a significant component of its support for places across the UK. It provides £2.6 billion of new funding for local investment by March 2025, with all areas of the UK receiving an allocation from the Fund via a funding formula rather than a competition. It is also suggested that this means many more local authority areas will be given an allocation of UKSPF than were able to access EU funds on the basis of economic and social need.

4.3. The UKSPF is allocated to Mayoral Combined Authorities where these are in place, as in our area. Across the Liverpool City Region (LCR), a total amount of £52.8m is available from 2022 to 2025. Further detail on the allocations, workstreams and deliverables from the UKSPF allocated to the LCR can be found in a separate report to Cabinet on 5 January 2023.

4.4. The following allocations are to be made to Sefton Council for delivery:

Green, Resilient and Safe Communities	£551,552
Local Cultural Arts and Heritage	£251,850
Town Centres	£251,850
UKSPF Programme Management	£140,518
<b>Total</b>	<b>£1,195,770</b>

4.5. Sefton's responsibilities in relation to delivery of the above will include:

- Feeding into the CA's UKSPF Programme management and providing updates on LA Investment Plan progress and supporting risk management.



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- Providing adequate resourcing to UKSPF, including key contact for CA UKSPF requests, responding to DLUHC requests by set deadlines; and
- Having arrangements in place to:
  - evidence, monitor and evaluate projects
  - sign off financial claims by section 151 officer
  - manage project risk, including risk registers
  - to prevent breach of procurement rules, policies or procedures or Legal, including Subsidy Control and GDPR
  - to prevent Fraud including Grant Funding Fraud / Misuse of Government Funds / Bribery.

4.6. Delivery plans against each of the three areas above will be finalised during January 2023, for submission to the LCR and thereafter to Government. This provides limited time to obtain the necessary approval of a Supplementary Revenue Estimate in line with the Financial Procedure Rules from Council. Therefore, work will take place alongside approval being sought. Should Council not approve, then work will cease immediately, however, there will be a risk that the associated funding would be lost.

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<b>Report to:</b>	Cabinet  Overview & Scrutiny (Regulatory, Compliance & Corporate Services)  Council	<b>Date of Meeting:</b>	5 <sup>th</sup> January 2023  10 <sup>th</sup> January 2023  19 <sup>th</sup> January 2023
<b>Subject:</b>	Council Tax Reduction Scheme and Council Tax Base 2023/24		
<b>Report of:</b>	Executive Director of Corporate Resources and Customer Services	<b>Wards Affected:</b>	All Wards
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	No		

## Summary:

The purpose of this report is to provide details of the review of the local Council Tax Reduction Scheme for the current year, 2022/23, and to recommend that there is no change to the scheme for 2023/24 for working age claimants.

The report also proposes an increase in the long-term empty homes premium from 200% to 300% on dwellings that have been empty for 10 years or more from 1 April 2023.

Finally, the report provides an updated Council Tax Base for Sefton Council and each Parish area for 2023/24.

## Recommendation(s):

### Cabinet:

- 1) Notes the content of the review of the Council Tax Reduction Scheme for the current financial year, 2022/23.

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- 2) Recommend to Council that there are no changes to the existing Scheme for 2023/24 for working age claimants.
- 3) Considers the Equality Impact Assessment in respect of the Council Tax Reduction Scheme at Annex C.
- 4) Recommend that Council approves an increase in the Long-term Empty Homes Premium on dwellings that have been left empty for 10 years or more, from 200% to 300%, from 1 April 2023.
- 5) Recommend that Council approves the relevant Council Tax Base for Sefton Council and each Parish Area for 2023/24 as set out in Annex A.

## **Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services):**

- 1) That the report be noted.

## **Council:**

- 1) Notes the content of the review of the Council Tax Reduction Scheme for the current financial year, 2022/23.
- 2) Approve that there are no changes to the existing Scheme for working age claimants for 2023/24.
- 3) Notes the Equality Impact Assessment in respect of the Council Tax Reduction Scheme at Annex C.
- 4) Approve an increase in the Long-term Empty Homes Premium on dwellings that have been left empty for 10 years or more, from 200% to 300%, from 1 April 2023.
- 5) Approve the relevant Council Tax Base for Sefton Council and each Parish Area for 2023/24 as set out in Annex A of the report.

## **Reasons for the Recommendation(s):**

### **Council Tax Reduction Scheme**

Each financial year, the Council must consider whether to revise or replace its local Council Tax Reduction Scheme. The Council must approve and adopt the 2023/24 Council Tax Reduction Scheme by 11 March 2023, as set out in the Council Tax Reduction Scheme (Amendment) (England) Regulations 2017.

The report provides an update on key aspects of the local Council Tax Reduction Scheme. An Equalities Impact Assessment has also been produced that details how the Council meets both its equalities duties and the Council's principles set out for the scheme.

After consideration of the factors outlined later in the report, and in the Equalities Impact Assessment, it is proposed that the local Council Tax Reduction Scheme for 2023/24 remains unchanged for working age claimants.

## **Increasing Premium on dwellings left empty for 10 years or more**

Increasing the long-term empty homes premium on dwellings left empty for 10 years or more is intended to encourage owners of these homes to bring them back into use. Any additional income raised from the premium will help support the provision of Council services.

## **Council Tax Base**

In accordance with Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as amended, the Council is required to set a tax base for both Sefton Council and for each Parish Area for 2023/24 before 31st January 2023.

**Alternative Options Considered and Rejected:** (including any Risk Implications)

## **Council Tax Reduction Scheme**

The Council Tax Reduction Scheme was last revised in 2018/19 following a public consultation process. The Scheme continues to be monitored and reviewed on an annual basis to ensure that it remains fit for purpose by addressing the Council's priorities to meet its equalities duties, minimise the impact on vulnerable residents whilst striking a balance with Council financial priorities. For these reasons, no alternative options have been considered for 2023/24.

## **Increasing Premium on dwellings left empty for 10 years or more**

The Council could choose not to increase the long-term empty homes premium; however, this would not provide any additional incentive for owners of long-term empty homes to bring them back into use or any additional income to help meet budget pressures in 2023/24.

**What will it cost and how will it be financed?**

### **(A) Revenue Costs**

#### **Council Tax Reduction Scheme 2023/24**

There would be no additional revenue implications as a result of a decision to retain the current scheme. The cost of the current council tax reduction scheme discounts has been reflected in the council tax base.

## **Increasing Premium on dwellings left empty for 10 years or more**

Increasing the empty homes premium from 200% to 300% on dwellings left empty for 10 years or more is forecast to increase Council Tax income by £116,900 in 2023/24 (Sefton's share £98,000). This income is built into Council Tax Base Option B and will be distributed between Sefton Council and its major preceptors.

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## **Council Tax Base**

Changes to the council tax base will have an impact on the level of Council Tax income transferred from the Collection Fund to the Council's General Fund in 2023/24. It will also impact on the amounts due to the Police and Crime Commissioner, the Fire and Rescue Service, and the Combined Authority.

The following table shows the estimated increase in council tax income as a result of changes to the tax base between 2022/23 and 2023/24, based on the 2022/23 Council Tax Band D charge:

Council Tax Income	Sefton Council £ million	Police & Crime £ million	Fire & Rescue £ million	Combined Authority £ million
Option A	2.539	0.341	0.120	0.027
Option B	2.637	0.354	0.125	0.028

Option A assumes no change in the level of empty homes premium in 2023/24.

Option B assumes that the empty homes premium charged on dwellings left empty for 10 years or more will increase from 200% to 300% in 2023/24.

## **(B) Capital Costs**

No capital costs applicable.

## **Implications of the Proposals:**

### **Resource Implications (Financial, IT, Staffing and Assets):**

The local Council Tax Reduction Scheme will continue to be administered from existing resources.

### **Legal Implications:**

#### **Local Council Tax Reduction Scheme**

By Section 5 of Schedule 1A of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012) for each financial year each billing authority must:

- a. Consider whether to revise its Council Tax Reduction Scheme or to replace it with another scheme
- b. Make any revision to its scheme, or any replacement scheme, no later than 11 March in the financial year preceding that for which the revision or replacement is to have effect.
- c. If any revision to a scheme, or any replacement scheme, has the effect of reducing or removing a reduction to which any class of person is entitled, the revision or replacement must include such transitional provision relating to that reduction or removal as the authority thinks fit.
- d. Before revising its scheme or making a replacement scheme, an authority must:

<ul style="list-style-type: none"> <li>i. Consult any major precepting authority which has power to issue a precept to it.</li> <li>ii. Publish a draft scheme in such manner as it thinks fit, and</li> <li>iii. Consult other such persons as it considers are likely to have an interest in the operation of the scheme.</li> </ul>								
<p><b>Equality Implications:</b> The equality implications have been identified and mitigated. An Equalities Impact Assessment is included at Annex C.</p>								
<p><b>Climate Emergency Implications:</b> The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> </table> <p style="margin-top: 10px;">There is no Climate Emergency impact resultant from the recommendations of this report.</p>	Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	No							
Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							

**Contribution to the Council's Core Purpose:**

<p>Protect the most vulnerable: The Council Tax Reduction Scheme proposed for 2023/24 will continue to help maintain fairness and consistency. The Scheme provides support to those experiencing financial hardship as well as supporting those making the transition to Universal Credit.</p>
<p>Facilitate confident and resilient communities: Not applicable</p>
<p>Commission, broker and provide core services: Not applicable</p>
<p>Place – leadership and influencer: Not applicable</p>
<p>Drivers of change and reform: Not applicable</p>
<p>Facilitate sustainable economic prosperity: Provide support to those in financial hardship as well as supporting people into work.</p>
<p>Greater income for social investment: Not applicable</p>

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Cleaner Greener: Not applicable
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## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services is the author of this report (FD7054/22).

The Chief Legal and Democratic Officer (LD5254/22) has been consulted and any comments have been incorporated into the report.

### (B) External Consultations

Details of the review of the local Council Tax Reduction Scheme and the Council Tax Base are provided to the precepting bodies, i.e., the Police and Crime Commissioner, Merseyside Fire and Rescue Service and the Liverpool City Region Combined Authority.

### Empty Homes Premium

A public consultation on proposals to increase the empty homes premium in-line with new discretionary powers introduced in the Rating (property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, ran for 5 weeks from 29th October 2018 to 3rd December 2018. The Police and Crime Commissioner for Merseyside supported the Council's proposals to increase the empty homes premium in-line with the new legislation.

### Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet recommendation to Council and approval by Council on 19<sup>th</sup> January 2023.

<b>Contact Officer:</b>	Diane Turner, Customer Centric Services Manager, Corporate Resources
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### Appendices:

Annex A: Council Tax Base Report 2023/24

Annex B: A summary of feedback from the 2018 consultation on increasing the Council Tax Long term empty Homes Premium and the associated equalities impact assessment

Annex C: Equalities Impact Assessment in respect of Council Tax Reduction Scheme.

### **Background Papers:**

There are no background papers available for inspection.



## 1. Introduction/Background

### Local Council Tax Reduction Scheme

#### 1.1 Introduction/Background

1.2 Local Council Tax Reduction replaced Council Tax Benefit (CTB) from 1<sup>st</sup> April 2013. The Council Tax Reduction Scheme is a discount awarded to households on a low income to help towards Council Tax payments. The amount awarded is based on a person's household and income. The local scheme rules only apply to working-age Council Taxpayers. Pensioners are protected by legislation and must be provided with the level of Council Tax support specified by the Government.

1.3 The grant transferred to the Council, Police and Crime Commissioner and Fire Service in 2013/14, £24.2M; to fund the local scheme was £3M lower than had previously been provided to fund CTB in 2012/13. The Council therefore had to introduce changes to the national default Council Tax Support Scheme to ensure that the local scheme was cost neutral. As the Government had specified the level of support that had to be provided to pensioners, the saving requirement had to be met by reducing the level of support available to working age claimants and through changes to Council Tax empty property discounts.

1.4 The Council is required, by law, to review the Scheme each year irrespective of whether it is being amended.

1.5 The Council Tax Reduction Scheme for 2023/24 must be agreed by Council by 11<sup>th</sup> March 2023.

#### 2. Review of the Council Tax Reduction Scheme for 2022/23

2.1 To satisfy the requirement to review the Scheme, the following areas have been evaluated:

- Claimant caseload
- Scheme expenditure
- Council Tax collection
- Attachment of Benefits
- Council Tax Exceptional Hardship Fund
- Review of the Council's five principles for the Scheme
- An Equality Impact Assessment has been produced, setting out the impact on the most vulnerable groups using the scheme.

#### 2.2 Claimant Caseload

The table below shows the caseload data at 30<sup>th</sup> September 2022 compared to caseload data at the end of each year since the Council Tax Reduction Scheme was introduced in 2013/14:

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Year	Date	Pensioners	Working Age	Total	Change
2013/14	03.04.14	14,655	16,025	30,680	n/a
2014/15	01.04.15	13,925	15,349	29,274	-1,406
2015/16	31.03.16	13,206	14,886	28,092	-1,182
2016/17	31.03.17	12,541	14,524	27,065	-1,027
2017/18	31.03.18	11,970	14,005	25,975	-1,090
2018/19	31.03.19	11,404	14,160	25,564	-411
2019/20	31.03.20	10,871	14,326	25,197	-367
2020/21	31.03.21	10,491	15,519	26,010	+813
2021/22	31.03.22	10,243	14,917	25,160	-850
2022/23	30.09.22	10,125	14,496	24,621	-539

The working age caseload can be split further:

Year	Date	Employed	Other	Total	Change
2013/14	03.04.14	2,874	13,151	16,025	n/a
2014/15	01.04.15	2,748	12,601	15,349	-676
2015/16	31.03.16	2,504	12,382	14,886	-463
2016/17	31.03.17	2,193	12,331	14,524	-362
2017/18	31.03.18	1,900	12,105	14,005	-519
2018/19	31.03.19	1,597	12,563	14,160	+155
2019/20	31.03.20	1,268	13,058	14,326	+166
2020/21	31.03.21	1,070	14,449	15,519	+1,193
2021/22	31.03.22	1,126	13,791	14,917	-602
2022/23	30.09.22	1,082	13,414	14,496	-421

## 2.3 Pensioner Claimants

Since the initial implementation of the scheme in 2013/14 the number of Pensioner Claimants has declined in every year. Claimant numbers reduced by -248 between 2020/21 and 2021/22. Pensioner claimant numbers have continued to fall in 2022/23.

## 2.4 Working Age Claimants

Claimant numbers increased significantly in 2020/21 as a result of the economic impact of Covid-19. Claimant numbers reduced in 2021/22 and have continued to reduce in 2022/23. However, the current economic climate is uncertain, and a recession could see this trend reverse.

## 2.5 Scheme Expenditure

The following table shows the Council Tax Reduction Scheme Expenditure reported in the Revenue Outturn Return compared to the mid-year estimate for 2022/23:

Year	Source	Pensioners £000	Working Age £000	Total £000	Change £000
2013/14	RO Return	13,305	9,907	23,212	n/a
2014/15	RO Return	12,152	10,364	22,516	-696

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2015/16	RO Return	11,895	9,760	21,655	-861
2016/17	RO Return	11,540	10,559	22,099	+444
2017/18	RO Return	11,378	10,948	22,326	+227
2018/19	RO Return	11,695	11,069	22,764	+438
2019/20	RO Return	11,790	11,784	23,574	+810
2020/21	RO Return	11,898	13,414	25,312	+1,738
2021/22	RO Return	12,020	13,823	25,843	+531
2022/23	Estimate	12,047	13,512	25,559	-284

Note: 2022/23 Estimate: The costs recorded at 30 September 2022 have been split based on the Pensioner & Working Age weekly costs recorded on the monthly Northgate CTR304 reports.

## 2.6 Council Tax Collection

The table below shows the amount of Council Tax billed and collected during 2021/22:

Recorded at 31 March 2022	Liability Raised £000	Received In Year £000	Collection Rate %
CTRS Cases - Working Age	4,635	3,271	70.6
CTRS Cases - Pensioner Age	1,503	1,588	105.70
Other Council Tax Payers	172,988	164,980	95.4
Total (in-year collection)	179,126	169,839	94.8

The in-year collection rate reduced from 97.2 % in 2012/13 under the council tax benefit system to 96.2% in 2013/14 when council tax support was localised. The in-year collection rate subsequently reduced to 95.0% in 2020/21 and 94.8% in 2021/22 as a result of the impact of Covid-19. Sefton's in-year collection rate remains higher than the average for Metropolitan Districts which was 93.8% in 2021/22.

## 2.7 Council Tax Collection for the Current Year, 2022/23

As at 31<sup>st</sup> October 2022, the in-year Council Tax collection figure was 62.99% compared to 62.91% in 2021/22.

Collection rates in 2022/23 are currently impacted positively by the £150 Council Tax Energy Rebate. If customers did not nominate bank accounts to receive the Energy Rebate payment it has been offset against the Council Tax account. Approximately 10,100 payments were offset with the majority of those payments in respect of Council Tax Reduction claimants and for whom £150 paid a substantial portion of their annual liability.

During the Covid-19 pandemic, the Council adopted a more sensitive approach to Council Tax collection. During 2022, as restrictions have eased, the Council has transitioned back to a regular programme of recovery and enforcement, albeit with a wide range of support measures in place to help residents experiencing financial difficulties; a greater awareness of vulnerability has meant that as soon as an issue is identified, in most cases, recovery action is placed on hold whilst the vulnerability aspect is assessed. It may result in the Council entering payment arrangements which take

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slightly longer to repay because of a genuine financial vulnerability being identified.

## 2.8 Attachment of Benefits

Since the introduction of the Council Tax Reduction Scheme in April 2013 the number of working age claimants falling into arrears continues to grow. One recovery option open to the Council in respect of benefit claimants is to apply for an Attachment of Benefit (AOB) via the courts. Under this option the Council can now require a payment of £3.75 per week to be made by the DWP directly from the claimant's benefits to meet Council Tax arrears. The rate for Universal Credit claimants is £20.89 per month.

Payments by AOB do provide some certainty to both the Council and the debtor. For the Council, the payments do guarantee regular income from the debtor. For the debtor, there is the security of knowing that a debt is being paid by a deduction from their benefit.

However, AOB is not a perfect solution to the problem of growing debt for the following reasons: -

- An AOB cannot be applied without first having taken the debtor to court to obtain a Liability Order. Due to the need to follow the correct legislative timeline for obtaining a Liability Order, payment by AOB cannot commence until part-way through the year. Typically for a bill issued in March the first payments would not be made by the DWP until August of the same year.
- Many debtors have arrears outstanding for multiple years Council Tax. An AOB can only be used to collect one debt at a time. In addition, current legislation does not allow the Council to take any other form of debt recovery (e.g., use of Enforcement Agents) whilst an AOB is in place. To mitigate this, letters have been issued to people on AOB asking them to contact the Council for advice, to make alternate payment arrangements or seek financial advice from Citizens Advice Sefton. However, this initiative met with only a few people contacting the Council to make payment arrangements.
- Collection of Council Tax debt by way of AOB is not the highest priority of debt administered by the DWP. The level of recovery will therefore be affected when a person has multiple debts, e.g., rent and energy debts are given higher priority. Whilst the number of these applications decreased during the COVID period, numbers have now increased. Between November 2021 and October 2022, the number of cases subject to an attachment increased from 5,000 to 7,500.
- Many new claimants for local Council Tax Reduction have already accrued debts before an AOB can be considered.
- At the commencement of the scheme in 2013 the maximum deduction of £3.70 was lower than the minimum weekly Council Tax charge for all property bands. The minimum contribution of 20% towards the Council Tax was greater than the amount that could be collected within the year by AOB. This created a problem of debt being carried forward to the following year. Therefore, whilst debt payments were being collected regularly the amount of debt at the end of each year kept growing.
- To try and break the cycle of debt, the Council Tax Reduction Scheme was

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amended with effect from 1st April 2016 to reduce the minimum contribution rate to 16%. This rate was calculated so that the then AOB payment rate of £3.70 per week was more than would be due from Council Tax for many of the claimants.

- A significant number of customers have arrears for more than one financial year. As only one AOB order may be deducted at a time there has been a significant increase in the number of pending cases. These cases are effectively stacked up until an earlier order is paid. No recovery action may be taken in the interim and the value of such cases is increasing year on year.
- The following table shows the amount of debt being recovered by AOB, and the amount of debt still waiting recovery by AOB as at 31<sup>st</sup> October 2022: -

	<b>01.04.20</b>	<b>31.10.20</b>	<b>01.04.21</b>	<b>31.10.21</b>	<b>31.10.22</b>
AOB in payment	£1,160,881	£1,011,275	£976,248	£1,170,127	£1,719,777
Number of cases	5,803	4,528	4,442	5,002	7,524
AOB Pending	£4,382,203	£4,425,238	£4,278,022	£4,868,797	£5,897,664
Number of cases	18,163	18,076	17,215	17,101	20,008

## 2.9 Council Tax Exceptional Hardship Fund

The Council provides Exceptional Hardship Funding of £170,000 each year. The fund aims to help vulnerable working age people experiencing financial hardship by reducing their Council Tax bill. Each year, approximately £20,000 is used to fund council tax discounts for care leavers.

In addition, for 2022/23, following a review conducted by the Ministry of Justice it was identified that fees of £3.00 paid to the Magistrates Court for each case summonsed to appear for non-payment of Council Tax were in excess of the actual costs incurred. Consequently, those fees were reduced to £0.50 per case retrospectively resulting in the Council receiving a refund of £223,692.76.

Issuing a summons is an indicator that the recipient could be falling into debt with other bills. A substantial number of summonses are issued to taxpayers in receipt of Council Tax Reduction and in many cases state benefits. These are also the taxpayers most likely in need of additional assistance. Consideration was given to refunding the overpayments to those who had been issued with a summons, but this was deemed too costly and impractical to implement. Therefore, in light of the increasing cost of living and potential fuel poverty issues Cabinet approved that the refunded amount be added to the Exceptional Hardship Fund thereby allowing additional assistance to be offered to those most needy and vulnerable residents.

The fund is administrated within an agreed policy, the Discretionary Reduction in liability policy, approved by Cabinet Member for Regulatory, Compliance and Corporate Services.

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## 2.10 Impact on the most vulnerable claimants

The local Council Tax Reduction Scheme addresses the Council's priorities to minimise the impact on the most vulnerable, by seeking to strike a balance between dealing with Council priorities whilst supporting those experiencing financial challenges. The Council, having recognised the impact on communities, has introduced a range of mitigating actions, including:

- Administration of the Government's Council Tax Energy Rebate Scheme. The Scheme was announced by the Chancellor in February 2022 whereby a one-off payment of £150 was made to Council Tax households in Bands A-D. Payments have been made to around 110,000 eligible Sefton households, totalling approximately £16.5Million. In addition, a discretionary fund of £708,150 was provided. The Council's approach, in the main, has been to provide targeted discretionary support to households in receipt of Council Tax Reduction.
- Provision of an Exceptional Hardship Fund, as described at 2.9 above.
- Allowing a Universal Credit notification, received from the Department for Work and Pensions (DWP), to be treated as a claim for local Council Tax Reduction, thus removing the need for those working age people in receipt of Universal Credit to have to make a separate claim for support towards their Council Tax.
- Making provision in the local Council Tax Reduction Scheme for awards to be backdated for up to 6-months for working-age vulnerable claimants.
- Deciding that the Council's local Council Tax Reduction scheme for working-age families should not replicate the rules that are in place in the national Housing Benefit scheme and the Council Tax Reduction Pensioner scheme whereby the removal of the family premium and the "2-child" rule restrict the level of award.
- Continuing to disregard the whole of a war pension as part of the Council Tax Reduction Scheme, including War Disablement Pensions, War Widows Pensions, and any corresponding pensions payable to a widower or surviving civil partner. For those claimants also in receipt of Housing Benefit, the Council also fully disregards War Disablement Pension and War Widow's Pension; with the cost of the first £10 disregard met by the Government as part of the Housing Benefit subsidy claim and the remainder of costs covered by the Council.
- Offering 12-month (rather than 10-month) instalment payments to Council Tax payers.
- Adopting a sensitive approach to enforcement action to consider the potential vulnerability of Council Tax Reduction claimants. Before cases are referred to Enforcement Agents a vetting stage has been introduced and cases are dealt with under a separate debt recovery process to minimise potential increases in debt.
- In response to the cost-of-living crisis, the procedures for negotiating payments have been reviewed and updated. Sefton Citizen's Advice provided current

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information and feedback regarding their clients that was considered as part of the review. Updated guidance has been circulated amongst staff in the front and back offices and also to Citizen's Advice Sefton.

- Establishing a co-ordinated working relationship between the Council's contracted Enforcement Agents and Citizens Advice Sefton to support people in debt. Citizens Advice Sefton has direct lines of communication with the Enforcement Agents and can arrange for recovery action to be placed on hold whilst discussing and agreeing affordable payment arrangements.
- Participating in the Debt Respite Scheme (Breathing Space) which started on 04<sup>th</sup> May 2021. The scheme gives someone in problem debt the right to legal protections from creditor action, including most enforcement action, contact from creditors and freezing most interest and charges on debts. This enables a debt advice provider, who must be authorised by the Financial Conduct Authority, who wants to set up a breathing space for their client, time to arrange an appropriate debt solution. Standard breathing space, i.e., up to 60-days, is available to anyone with problem debt. A mental health crisis breathing space is available to a client who is receiving mental health crisis treatment. If an Approved Mental Health Professional (AMHP) certifies a client is in mental health crisis treatment, the client or someone else might apply for a mental health crisis breathing space on the client's behalf. The mental health crisis breathing space has some stronger protections than the standard breathing space. It lasts as long as the client's mental health crisis treatment, plus 30 days (no matter how long the crisis treatment lasts).
  - Upon receipt of notifications, all areas dealing with debt recovery in the Council, including Council Tax, Business Rates, Sundry Debt, Housing Benefit Overpayments and Parking Services receive notifications to hold action on any recovery activity for at least 60 days.
  - During the period 1<sup>st</sup> November 2021 – 31<sup>st</sup> October 2022, the Council has received notification of 190 customers in Breathing Space of which 149 have now expired. Over 95% of these applications were in respect of Council Tax debt only.
- Implementing processes for Council staff to refer claimants to the Money Advice and Pension Service, or Citizens Advice Sefton for help and support with debt/budgeting advice or making/maintaining their Universal Credit claim.
- Putting an escalation process in place for the debt advisor based at South Sefton foodbank to contact nominated Council Tax staff to request a hold on recovery action or discuss affordable payment arrangements.
- Participating in Sefton's Welfare Reform Anti-Poverty Partner's Group – staff from the Council's Council Tax and Benefit team, work with partner organisations and other Council services to support residents suffering financial vulnerability and to provide practical support such as signposting claimants for winter coats, school uniforms.

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## 2.11 Review of Scheme Principles

The local Council Tax Reduction Scheme is based on five principles and the review is summarised below:

Principle	CTRS working for non-pensioner claimants?
<p>The Council will continue to support work incentives</p>	<p><b>Yes</b> – The Council continues to operate a system which disregards certain amounts of money from customers earnings through employment and self-employment when calculating entitlement.</p> <p>This results in some additional support to those customers receiving Universal Credit who are in low paid work, following the removal of UC work allowances from April 2016</p>
<p>The Council will continue to recognise the additional needs of our most vulnerable residents.</p>	<p><b>Yes</b> – The Council continues to make additional allowances and give additional support to those receiving certain DWP sickness benefits, disability benefits and benefits for Carers when calculating entitlement.</p> <p>Additionally, the Council continues to disregard certain disability benefits as income when calculating entitlement</p> <p>Procedures were reviewed for the collection of non-payment of Council Tax to ensure non-disproportionate impact on the most vulnerable households. Also budgeting support and advice is made available to all claimants.</p> <p>The Council Tax Exceptional Hardship Fund is available to those in the greatest financial need with fair and transparent criteria for awards.</p>



<p>The Council will continue to recognise the additional needs of families with children</p>	<p><b>Yes</b> – Child Benefit and Child Maintenance payments are not considered as income when calculating entitlement to CTRS.</p> <p>Additional allowances are given when calculating entitlement for where there is a disabled child in the family.</p> <p>The CTRS also mirrors provisions in the Housing Benefit scheme by taking childcare costs into account for low income working families</p> <p>The Council continues to include the Family Premium when calculating the Council Tax Reduction. This has been removed for all new Housing Benefit claims from May 2016. The Council has also chosen not to mirror the Housing Benefit scheme which restricts the amount of support given to families with more than two children within its CTRS;</p>
<p>The Council supports households staying together to make better use of housing in Sefton and reduce homelessness.</p>	<p><b>Yes</b> - The amount of Council Tax Reduction taken away from a customer when other adults live in the household (known as a non-dependant deduction), was reduced in 2013 and remains at those lower levels.</p>
<p>The Council will continue to have due regard to the Armed Forces Covenant</p>	<p><b>Yes</b> – War Disablement and War Widows pensions in calculating CTRS, including any Armed Forces compensation in accordance with the covenant is disregarded. This also includes the service attributable element of the armed forces pension could also be disregarded as income when calculating entitlement. In addition, where there is a Housing Benefit eligibility, the Council disregards the full amount of such income when calculating entitlement.</p>

## 2.12 Summary of local Council Tax Reduction Scheme Review 2022/23

The forecast cost of the scheme has reduced by £0.284m (-1.1%) in 2022/23 to £25.559m (at 30/09/22). This is due to a reduction in both pensioner and working age claimant numbers offsetting an average council tax increase of 3.1%.

### **3. Council Tax Reduction Scheme - Consultation**

The statutory provisions are silent on the consultation required when a council is not proposing to change its Council Tax reduction scheme.

Letters will be issued to the precepting authorities – Merseyside Police and Crime Commissioner, Merseyside Fire and Rescue Service, and the Liverpool City Region Combined Authority notifying them that no change is being proposed.

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## **4. Local Council Tax Reduction Scheme - Equality Impact Assessment**

Department for Communities and Local Government issued a report in February 2014 reminding local authorities of their key duties when deciding on local Council Tax Reduction Schemes:

- Public Sector Equality Duty (The Equality Act 2010)
- Duty to mitigate the effects of child poverty (The Child Poverty Act 2010)
- The Armed Forces Covenant
- Duty to prevent Homelessness (The Housing Act 1996).

An equality impact assessment has been undertaken (at Annex C) in line with the above key duties and the Council's five principles for the local Council Tax Reduction Scheme.

Mitigating actions in place to support working families and vulnerable residents are regularly monitored to ensure that they remain relevant and fit for purpose.

## **5. Conclusion**

As a result of the work undertaken, it is proposed that no changes are made to the Council's local Council Tax Reduction Scheme for 2023/24. Maintaining the Scheme will continue to address the Council's focus to minimise the impact on the most vulnerable households by striking a balance between collecting Council Tax whilst supporting those experiencing financial challenges.

In addition, there would be no additional revenue implications because of a decision to retain the current scheme, with the cost of the current Scheme discounts reflected in the council tax base.

## **6. Proposal to Increase the Long-Term Empty Homes Premium to 300% on dwellings that have been left empty for 10 Years or more**

### **6.1 Background**

Since 1st April 2013, Councils have been able to charge a Council Tax premium on unfurnished properties that have been left empty for more than two-years as a means of incentivising owners of these properties to bring them back into use. The maximum allowable premium percentage was set at 50% between 1 April 2013 and 31 March 2019.

The premium cannot be applied to homes that are empty due to the occupant living in armed forces accommodation for job-related purposes, or to annexes being used as part of a main property. Furthermore, the Council Tax system provides statutory exemptions for properties left empty for a specific purpose – for example, when a person goes into care. However, there is no statutory exemption from the premium for properties that are genuinely on the market for sale or letting. Councils also have powers to apply discretionary discounts in cases where homes are empty due to special circumstances – for example, financial hardship, fire or flooding.

The premium may be applied when a property has been empty for two years, irrespective of how long its current owner has owned it. Therefore, it is possible for an individual to buy a property which has already been empty for two years and be liable for the premium immediately. This scenario may occur if, for instance, the individual does not occupy the property immediately because they wish to extend or renovate the property. If the long-term empty property is occupied for a period of 6 weeks or less it is regarded as not having been occupied for the purposes of the two-year period. Occupancy of a long-term empty property for more than 6 weeks “resets the clock” for this purpose.

## 6.2 Legislative Changes from 2019/20 onward

On 1 November 2018, the Government introduced legislation that would allow local authorities to increase the empty homes premium from 50% up to 300% over a three-year period with effect from 1st April 2019. The Rating (property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, allows local authorities to charge the following maximum amounts of Council Tax empty homes premium:

- 100% premium from 1st April 2019 on properties empty for 2 years or more;
- 200% premium from 1st April 2020 on properties empty for 5 years or more;
- 300% premium from 1st April 2021 on properties empty for 10 years or more.

These are the maximum allowable empty homes premium charges.

The Government introduced this change because there is a serious shortage of decent, affordable housing, and tackling the issue of empty homes, while also seeking to ensure that we respect the rights of property-owners, is part of the solution. There are currently more than 200,000 properties standing empty in England. As well as being a blight on the local community and attracting squatters, vandalism and anti-social behaviour, long-term empty properties are a wasted resource when 1.16 million households are on social housing waiting lists. Increasing the premium will allow local authorities to strengthen the incentive for owners of empty homes to bring them back into use.

The Government recognises that a one-size-fits-all approach is inappropriate, given that different areas will have different housing needs and different numbers of long-term empty homes. That is why they are keeping the premium as a discretionary discount, allowing local authorities to decide whether it is appropriate for their areas, and what level of premium should be charged.

## 6.3 Long-term Empty Homes in Sefton

On 3 October 2022, there were 836 long-term empty properties paying a premium in Sefton. Of these 94 had been empty for ten years or more. This is expected to increase to 104 properties by 1 April 2023.

Following a public consultation, Sefton Council approved an increase in the premium from 50% to 100% with effect from 1st April 2019 on properties left empty for 2 years or more. A further increase from 100% to 200% was introduced from 1<sup>st</sup> April 2020 on properties left empty for 5 years or more. The aim of the increases was to encourage more empty properties to be brought back into use.

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A decision to increase the premium on properties left empty for 10 years or more from 200% to 300% was deferred as a result of the impact of Covid-19 on the housing market.

As well as charging the empty homes premium, there are other Council initiatives to help bring empty homes back into use, this includes offering advice to owners through sending regular letters and the Council's property accreditation scheme that helps empty homeowners find tenants for their property. The Council's Housing Standards Team will also work with owners to bring their properties back into use. However, in some cases enforcement action is required when the property is causing a statutory nuisance and the owner is uncooperative or untraceable.

## 6.4 Proposed Change from 1 April 2023

It is proposed that the Council further increase the premium charge from 200% to 300% for properties empty for 10 years or more in-line with the maximum allowable under the new legislation from 1 April 2023.

The aim of this increase would be to further incentivise owners of long-term empty properties to bring them back into use. This will increase the stock of available housing in the borough, which would assist in achieving the aims of the local development plan. It will also increase the amount of Council Tax income raised from those that continue to leave their properties empty.

Making this change would bring Sefton into line with other councils in the Liverpool City Region (Halton, Knowsley, St Helens, and Wirral) who have already implemented this change.

## 6.5 Revenue Implications

The proposed change in the long-term empty homes premium from 200% to 300%, on 'dwellings left empty for 10 years or more' is forecast to increase the 2023/24 tax base by 55.5 Band D equivalents.

This would give the following increase in Council Tax income in 2023/24:

	2022/23 Band D Charge £	Additional Band D Equivalents	2023/24 Additional Income £
Sefton Council	1,765.78	55.5	98,000
Police & Crime Commissioner	236.97	55.5	13,200
Fire & Rescue Authority	83.61	55.5	4,600
Combined Authority	19.00	55.5	1,100
Total	2,105.36	55.5	116,900

The forecast assumes a 16% reduction in the number of homes that have been empty for 10 years or more is achieved in 2023/24. The actual number of properties brought back into use could be higher or lower than this and will be reflected in future tax base calculations.

## 6.6 Consultation

The Council undertook a public consultation on proposals to increase the empty homes premium in-line with new discretionary powers introduced in the Rating (property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, which ran for 5 weeks from 29th October 2018 to 3rd December 2018.

The Cabinet is recommended to consider the outcome of the consultation before deciding whether to recommend to Council the proposed further increase in the long-term empty homes premium from 1st April 2023.

Consultation findings and Equality Impact Assessment can be found at Annex B.

## 7.0 Levelling-up and Regeneration Bill

The Council currently charges a 100% Council Tax premium for homes that have been empty for over two years (with the premium rising the longer the home remains empty). Under proposals contained in the government's Levelling Up and Regeneration Bill, local authorities will be able to charge a premium after one year, as well as introduce a premium on second homes.

When the Levelling Up and Regeneration Bill is enacted, it is intended that relevant approval will be sought to undertake a public consultation before a decision is made to implement the new premiums to ensure that views of all stakeholders such as those council taxpayers affected, other council taxpayers, service users, and local preceptors are considered before the decision is made. The outcome of the consultation will be reported back to the Council in due course.

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## ANNEX A

### SETTING THE COUNCIL TAX BASE FOR 2023/24

#### 1. Setting the Council Tax Base

1.1 The council tax base is the link between the Council's budget and the level of council tax. The tax base will be used to calculate the council tax in Sefton, once the Council's budget has been agreed. The Council is required to calculate its own tax base as well as the tax base for each parish council within its boundary and have them approved by the 31 January 2023.

1.2 The calculation of the council tax base takes into account many factors such as the rate of new building and the trends in people living on their own (Sole Occupier Discounts).

1.3 The tax base calculation assumes a collection rate of 97.0% in 2023/24, which is unchanged from the rate applied in 2022/23.

1.4 The Council has the option to increase the premium charged on homes left empty for 10 years or more from 200% (current level) up to 300% from 1 April 2023. The implications of this option are considered elsewhere in this report. Two alternative tax base figures for Sefton Council and each parish area are presented below:

Option A: the premium remains at 200%.

Option B: the premium is increased to 300%.

#### 2. Council Tax Base for Sefton Council in 2023/24

2.1 An analysis of the changes between the 2022/23 and the 2023/24 tax base is provided in the table below:

Tax Base for Sefton Council		Band D Equivalents		
		2022/23	2023/24	Change
H	<u>Chargeable Dwellings</u>			
	Dwellings on the Banding List	112,241.1	112,838.2	597.1
	Exempt Dwellings	-2,313.0	-2,235.2	77.8
	Disabled Persons Reductions	-148.7	-152.8	-4.1
		109,779.4	110,450.2	670.8
Q	Discounts	-10,405.8	-10,468.0	-62.2
E	Empty Homes Premium	707.3	830.6	123.3
J	Adjustments	-376.8	-495.0	-118.2
Z	Council Tax Support Scheme	-12,938.7	-12,070.3	868.4
B	Collection Rate Adjustment	-2,603.0	-2,647.4	-44.4
	MOD Properties	8.0	8.0	0.0
	<b>Council Tax Base (Option A)</b>	<b>84,170.4</b>	<b>85,608.1</b>	<b>1,437.7</b>

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	<u>Continued from previous page</u>			
E	Premium on homes left empty for 10 years or more increased from 200% to 300% from 1 April 2023	0.0	55.5	55.5
	<b>Council Tax Base (Option B)</b>	<b>84,170.4</b>	<b>85,663.6</b>	<b>1,493.2</b>

2.2 The main reasons for the changes in the tax base are:

Dwellings on the Banding List: The number of properties on the Banding List has increased by 643 (+0.5%) in the year.

Exempt Dwellings: The number of dwellings subject to an exemption reduced by 86 (-3.1%). The largest reductions were in the number of Class F exemptions (dwellings left empty by deceased persons) and Class E exemptions (an unoccupied dwelling which was previously the sole or main residence of a person who has moved into a hospital or care home).

Sole Occupier & Status Discounts: The number of dwellings receiving a 25% discount due to single occupancy has increased by 235 (+0.5%).

Empty Homes Premium: The number of dwellings left empty for more than two years has increased by 135 (+19.0%).

Adjustments: The taxbase forecast assumes that exemptions will return to their previous higher level over the next year.

Council Tax Support Scheme (CTRS): The number of working age claimants has continued to reduce over the last 12 months.

### 3. Council Tax Base in Parish Areas for 2023/24

3.1 There are also new tax base figures for each parish area in 2023/24. The following tables provide details of the proposed new tax base for each parish compared to 2022/23 under both alternative options:

Tax Base for Parish Areas Option A	Band D Equivalentents			%
	2022/23	2023/24	Change	Change
Parish of Aintree Village	2,029.6	2,055.4	25.8	1.3%
Parish of Formby	9,071.9	9,153.1	81.2	0.9%
Parish of Hightown	859.3	867.1	7.8	0.9%
Parish of Ince Blundell	165.9	173.1	7.2	4.3%
Parish of Little Altcar	336.6	434.0	97.4	28.9%
Parish of Lydiat	2,085.2	2,109.2	24.0	1.2%
Parish of Maghull	6,798.9	6,875.5	76.6	1.1%
Parish of Melling	1,092.0	1,097.4	5.4	0.5%
Parish of Sefton	278.2	324.7	46.5	16.7%
Parish of Thornton	777.0	778.9	1.9	0.2%

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Tax Base for Parish Areas Option B	Band D Equivalents			%
	2022/23	2023/24	Change	Change
Parish of Aintree Village	2,029.6	2,056.7	27.1	1.3%
Parish of Formby	9,071.9	9,154.4	82.5	0.9%
Parish of Hightown	859.3	867.6	8.3	1.0%
Parish of Ince Blundell	165.9	173.1	7.2	4.3%
Parish of Little Altcar	336.6	434.0	97.4	28.9%
Parish of Lydiate	2,085.2	2,109.2	24.0	1.2%
Parish of Maghull	6,798.9	6,878.1	79.2	1.2%
Parish of Melling	1,092.0	1,098.0	6.0	0.5%
Parish of Sefton	278.2	324.7	46.5	16.7%
Parish of Thornton	777.0	778.9	1.9	0.2%

- 3.2 The tax base calculation for each of the parish areas is based on the same assumptions made in the calculation for Sefton Metropolitan Borough Council.
- 3.3 The higher percentage increases in Little Altcar and Sefton parish areas is due to housing development in those areas.



### Increase in Long-Term Empty Homes Premium Consultation Findings

#### 1. Background

A public consultation ran for 5 weeks from 29th October 2018 to 3rd December 2018.

The consultation requested views on the proposal to increase the premium charge from 50% to 100% from 1 April 2019.

It also asked for views on further options to increase the premium charged on properties that have been empty for longer than 5 years to 200% from 1 April 2020 and those empty for 10 years or more to 300% from 1 April 2021.

The consultation was available online and by paper form to download where required. Direct mailing was used to contact all Council Tax payers currently liable to pay the Empty Homes Premium, and the consultation was promoted internally through the service, including the Council's Empty Homes Team.

Letters about the consultation were also sent to various stakeholders including private and registered social landlords and our major preceptors Merseyside Fire & Rescue Service, Merseyside Police and Crime Commissioner, and the Liverpool City Region Combined Authority.

Information about the survey was also available at the Sefton Borough libraries and our One Stop Shops. The Council also promoted the Consultation on its website, intranet, via a press release and Sefton Council's social media.

The aim of the survey is to ensure that the views of those Council Tax payers affected, other stakeholders and members of the public are considered before the decision is made to implement the premium from 1 April 2019 and that any exceptions to the premium be considered.

#### 1. Consultation Options

The options consulted on were as follows,

**Question 1** How strongly do you agree or disagree with the proposals to double the Council tax premium on properties that have been left empty for more than 2 years from 50 per cent to 100 per cent.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

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**Question 2** Do you have any comments relating to this proposal? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

**Question 3** How strongly do you agree or disagree with the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

**Question 4** Do you have any comments relating to the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

### 3. Analysis of survey results

- In total, there were 129 responses to the on-line consultation, which is relatively substantial for a premium affecting only 645 properties.
- Details of the capacity in which those who responded to the on line survey are listed in the table below: -

(a)	A Member of the public	78
(b)	A Local business owner	2
(c)	A landlord of a property in Sefton that isn't empty	24
(d)	A landlord of a property that is empty	17
(e)	An elected Member	0
(f)	A local charity, voluntary or community organisation	0
(g)	Other (please specify) Executor	4
	No response provided	4

- 3.3 Of the 129 respondents to the online Questionnaire, the following postcodes were submitted

Postcode breakdown					
Outside Sefton	L20	L21	L22	L23	L30
<b>9</b>	<b>11</b>	<b>7</b>	<b>6</b>	<b>9</b>	<b>2</b>
L31	L37	L38	PR8	PR9	Not

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					Completed
3	7	1	19	19	36

### 3.4 Responses to questions

**Question 1** How strongly do you agree or disagree with the proposals to double the Council tax premium on properties that have been left empty for more than 2 years from 50 per cent to 100 per cent.

Strongly agree	51
Agree	15
Neither agree nor disagree	7
Disagree	12
Strongly disagree	43
No response provided	1

**Question 2** Do you have any comments relating to this proposal? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

	Comment
L20	<p>Most Landlords don't deliberately leave property's empty for more than a year.</p> <p>As a property owner, I'm trying to find a tenant. Increased council tax penalises me for this.</p> <p>I agree that increasing the council tax on long term empty properties is a fair approach as long as constructive advice is available from the council. I feel that the initial exemption of one month for vacant unfurnished properties should be extended to two months.</p> <p>There may also be economic reasons for the property being empty. Only if the owner does not cooperate with the Council to change this should the premium may be in place.</p> <p>Monies raised should be put towards social housing care.</p> <p>Why should anyone have to be "incentivised", or to put it another way, bullied and forced into occupying, or putting their property up for rent, or even for sale, just because it has been empty for a certain length of time? It is THEIR house, NOT a COUNCIL house, and therefore it is the OWNER's right to choose what they do with their property, as long as it is not illegal or anti-social, and all the bills are paid. It is irrelevant how long a private house stays empty,</p>

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as long as it is kept in a reasonable state of repair and is not causing any problems to the neighbours, so therefore, the owner should only have to pay the standard rate of Council Tax like other property owners, NOT an inflated rate. It is not up to private property owners to solve the Council's housing problem, nor is it up to them to be an easy target to solve Sefton Council's financial problems. The Council should be targeting those who deliberately evade paying Council tax, not ripping off those who do pay - this proposal is just wrong. Just because somebody owns a property does not mean that they are rich. I inherited my house from my parents who worked extremely hard to buy a house which they would eventually leave to me; they were very proud of being able to do this for me. As well as having a strong emotional attachment to the house, I am disabled, on a very low income, and therefore unable to renovate the house myself, or pay for a builder to do it. Why should I be penalised by having to pay a huge premium? I have done nothing wrong, I am not a scrounger who expects something for nothing; I pay all the bills on the property. Likewise, somebody who is working and on a low income cannot afford to pay a builder to renovate their property and so would have to do it themselves at weekends and after work - a long job. Why should they be penalised with a huge premium?

An excellent proposal. The Council needs to generate revenue in any way possible.

The refurbishment of this property is progressing well & being done to a high standard. This is taking longer & costing more than we anticipated, but the property is in good repair & not causing any nuisance or issue for neighbours (with whom we are on very good terms) or Sefton Council. The additional imposition of Council Tax costs would inevitably lead to financial pressures which could offset completion of refurbishment works. We are retired people who are doing our best to look after a house that has been in our family since 1941.

My property was seriously vandalised by last council tax tenant and I just haven't got the funds (in excess of £3000) required for repair and replacement.

As a private landlord with one property, our former home, the additional financial burden of having an empty property was not one i was expecting. Unfortunately, tenants are not perfect and i have suffered through non-payment of rent, eviction costs and extensive repairs of damage caused by the tenant.

So, despite having to meet the mortgage on the property while it is empty, and pay for repairs the recent changes in council tax cause further burden. Originally a 6 month exemption period applied to empty properties. That has now reduced to one month. The increase in premiums adds further to my financial issues.

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	<p>It is not my intention that the property remains empty, why would it? But additional council tax premiums simply prevent or delay the necessary work required to get the property in rental condition.</p>
L21	<p>If a property is up for sale they should not have to pay the charges.</p> <p>Your proposal would punish people who are already punished and will do nothing to improve the poor housing situation. There are many reasons for houses to be left unoccupied for a length of time and none of these are to benefit the owner. Your proposal, and indeed your current policy, merely compounds the financial hardship. It would be far more effective to offer help to the owners of long term occupied homes to get them ready for sale/rental. Loans and grants should be available. Compulsory purchase could also be an option should the owners keep a property empty for two years or, perhaps, a commandeering of the property to be rented to deserving people with the equivalent of social rent only going to the owners. There are many solutions to the housing shortage and the number of unoccupied homes and none of them involve imposing what amounts to monthly fines.</p> <p>Sometimes people own properties that have fallen into disrepair and they do not have the funds to renovate it.</p> <p>I think this possibly to apply to landlords, however I wouldn't agree with it for our circumstances. My mother passed away and we have been trying to sell her bungalow. Naturally it's in our interests to get rid as soon as possible but it's not been as easy as it sounds. The property has sold 6 times, but the sale has been withdrawn for one reason or another (not due to anything wrong with the property) so here we are over 12 months down the line. We are constantly worried about the property being broken into because there are no police to deal with that. I have emailed many times about recruiting more police but she doesn't reply. The fact is that your council probably owns many of the empty properties anyway.</p>
L22	<p>If someone can afford to leave a property empty for that length of time they're clearly able to afford it, so the charges are an entirely appropriate incentive to correct the commercial priorities.</p> <p>Unfortunately, I am unaware of all the reasons that people have for not paying their council tax on an empty property but the existing exclusions should remain.</p> <p>For small landlords, this is a crippling double penalty when added to the already lost the rental income. Landlords with large portfolios (exceeding £1 million) who might have property for investment purposes can afford to pay 100%.</p> <p>No one should be expected to pay more than 100% charge. The</p>

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	<p>services for the property are the same for everyone whether the property is empty or occupied. In fact, empty properties are not impacting on Sefton Council services for a property.</p> <p>The property needs work and this further expense would further delay the work going ahead If the owner is living on a pension may be some assistance could be provided.</p>
L23	<p>As a landlord in Sefton I have previously been impacted by the 50% additional charge. I have purchased empty properties which have required full renovations before I could find tenants. As one property had already exceeded the 2 years of being empty when I purchased it I was liable for the additional council tax charges. This I felt was unfair. Surely taking a property which is not liveable and has been empty for some time and doing the necessary renovations to provide additional affordable homes in the area is a good thing and should be rewarded and not punished. That said I agree that properties should not be kept empty and a penalty should be in place for those who sit on empty properties. I am aware that this can be a problem in some areas I think a fair addition to the new rules would be to reset the clock one these properties when newly purchased to provide landlords like myself the opportunity and incentive to improve living standards within Sefton.</p> <p>There are a number of unused/ derelict buildings and it would be a positive result if an increased council tax payment forced the owners into letting or selling them, to bring vibrancy to the area. However, those with legitimate reasons for leaving the property empty should not be penalised.</p> <p>I think the 100% charge should be applied after 6 months of being empty. It is inappropriate to leave a property empty while so many people need a home and councils are having financial difficulties.</p> <p>It might make the owner make more of an effort to get the property occupied.</p> <p>It is crucial that people do not continue to have incentives to leave houses empty by the current lower council tax rate, given the numbers of homeless people and others who may be living in cramped conditions. This increase would hopefully be some deterrent.</p> <p>I think you should look at the finances of the owners of these properties. If they live elsewhere it's possible that they can't afford more council tax and by taking them to court you would waste even more money. I don't think it should be a complete ban on the exemption of the 50% tax as it is now. I even think that is too much - isn't the tax for facilities used and if no-one lives there they don't use any facilities!</p>

I would suggest the increase should be even larger, say to 200%, to have a greater effect on the situation.

It is immoral for people to have unused living accommodation while there are so many families without a home.

I feel that a lot of people for good reasons could have a property for 2 or 3 years empty so 50% seems fairer

Where probate has been granted and the property is for sale

My parents are stuck living next door to an empty property that has been that way in excess of 10 years. Owners refuse to sell yet put solar shades on a roof that is in a bad state of repair? My elderly parents are petrified that squatters will move in and we have no way of contacting these selfish owners. My parents and their neighbours try to keep the front of the house tidy so it isn't obvious what the situation is but are too elderly to continue to keep that up. It is a disgrace the place is left to rot. Hit the owners where it hurts - in their pocket and this will hopefully make them do something about the property.

The government and local authorities are taking a totally simplistic view and failing to understand the complex series of factors that can cause properties to remain empty, including for example, simple lack of market demand, or lack of financial resource on the part of the owner to bring dilapidated properties back from the brink back into use.....even just these two example factors can have a complex inter-relationship, with one interacting on the other. The proper and productive approach to this problem would be to abandon the stick (or at least not make it any bigger) and throw a carrot or two at it.

I understand why the proposal would be implemented for empty properties that could be brought back into use. However, this should not apply to circumstances such as the one that I am in. I am executor to my mother's will - she died in January 2015 and probate was obtained in May 2015, since when the property has been up for sale. It is a one bedroomed retirement shared ownership flat in XX. It went on the market at £65,000 and has been reduced over time to its current asking price of £44,950 and has been on the market with two estate agents. The shared ownership is with a Housing Association and they are difficult to deal with and I have lost one buyer due to their incompetence. In the meantime, not only do I have to pay council tax at an additional 50% rate, but I shall have to pay monthly service charges and a sinking fund charge if ever it is sold. There will be very little money left by the time this all happens. I feel very strongly that I should not be having to pay any council tax, as I receive no services

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	<p>whatsoever, never mind an additional premium. Due to myself spending lots of my time caring for my mother, I managed to keep her out of Sefton's Social Services system, and she never needed any additional support from the Council. Also, the Council itself does nothing to help me sell the flat - sale boards are not allowed outside the listed building. I am unable to bring the flat into use unless it is sold, one of the conditions of the lease is that I am unable to rent it out. I am extremely concerned whether there will be sufficient funds if the council tax charge is further increased. In circumstances where an executor to a will is unable to sell or rent a property and can prove that they have done everything possible to sell it, there should be an exemption.</p> <p>For someone who is already paying nearly £250.00 a month taking it to nearly £400.00 a month is just too much.</p>
L30	<p>If a property is up for sale, I can't see how you can penalise people who want to sell the property but it is taking longer than they wanted.</p> <p>Property's that are up for sale should be exempt from the increase.</p> <p>We have had the house up for sale for 2 years but can't sell it. Properties that are on the market and empty should be exempt from this.</p> <p>When properties are left empty when owners have gone into care the council should check that they are indeed empty and should take the waived council tax payments from the estate when the property is sold.</p> <p>I strongly disagree with this proposal for the following reasons. I realise that everyone's circumstances are different but mine are as follows. I inherited the house when my father passed away. After being unable to find a buyer for the house I realised that I would have to complete some work on the house in order to bring it up to a standard to allow me to either sell or rent the property. As I have a home, wife and a young family which I need to support finances are quite tight. I agree that as I own the empty property I should contribute towards the council but asking for double or treble the council tax will not only make the payments impossible to afford and so just cause stress and anxiety and the possibility of court action for not being able to pay and also make it more difficult to pay to renovate the house</p>
L31	<p>I believe the premium should rise due to the current housing shortage and this increase may persuade private landlords to sell properties that they cannot rent.</p>
L37	<p>I think owners should have an opportunity to make a case to the Council to use its discretion to waive the premium where they have been unable to sell or bring their properties back into use due to</p>



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	<p>other circumstances out of their control. The Council should also take the opportunity to provide help and support to owners of long-term empty homes to assist them in bringing these properties back into use. The Council should not waive the premium where owners are marketing their property at an inflated price as this will not help to increase the supply of affordable homes.</p> <p>Without room for discretion this is a very unfair tax to increase to 100%. not all property is just kept empty sometimes there are issues which mean you cannot get a new tenant and therefore are being unfairly penalised.</p> <p>Maybe it will force a few sales and reduce pressure on the precious B Green Belt you seem so keen to destroy</p> <p>Council tax should be paid by all if empty or not.</p> <p>Sheer extortion! An ill-considered 'blanket' approach. Appalling because you seem to want to penalise the very people who are trying to do the right thing. Our property is vacant again and we (3 beneficiaries) want to sell the retirement flat and that has been our desire since 2004. It has been marketed for sale continuously, through estate agents. For a period of about 5 years we rented it to a tenant (who has died). The flat is empty again and it is being marketed for sale, yet again. Try as we might we cannot sell the property which is in a block of retirement flats where other flats are regularly up for sale. We are competing with other flat owners (sellers) on the same site. The residents are all elderly so any would-be buyers have to be over 60 thereby creating a 'niche' market.</p> <p>It should be imposed after 1 year. 2 years is far too generous.</p> <p>I believe that a 50% initial increase is sufficient.</p> <p>When a property has genuinely been on the market with local estate agents the extra premium should not apply. When you are paying over £200 a month in management fees there is absolutely no reason to keep a property empty, which has been my personal experience. "Largely unfurnished" is too open to personal interpretation by council staff.</p>
PR8	<p>Awaiting planning permission (this process can sometimes be protracted and out of the control of the property owner)</p> <p>If somebody can afford to have an empty house they should be able to afford to contribute to the council tax fund also.</p> <p>There are too many vacant properties in the Borough, I also think if a property has been vacant for 5 years or more, the owners should lose the right to ownership and it automatically transfers to the Council, this if obviously where the owner can't be bothered to deal</p>

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<p>with any issues with the property</p> <p>Instead of increasing to 100% make it 150 - 200% This will force owners to get tenants or sell. Why does Sefton Council not Compulsory Purchase empty homes to use for homeless?</p> <p>This proposal, and the current 50% premium does NOT incentivise home owners of empty properties to "bring them back into use" as: You are charging more tax, therefore the owner has LESS money to sort their house out and 'bring it back into use'. Therefore, prolonging the period of time that the house will be empty. I believe that if the owner of the property is renovating it BEFORE they live in it or consequently sell the property, they should be exempt as the long-term plan is to "bring the property back into use". To ensure that this is true, council inspectors or a written council policy to state that all work undertaken on the property has to be evidenced and sent to the council.</p> <p>Strongly object as purchased with intent to downsize but having to wait to move as husband became ill and would not be suitable, will move to property on husband's death. Your proposal is just a punishment for anyone trying to plan responsibly.</p> <p>What about an empty property that is up for sale but is not selling? They should not be penalised because of stagnant housing market.</p> <p>We would not have properties standing empty for no reason, it would be either because there was work needed doing to it or we were unable to find a tenant, the fact that we have to pay council tax from day 1 is already crippling without increasing it further</p> <p>As a Expat visiting my own fully furnished property for family visits as well as family members using it , If the council puts up the taxes I shall have to let it out for shorts lets which benefits neither I nor the Council. As someone using less public services the extra surcharge is unfair. This is our only home in the UK. Mine is not empty but is taxed as if it was.</p> <p>I can accept that an empty property may warrant a 100% tax as the council is losing income on empty properties.</p> <p>I (together with my brother) purchased an apartment on Lord Street for my mother to live in when she was in her 80s. She died, aged 101, 18 months ago and the property has been for sale since that time. The lease prevents us from letting it, or from selling it to someone under 55, or from selling it to a third party (eg the Council). We have offered it to the ground landlord without success. Each month it is unsold we have to pay approx. £500 Service Charge plus 100% Council Tax even though we receive no services from either RSL or the Council. I am a resident of Sefton</p>
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	<p>and also pay full Council tax on the house I share with my wife. We have had the apartment redecorated to a high standard and we do use it whilst we are overnighting in Southport but we wish to sell. The purpose of the legislation is presumably to bring unused property to the market. We have been trying to sell for 18 months; it is currently listed at a price lower than others in the building. You should either target the ground landlords who enforce the restrictive conditions in the lease or make an exception for "very sheltered accommodation".</p> <p>I just need to know if I can no longer manage the property will you take it off me. I have no other income but my husbands and disability pips. I have mental health issues, at the moment my husband is my carer. I do not come under the heading without capacity though if I am sick I would come under that category. I own no other property. The flat I own is not occupied but I would say it is my second home should I become homeless for whatever reason. I did approach your offices for help but they told me if no one was living there it was empty (however, it is furnished) so I would just have to carry on paying council tax. I don't really know what to do. I can't sell it the lady in the flat below has a life threatening illness. They have told me so over a period of several years. I find it difficult to cope.</p> <p>I always considered that a tax or rate had to be fair. If you are using the facilities you should pay for them. I already pay rates to Sefton as I live in their Borough. I have another property that I purchased to house my elderly mother who was a war widow. She died late last year and I put the flat up for sale. It will not sell because there are a number for sale and the service charge is so high. I don't use the council's facilities and I am desperately trying to sell but nobody wants to buy. I am currently paying 50% rates for a flat that nobody lives in nor uses any of the services that the Council provide. To increase the empty rate from 50% to 100% (and subsequently 200% and 300%) on a property that I am desperately trying to sell is patently unfair. The proposed increase was to target landlords who are deliberately leaving properties empty and not renting them out to tenants. This isn't the case with my circumstances. I know that Councils are strapped for cash and they will simply introduce this measure to increase revenue. I have the feeling that anything I write will eventually be ignored as raising money is paramount. I simply reiterate that the tax/rates must be fair.</p> <p>I cannot afford the mortgage I have on the property let alone increased council tax.!</p>
PR9	I would love you to raise it to 100% considering the empty flat I am trying to sell is costing me 150% of the rateable value into the second year of being on the market.

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Authorities should be allowed to take all necessary steps to bring empty properties back into use. This should include compulsory purchase rather than increased Council Tax where property has been empty for 5 years or more.

The whole point of council tax is to charge an occupant for using council services. If the property is empty there should actually be a nil charge never mind a 100% charge because there are no costs to the council.

I am becoming elderly with an elderly husband and mobility problems and increasingly struggle to manage the only flat I own that is attached to and accessed via my own flat entrance. I have had really bad tenants and am reaching the point of not feeling able to go on renting emotionally and physically. If these council tax changes come into effect I will have to choose between bills I would struggle to pay, continuing to rent regardless of my health or selling the whole property.

Great care must be taken to ensure the owner is not vulnerable. Penalties should be in place for any council staff member who fails to exercise due diligence.

I have been trying to sell my house for 3 yrs over this period I have reduced the price by 80k in a desperate effort to sell. Some understanding from the council for those actively trying to sell would help enormously. I do agree those empty houses not for sale should have incentives to bring them back into homes. But this blunt instrument without some consideration for those of us already stressed about when will this house stop eating into my pension may just be seen as yet another way of bleed the tax payer.

Empty properties often fall into disrepair and neglect, and are not nice to see.

If not exempt and unwilling to sell or rent out, then the premium seems fair. Perhaps consideration should be given for discretion to waive the premium in genuine cases of inability to sell or rent out a property.

This is daylight robbery ! Sefton council still get paid the council tax whether the building is empty or not ? It should infect be reduced for empty properties as none of the services are being used if the property is empty ! Just sheer greed!

I think this is an excellent proposal as homes left empty for that long will tend to be neglected damaging the neighbourhood

There is a housing crisis whilst some of the wealthiest people are leaving properties to lay empty and unused, accumulating personal

wealth at the expense of the majority. I fully support increasing the council tax levied. The only slight disagreement I have is the suggestion that this is a doubling of the council tax levied. What it is is a removal of a discount in council tax that has previously been applied.

Three years would be fairer than two. My property is empty because I cannot sell it at a reasonable price due to Brexit uncertainty. It remains on the market, but I have had few viewings and fewer offers, all well below comparable prices.

As an owner of a Residential Care Home we have a Cottage in the grounds. We cannot just rent this property out to anyone. The tenant has to have an enhanced DBS check, related somehow to the business i.e. a member of staff. This significantly reduces the chance of renting out this property. CQC would not allow us to rent the property out to anyone due to the Vulnerability of the elderly people living in the Care Home. The cottage is also connected with all Fire related incidents. We test the Fire alarm weekly at the Care Home which is also sounded in the Cottage. If the Fire alarm went off it would also go off in the cottage. There are lots of issues associated with the suitability of the Tenant. We manage a retirement complex of 37 rental properties which have on average five or six empty at any one time. These properties are advertised weekly but it does not result in the properties all being let. We pay out enough in council tax already and to increase this further would be being penalised for a lack of suitable tenants that fit the criteria.

My mother owns a flat in XX. Mum is 86 years old and she lives in a care home as she has dementia. I have an Order from the Court of Protection which allows me to act for Mum and part of that regime is that I need to show that I have acted in Mum's best interest and taken advice where necessary. Father passed away in 2007. Both Mum and Dad worked hard and saved in order that they would be reasonably if modestly provided in their later years. Part of the planning was the purchase of the flat. Over the past year I consulted with a financial adviser and Mum's solicitor. As a result, I concluded that there is little point as in selling the flat as interest rates are so low. The flat needs major improvements, particularly in the bathroom and the kitchen. If Mum funded these improvements and let the flat, it would take quite a while to recover the outlay. In addition, the cost of the works would deplete the pool of money Mum has to pay for her care. Currently Mum pays the standard levy plus 50%. The proposal is that she now pay even more council tax. Mum is basically confined to her care home and uses very little of the services provided by the local authority, but the proposal is for Mum to pay a further increased penalty simply because she has poor health.

This must rank as the most ill thought out proposal since the

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	<p>bedroom tax. If you have a property to sell with a registered estate agent, why should you be penalised, because the market is suppressed and is difficult to sell. Unless you sell under market value, which I did, after trying to sell for two and a half years, paying 50% extra tax, just to get rid.</p> <p>The Empty Homes premium should be 100% only and should be for properties of £100,000 or over, not for property less than that amount as you are punishing poor people.</p>
<p>Outside Sefton</p>	<p>If the home is being advertised for rent, then this should not apply. I have a house that is in very good condition (newly refurbished), but still we are having trouble finding a tenant.</p> <p>Empty retirement flat belonging to my deceased father has been on market for 2 years - have reduced price but still no sale - I am paying maintenance charges and council tax outside my own area out of my savings - whilst I understand basic council tax has to be paid I think it is unfair to expect executors to pay an additional premium when there is nothing more they can do to sell the property.</p> <p>As a landlord if we had an empty property we would still have a mortgage to pay, and I feel it would be unfair to punish us further.</p> <p>Fully in agreement if no effort is being made to have the property occupied. However, I have had the property in Sefton on the market for sale ever since my mother passed away in May 2017. The lease does not allow me to let the apartment, and it can only be occupied by someone over 50. To charge 200% of the Council Tax seems totally unfair when I am doing everything I can to sell it. Surely in these circumstances, empty properties should also be exempt.</p> <p>I most certainly agree considering that Sefton is at present charging me 150% rates for an empty flat that I am desperately trying to sell. A 100% rate would be a relief to this pensioner.</p> <p>Depends on the circumstances as to why a property is unoccupied. An increase is unfair to those who intend to live in the property but can't at present due to extensive renovations to make a property habitable (council tax deductions with his regard are currently not sufficient with respect to the period of availability). Therefore, this only extends the period the property is uninhabitable and vacant due to unavailable cashflow to do the work.</p>

**Question 3** How strongly do you agree or disagree with the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from

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April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021?

Strongly agree	48
Agree	15
Neither agree nor disagree	9
Disagree	10
Strongly disagree	46
No response provided	1

**Question 4** Do you have any comments relating to the potential future changes to increase the premium to 200 per cent on homes left empty from 5 to 10 years from April 2020 and to 300 per cent on those empty for more than 10 years from 1 April 2021? You may wish to highlight any circumstances where this premium should not apply other than those examples mentioned earlier that are already exempt from Council Tax.

	Comment
L20	<p>how many council houses are empty.</p> <p>There is no reason for properties to be left empty for extended periods.</p> <p>Positive proposals work better than simply "fine". I suppose landlords/owners have no real reason to have property empty.</p> <p>How can you charge for a property that isn't using any services?</p> <p>All the points that I have made in the previous question apply equally to this question. Also, the proposal to charge such inflated premiums is not only morally wrong, but will not work anyway: On one hand, you say that you are trying to encourage property owners to put more homes back into use. On the other hand, you say that you want to raise more money from the owners of empty properties- you are contradicting yourselves! If more properties get put back into use, you will get LESS money as the occupiers will only be paying Council Tax at the standard rate; not at the ridiculously inflated premiums that you are proposing if the properties were to remain empty - it doesn't work both ways!!</p> <p>An excellent proposal. The Council needs to generate revenue in any way possible.</p> <p>We think it would be helpful to consider properties on a case by case basis. It should be used to target those properties which are in poor repair and/or causing issues for neighbouring properties, the local community or the Council. We do not think that these costs should go over 150% for properties like ours which are in good repair &amp;</p>

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	<p>undergoing further renovations as we are doing our very best to carry out improvements as effectively &amp; efficiently as possible.</p> <p>If council tax is paid I can see no justification to double or treble that.</p>
L21	<p>If a property is up for sale they should not have to pay the charges. It is unfair for people who are actively trying to sell their empty property to impose these high charges when they may already be paying a mortgage and council tax on the empty property AND the property they live in.</p> <p>Your proposal would punish people who are already punished and will do nothing to improve the poor housing situation. There are many reasons for houses to be left unoccupied for a length of time and none of these are to benefit the owner. Your proposal, and indeed your current policy, merely compounds the financial hardship. It would be far more effective to offer help to the owners of long term occupied homes to get them ready for sale/rental. Loans and grants should be available. Compulsory purchase could also be an option should the owners keep a property empty for two years or, perhaps, a commandeering of the property to re rented to deserving people with the equivalent of social rent only going to the owners. There are many solutions to the housing shortage and the number of unoccupied homes and none of them involve imposing what amounts to monthly fines</p> <p>I feel that increasing the premium would result in landlords creating fake tenancies in order to avoid making payment.</p>
L22	<p>If someone can afford to leave a property empty for that length of time they're clearly able to afford it, so the charges are an entirely appropriate incentive to correct the commercial priorities.</p> <p>Unfortunately, I am unaware of all the reasons that people have for not paying their council tax on an empty property but the existing exclusions should remain.</p> <p>The increase in costs will mean rents for everyone will have to go up.</p>
L23	<p>As a landlord in Sefton I have previously been impacted by the 50% additional charge. I have purchased empty properties which have required full renovations before I could find tenants. As one property had already exceeded the 2years of being empty when I purchased it I was liable for the additional council tax charges. This I felt was unfair. Surely taking a property which is not liveable and has been empty for some time and doing the necessary renovations to provide additional affordable homes in the area is a good thing and should be rewarded and not punished. That said I agree that properties should not be kept empty and a penalty should be in place for those who sit on empty properties. I am aware that this can be a problem in some</p>



areas I think a fair addition to the new rules would be to reset the clock on these properties when newly purchased to provide landlords like myself the opportunity and incentive to improve living standards within Sefton.

There are a number of unused/ derelict buildings and it would be a positive result if an increased council tax payment forced the owners into letting or selling them, to bring vibrancy to the area. However, those with legitimate reasons for leaving the property empty should not be penalised.

I think the 100% charge should be applied after 6 months of being empty. It is inappropriate to leave a property empty while so many people need a home and councils are having financial difficulties.

It might make the owner make more of an effort to get the property occupied.

It is crucial that people do not continue to have incentives to leave houses empty by the current lower council tax rate, given the numbers of homeless people and others who may be living in cramped conditions. This increase would hopefully be some deterrent.

I think you should look at the finances of the owners of these properties. If they live elsewhere it's possible that they can't afford more council tax and by taking them to court you would waste even more money. I don't think it should be a complete ban on the exemption of the 50% tax as it is now. I even think that is too much - isn't the tax for facilities used and if no-one lives there they don't use any facilities!

I would suggest the increase should be even larger, say to 200%, to have a greater effect on the situation.

It is immoral for people to have unused living accommodation while there are so many families without a home.

I feel that a lot of people for good reasons could have a property for 2 or 3 years empty so 50% seems fairer.

Where probate has been granted and the property is for sale

My parents are stuck living next door to an empty property that has been that way in excess of 10 years. Owners refuse to sell yet put solar shades on a roof that is in a bad state of affair? My elderly parents are petrified that squatters will move in and we have no way of contacting these selfish owners. My parents and their neighbours try to keep the front of the house tidy so it isn't obvious what the situation is but are too elderly to continue to keep that up. It is a

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	<p>disgrace the place is left to rot. Hit the owners where it hurts - in their pocket and this will hopefully make them do something about the property.</p> <p>The government and local authorities are taking a totally simplistic view and failing to understand the complex series of factors that can cause properties to remain empty, including for example, simple lack of market demand, or lack of financial resource on the part of the owner to bring dilapidated properties back from the brink back into use.....even just these two example factors can have a complex inter-relationship, with one interacting on the other. The proper and productive approach to this problem would be to abandon the stick (or at least not make it any bigger) and throw a carrot or two at it.</p> <p>I understand why the proposal would be implemented for empty properties that could be brought back into use. However, this should not apply to circumstances such as the one that I am in. I am executor to my mother's will - she died in January 2015 and probate was obtained in May 2015, since when the property has been up for sale. It is a one bedroomed retirement shared ownership flat in XX. It went on the market at £65,000 and has been reduced over time to its current asking price of £44,950 and has been on the market with two estate agents. The shared ownership is with a Housing Association and they are difficult to deal with and I have lost one buyer due to their incompetence. In the meantime, not only do I have to pay council tax at an additional 50% rate, but I shall have to pay monthly service charges and a sinking fund charge if ever it is sold. There will be very little money left by the time this all happens. I feel very strongly that I should not be having to pay any council tax, as I receive no services whatsoever, never mind an additional premium. Due to myself spending lots of my time caring for my mother, I managed to keep her out of Sefton's Social Services system, and she never needed any additional support from the Council. Also, the Council itself does nothing to help me sell the flat - sale boards are not allowed outside the listed building. I am unable to bring the flat into use unless it is sold, one of the conditions of the lease is that I am unable to rent it out. I am extremely concerned whether there will be sufficient funds if the council tax charge is further increased. In circumstances where an executor to a will is unable to sell or rent a property and can prove that they have done everything possible to sell it, there should be an exemption.</p>
L30	<p>If a property is up for sale, I can't see how you can penalise people who want to sell the property but it is taking longer than they wanted.</p> <p>Property's that are up for sale should be exempt from the increase.</p> <p>We have had the house up for sale for 2 years but can't sell it. Properties that are on the market and empty should be exempt from this.</p>

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	<p>When properties are left empty when owners have gone into care the council should check that they are indeed empty and should take the waived council tax payments from the estate when the property is sold.</p>
L31	<p>I believe the premium should rise the current housing shortage and this increase may persuade private landlords to sell properties that they cannot rent</p>
L37	<p>I think owners should have an opportunity to make a case to the Council to use its discretion to waive the premium where they have been unable to sell or bring their properties back into use due to other circumstances out of their control. The Council should also take the opportunity to provide help and support to owners of long-term empty homes to assist them in bringing these properties back into use. The Council should not waive the premium where owners are marketing their property at an inflated price as this will not help to increase the supply of affordable homes.</p> <p>Without room for discretion this is a very unfair tax to increase to 100%. not all property is just kept empty sometimes there are issues which mean you cannot get a new tenant and therefore are being unfairly penalised.</p> <p>Maybe it will force a few sales and reduce pressure on the precious B Green Belt you seem so keen to destroy</p> <p>Council tax should be paid by all if empty or not</p> <p>Sheer extortion! An ill-considered 'blanket' approach. Appalling because you seem to want to penalise the very people who are trying to do the right thing. Our property is vacant again and we (3 beneficiaries) want to sell the retirement flat and that has been our desire since 2004. It has been marketed for sale continuously, through estate agents. For a period of about 5 years we rented it to a tenant (who has died). The flat is empty again and it is being marketed for sale, yet again. Try as we might we cannot sell the property which is in a block of retirement flats where other flats are regularly up for sale. We are competing with other flat owners (sellers) on the same site. The residents are all elderly so any would-be buyers have to be over 60 thereby creating a 'niche' market.</p> <p>Make it 200% after 2 years</p> <p>Other measures should be put into place to bring the properties back into use, looking at the reasons why the properties remain empty rather than just applying a financial penalty.</p>
PR8	<p>Awaiting planning permission (this process can sometimes be</p>

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protracted and out of the control of the property owner)

If somebody can afford to have an empty house the. They should be able to afford to contribute to the council tax fund also.

There are too many vacant properties in the Borough, I also think if a property has been vacant for 5 years or more, the owners should lose the right to ownership and it automatically transfers to the Council, this if obviously where the owner can't be bothered to deal with any issues with the property

Instead of increasing to 100% make it 150 - 200% This will force owners to get tenants or sell. Why does Sefton Council not Compulsory Purchase empty homes to use for homeless?

This proposal, and the current 50% premium does NOT incentivise home owners of empty properties to "bring them back into use" as: You are charging more tax, therefore the owner has LESS money to sort their house out and 'bring it back into use'. Therefore, prolonging the period of time that the house will be empty. I believe that if the owner of the property is renovating it BEFORE they live in it or consequently sell the property, they should be exempt as the long-term plan is to "bring the property back into use". To ensure that this is true, council inspectors or a written council policy to state that all work undertaken on the property has to be evidenced and sent to the council.

Strongly object as purchased with intent to downsize but having to wait to move as husband became ill and would not be suitable, will move to property on husband's death. Your proposal is just a punishment for anyone trying to plan responsibly.

What about an empty property that is up for sale but is not selling? They should not be penalised because of stagnant housing market.

I strongly disagree with both these proposals as it is exorbitant. Why should you be penalized unfairly for owning a property that you do not want to rent out because of all the problems that this may entail (watch channel 5) or sell because of the state of the current housing market where we are likely to lose money. The property in question was purchase from our pensions and savings for one of our daughter who was going to get a mortgage and repay us. However, she has since married and purchased a property with her husband having taken out a large mortgage. All the costs of the property in question has reverted to us, her parents, who are pensioners and do not want to get into renting. Why should we be penalised further if we pay 100% Council Tax. It certainly will not win you or the government any votes. I'm totally disillusioned with you all so expect that this is just a way of telling us what you intend to do no matter what is said.

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	<p>It would be more equitable if the Council compulsorily purchased such accommodation.</p>
PR9	<p>I would love you to raise it to 100% considering the empty flat I am trying to sell is costing me 150% of the rateable value into the second year of being on the market.</p> <p>Authorities should be allowed to take all necessary steps to bring empty properties back into use. This should include compulsory purchase rather than increased Council Tax where property has been empty for 5 years or more.</p> <p>The whole point of Council Tax is to charge an occupant for using council services. If the property is empty there should actually be a nil charge never mind a 100% charge because there are no costs to the council.</p> <p>I am becoming elderly with an elderly husband and mobility problems and increasingly struggle to manage the only flat I own that is attached to and accessed via my own flat entrance. I have had really bad tenants and am reaching the point of not feeling able to go on renting emotionally and physically. If these council tax changes come into effect I will have to choose between bills I would struggle to pay, continuing to rent regardless of my health or selling the whole property.</p> <p>Great care must be taken to ensure the owner is not vulnerable. Penalties should be in place for any council staff member who fails to exercise due diligence.</p> <p>I have been trying to sell my house for 3 yrs over this period I have reduced the price by 80k in a desperate effort to sell. Some understanding from the council for those actively trying to sell would help enormously. I do agree those empty houses not for sale should have incentives to bring them back into homes. But this blunt instrument without some consideration for those of us already stressed about when will this house stop eating into my pension may just be seen as yet another way of bleed the taxpayer.</p> <p>Empty properties often fall into disrepair and neglect, and are not nice to see.</p> <p>If not exempt and unwilling to sell or rent out, then the premium seems fair. Perhaps consideration should be given for discretion to waive the premium in genuine cases of inability to sell or rent out a property.</p> <p>This is daylight robbery! Sefton council still get paid the council tax whether the building is empty or not? It should in fact be reduced for empty properties as none of the services are being used if the</p>

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	<p>property is empty! Just sheer greed!</p> <p>I think this is an excellent proposal as homes left empty for that long will tend to be neglected damaging the neighbourhood.</p> <p>There is a housing crisis whilst some of the wealthiest people are leaving properties to lay empty and unused, accumulating personal wealth at the expense of the majority. I fully support increasing the council tax levied. The only slight disagreement I have is the suggestion that this is a doubling of the council tax levied. What it is is a removal of a discount in council tax that has previously been applied.</p> <p>Three years would be fairer than two. My property is empty because I cannot sell it at a reasonable price due to Brexit uncertainty. It remains on the market, but I have had few viewings and fewer offers, all well below comparable prices.</p> <p>As mentioned we are very limited to whom we can rent the property to due to the exceptional circumstances related to the "ideal tenant". I think this needs to be looked into in much more detail and not just a blanket increase which suits all as this is not the case. If this did happen then the cost would be passed onto our service users which I do not think is fair.</p> <p>Most responsible landlords do their best to let properties to suitable tenants if a property has been empty as long as ten years it is most likely derelict. Taxpayers are disgruntled at paying 50% Premium Tax. Can't see collection rates rising if Premium Tax is increased excessively.</p>
Outside Sefton	<p>If the home is being advertised for rent, then this should not apply. I have a house that is in very good condition (newly refurbished), but still we are having trouble finding a tenant.</p> <p>Empty retirement flat belonging to my deceased father has been on market for 2 years - have reduced price but still no sale - I am paying maintenance charges and council tax outside my own area out of my savings - whilst I understand basic council tax has to be paid I think it is unfair to expect executors to pay an additional premium when there is nothing more they can do to sell the property.</p> <p>As a landlord if we had an empty property we would still have a mortgage to pay, and I feel it would be unfair to punish us further.</p> <p>Fully in agreement if no effort is being made to have the property occupied. However, I have had the property in Sefton on the market for sale ever since my mother passed away in May 2017. The lease does not allow me to let the apartment, and it can only be occupied by someone over 50. To charge 200% of the Council Tax seems</p>

	<p>totally unfair when I am doing everything I can to sell it . Surely in these circumstances, empty properties should also be exempt.</p> <p>I most certainly agree considering that Sefton is at present charging me 150% rates for an empty flat that I am desperately trying to sell. A 100% rate would be a relief to this pensioner.</p> <p>Depends on the circumstances as to why a property is unoccupied. An increase is unfair to those who intend to live in the property but can't at present due to extensive renovations to make a property habitable (council tax deductions with his regard are currently not sufficient with respect to the period of availability). Therefore, this only extends the period the property is uninhabitable and vacant due to unavailable cash flow to do the work.</p>
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### 3.5 Summary Table - Questions 1 & 3

	Agree/Agree strongly	Neither agree / disagree	Disagree / Strongly disagree	No response
Question 1	66	7	55	1
Question 3	63	9	56	1

## 2. Equality Impact Assessment

### 4.1. Introduction

Any change to function, provision or policy that may have an effect on people is automatically subject of the Equality Act 2010. As such the 'decision makers' have a statutory duty to pay 'due regard' to equality legislation and the potential discriminatory impact that changes have on service users. To inform decision makers, an 'equality analysis report' is submitted to them at the time of decision making in order for them to consider equality implications as part of their final decision making.

In order to meet equality legislation public bodies have to consider Section 149 of the Equality Act 2010:

A public authority must, in the exercise of its functions, have due regard to the need to:-

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and person who do not share it.

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## 4.2 Protected Characteristics

Equality Law (Equality Act 2010) is clear that there are particular characteristics intrinsic to an individual against which it would be easy to discriminate. Section 149 (the Public-Sector Equality Duty) sets the goals of the Act and the characteristics, known as 'protected characteristics' against which we have to test for discrimination. These characteristics are gender, race/ethnicity, religion or belief, sexual orientation, age, gender reassignment, pregnancy and maternity and disability.

## 4.3 Consultation

Sefton Metropolitan Borough Council (Sefton MBC) is considering increasing the Council Tax homes premium from April 2019 on homes left empty and substantially unfurnished for over 2 years. This will help to reduce the number of long term homes and bring them back into use through sale or renting. Any additional income raised from the premium will help support the provision of Council services.

As part of the consultation, equality questions were asked in connection to gender, age, disability and ethnicity.

The main issues that we have to consider in relation to the proposed changes to the scheme in relation to equality and diversity are:

Disabled people, on very low income, who are unable to carry out the necessary renovations to properties themselves or pay someone to do it for them.

Where owners are struggling to cope with managing the property they own.

## 4.4 Impacts

The tables below highlight what evidence we have on how the proposed changes will affect different groups and communities in relation to equalities and human rights. Where numbers are presented which refer to the survey, this relates to the number of people who responded to the equality questions in the survey, and aligned to the question on impacts. People who responded to the survey and reported any impacts, whether this was a lot of impact or no impact, did so from an individual perspective. The table recognises the responses to the survey but also considers any detrimental impact on the protected characteristic as a whole and includes the mitigations the Council has in place.

### Breakdown of respondents by Gender

In terms of the 129 respondents to the eConsult Questionnaire 52 females, 40 males, 2 preferred not to say and 35 not completed returns.

### Breakdown of respondents by Age ranges



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In terms of the 129 respondents to the eConsult Questionnaire, 94 gave the following age ranges, cross matched against gender.

Age Ranges				
	Female	Male	Not declared	Total
18-29	2	0	0	2
30-39	5	2	1	8
40-49	10	6	0	16
50-59	13	13	1	27
60-69	12	11	1	24
70-79	7	7	1	15
85+	2	0	0	2

## Breakdown of respondents by Postcode

In terms of the 129 respondents to the eConsult Questionnaire, the following postcodes were submitted:

Postcode breakdown					
Outside Sefton	L20	L21	L22	L23	L30
10	10	7	4	17	1
L31	L37	L38	PR8	PR9	Not Completed
3	6	2	15	16	38

## Breakdown of respondents by Equality Data

Respondents were asked to indicate answers against Equality data questions, the breakdown of which is:

### *Disability*

4 indicated a Hearing Impairment, 5 indicating a Long-Term Illness Affecting Daily Activity, followed by 4 indicating Mental Health/Distress, a further 7 indicating a Physical impairment and 2 with a visual impairment.

### *Ethnicity/ Religion or Belief*

79 of our 129 respondents who answered indicated they were "White British" or "White English" in terms of ethnicity, with fewer numbers for the other classifications.

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Ethnicity - do you identify as...	Total
White British	55
White English	25
White Irish	2
White Polish	1
White Welsh	1
Black British	1
Asian Indian	1
Other White background	2
Other Chinese background	1
Prefer not to say / no response	40

## *Sexual Orientation*

On Sexual Orientation, 78 out of 129 respondents who answered indicated they were Heterosexual, 2 Bisexual and 49 Prefer not to say / or did not respond

Heterosexual	<b>78</b>
Bisexual	<b>2</b>
Prefer not to say / no response	<b>49</b>

## *Religion / Belief*

42 out of 129 who answered indicated they were Christian, 1 Buddhist, 86 no religion / did not respond / prefer not to say.

## *Gender at birth*

85 of the 129 respondents who answered the question indicated that they currently live in the gender given to them at birth. 1 respondent was not in the gender given at birth. 43 prefer not to say / no response.

## **4.5 Impacts table**

Protected Characteristic	
<b>Gender</b>	No inadvertent bias on the basis of gender is indicated. We have not identified any impacts that need mitigation.
<b>Race/Ethnicity</b>	No inadvertent bias on the basis of race/ethnicity is indicated. The proposals do not treat people of different race/ethnicity groups any differently and we have not identified any impacts that need mitigation.
<b>Religion and Belief</b>	No inadvertent bias on the basis of religion or belief. The proposals do not treat persons of different religions or beliefs any differently and we have not identified any impacts that need mitigation.
<b>Sexual Orientation</b>	No inadvertent bias on the basis of sexual orientation is indicated. The proposals do not treat persons of different

	sexual orientation any differently. We have not identified any impacts that need mitigation.
<b>Age</b>	No inadvertent bias on the basis of age is indicated. Young people looking to join the property ladder or rent an affordable property may be affected as more empty properties are made available. We have not identified any impacts that need mitigation.
<b>Gender Reassignment</b>	No inadvertent bias on the basis of gender reassignment age is indicated in the proposals. We have not identified any impacts that need mitigation.
<b>Pregnancy and Maternity</b>	No inadvertent bias on the basis of pregnancy and maternity is indicated. We have not identified any impacts that need mitigation.
<b>Disability</b>	No inadvertent bias on the basis of disability is indicated. However, the consultation results indicate that disability is also relevant to the proposals as people felt that there should be mitigations in place for owners who are unable to manage their affairs or circumstances where disability prompts a need to change property and reduces the ability to carry out the work required to an empty property.

## 4.6 Mitigations

### Key measures in place

- Consideration to be given to whether any additional exemptions under which the Empty Homes Premium should not apply, for example where an owner is living elsewhere to receive care or resident in a nursing home etc.
- Any short term financial hardship or other exceptional circumstances affecting a person's ability to pay will be addressed by the Council's Discretionary Reduction in Liability Policy, and the promotion of that policy, so additional support can be provided for those in exceptional need.
- Sefton MBC will continue to maintain its good track record of providing proactive and tailored support for those Council Tax payers who struggle to make payments and will continue to ensure our recovery procedures identify cases where additional support might be required.
- A proactive approach will be taken to identify persons meeting the severe mental impairment conditions set out in the Council Tax Regulations with a view to exempting them from paying Council Tax.
- We will continue working with and supporting customers whose first language is not English.
- Customers affected by the proposals will be contacted directly and provided with clear explanation and offers of advice and support.
- The Council's website information will be updated to reflect the key changes and any issues identified.

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## Equality Analysis Report - Council Tax Reduction Scheme

### Details of proposal: Council Tax Reduction Scheme – Annual review for 2023/24

Sefton Council is reviewing its local Council Tax Reduction (CTR) scheme that currently supports around 25,000 households who are on a low income with the cost of their council tax.

Around 14,500 claimants are of working age (59% of households using the scheme) and the remaining 10,125 (41%) are pension age.

The scheme is a means tested discount. It should be noted that pension age recipients are protected from any reduction in support under rules that are set out in national regulations.

### Ramifications of Proposal:

Sefton Council's local Council Tax Reduction Scheme is based on five principles: -

1. The Council will continue to support work incentives
2. The Council will continue to recognise the additional needs of our most vulnerable residents
3. The Council will continue to recognise the additional needs of families with children
4. The Council supports households staying together to make better use of housing in Sefton and reduce homelessness
5. The Council will continue to have due regard to the Armed Forces Covenant.

The review of the Council Tax Reduction Scheme has been carried out mindful of those principles and the Council's equalities duties.

### Are there any protected characteristics that will be disproportionately affected in comparison to others?

*The protected characteristics under the Equality Act 2010 are:*

#### **Age (working age)**

The Council's local Council Tax Reduction scheme affects working age people and has a financial impact on households who already have a low income.

#### **Age (Pensionable age)**

People over pensionable age are supported with Council Tax Reduction, but this is via the national prescribed scheme and local authorities are not permitted to change this.

#### **People with a Disability**

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In Sefton, around 53% of pensioners receiving Council Tax Reduction have a disability income, and 41% of working aged people receiving Council Tax Reduction have a disability income.

The Council recognises that additional expenses may be incurred relating to disability and has put the following mitigations in place: -

- Continuing to make additional allowances and give additional support to those receiving certain DWP sickness benefits, disability benefits and benefits for Carers when calculating entitlement
- Disregarding certain disability benefits as income when calculating entitlement
- Providing signposting and support to people to claim other reductions of Council Tax liability where appropriate, e.g., discount in respect of severe mental impairment, disabled banding reductions.

## **Gender Reassignment**

No impacts identified specific to this equality group.

## **Marriage and Civil Partnership**

No impacts identified specific to this equality group.

## **Race**

No impacts identified specific to this equality group. Calculation of entitlement to Council Tax Reduction does not refer to race and is not impacted by it.

## **Religion or Belief**

No impacts identified specific to this equality group.

## **Sex**

Women are generally more likely to be single parents in the first place (90%) according to ONS 2019. Locally, when looking at Sefton's Council Tax Reduction caseload there are 4,026 single parents, 3,756 (93.3%) of whom are female.

## **Sexual Orientation**

No impacts identified specific to this equality group.

## **Pregnancy and Maternity**

We do not have sufficient evidence of pregnancy and maternity in the local Council Tax Reduction Scheme data held, but caseload data shows that females are disproportionately affected and are more likely to be single parents.

The Council has mitigation in place to support the additional needs of households with children including:

- Deciding that the Council's local Council Tax Reduction scheme for working-age families should not replicate the rules that are in place in the national Housing Benefit scheme and the Council Tax Reduction Pensioner scheme whereby the removal of the family premium and the "2-child" rule restrict the level of award

- Child Benefit and Child Maintenance payments are not taken into account as income when calculating entitlement to Council Tax Reduction
- Additional allowances are given when calculating entitlement where there is a disabled child in the family
- The scheme also mirrors provisions in the Housing Benefit scheme by taking childcare costs into account for low income working families
- The Council continue to include the Family Premium when calculating Council Tax reduction
- Procedures are regularly reviewed for the collection of non-payment of Council Tax and signposting to Exception Hardship Fund to ensure non-disproportionate impact on the most vulnerable household including those with children.

## **Mitigations in place to support the Council's principles for the Scheme**

### **Financially Vulnerable People:**

The Council has following mitigation in place: -

- Provision of a discretionary Exceptional Hardship Fund to provide additional support to those financially vulnerable struggling to pay Council Tax
- For working aged people, allowing a Universal Credit notification, received from the Department for Work and Pensions (DWP), to be treated as a claim for local Council Tax Reduction thus removing the need for those in receipt of Universal Credit to have to make a separate claim for support towards their Council Tax
- Making provision in the local Council Tax Reduction Scheme for awards to be backdated for up to 6-months for working-age vulnerable claimants
- Offering 12-month (rather than 10-month) instalment payments to Council Tax payers to help ease payment difficulties.
- Adopting a sensitive approach to enforcement action to consider the potential vulnerability of Council Tax Reduction claimants. Before cases are referred to Enforcement Agents a vetting stage is in place and cases are dealt with under a separate debt recovery process to minimise potential increases in debt
- An established, co-ordinated working relationship between the Council's contracted Enforcement Agents and Citizens Advice Sefton to support people in debt, ensuring that Citizens Advice Sefton has direct lines of communication with the Enforcement Agents and can arrange for recovery action to be placed on hold whilst discussing and agreeing affordable payment arrangements
- An escalation process for the debt advisor based at South Sefton foodbank to contact nominated Council Tax staff to request a hold on recovery action or discuss affordable payment arrangements
- Participating in the Council's Welfare Reform Anti-Poverty Partners' Group, working with partner organisations and other Council services to support residents suffering financial vulnerability. This includes signposting customers to emergency support for food, heating, essential household goods and other available practical support such as winter coats and school uniforms
- Attending various customer representative events and hard to reach groups to raise awareness of Council Tax support available, i.e., Pensioner and Disability forums. Recent topical events include "Keep warm and well" events in Bootle and Southport organised by Sefton OPERA (Older Persons Enabling Resource & Action) in partnership with the Council's Affordable Warmth team.

### **Care Leavers**

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- The Council provides up to 100% Council Tax discount to support to young people leaving local authority care up to the date of their 25th birthday.

## **Armed Forces Covenant**

- The Council has identified that there are less than 100 households in Sefton claiming support from Council Tax Reduction and/or Housing Benefit and also in receipt of War Disablement, War Widows pension including any Armed Forces compensation. The Council fully disregards this income when calculating entitlement. Also disregarded is the service attributable element of the armed forces pension.

## **Supporting Households to Stay Together, Making Better Use of Housing and Reducing Homelessness**

- The Council has decided that the amount of Council Tax Reduction taken away from a customer's entitlement when other adults live in the household (known as a non-dependant deduction), should remain at a reduced level
- The Council uses the powers available to it to charge a premium on long-term empty properties to encourage owners to bring them back into use. The premium cannot be applied homes that are empty due to the occupant living in armed forces accommodation or for job-related purposes. Also, the Council Tax system makes provision for statutory exemptions for properties left empty for a specific purpose, e.g., when a person goes into care.

## **Consultation:**

- No additional consultation has been carried out as part of the preparation of this report or analysis.

## **Is there evidence that the Public Sector Equality Duties will be met?**

- The Council has set out in the sections above how it meets its equalities duties in relation to the local Council Tax Reduction Scheme.

*The Equality Act 2010 requires that those subject to the Equality Duty must, in the exercise of their functions, have due regard to the need to:*

- 1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.*
- 2. Advance equality of opportunity between people who share a protected characteristic and those who do not.*
- 3. Foster good relations between people who share a protected characteristic and those who do not.*

*The Act explains that having due regard for advancing equality involves:*

- *Removing or minimising disadvantages suffered by people due to their protected*



*characteristics.*

- *Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.*
- *Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.*

## **What actions will follow if proposal accepted by Cabinet and Council?**

The current local Council Tax Reduction Scheme will continue for 2023/24.

As a result of the review, monitoring and analysis undertaken, it is proposed that no changes are made to the Council's local Council Tax Reduction Scheme for 2023/24. Maintaining the Scheme will continue to address the Council's focus to minimise the impact on the most vulnerable households by striking a balance between collecting Council Tax whilst supporting those experiencing financial challenges.

The Council will continue to monitor and analyse the support provided by the local Council Tax Reduction scheme to ensure that it remains relevant to support low-income households.

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# Agenda Item 9

<b>Report to:</b>	Council	<b>Date of Meeting:</b>	Thursday 19 January 2023
<b>Subject:</b>	Consultation & Engagement Framework		
<b>Report of:</b>	Executive Director of Corporate Resources and Customer Services	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	N	<b>Included in Forward Plan:</b>	N
<b>Exempt / Confidential Report:</b>	N		

## Summary:

This report presents to Council the draft Consultation & Engagement Framework subject to any comments from the Public Consultation & Engagement Panel.

## Recommendation(s):

- (1) Consider and approve the draft Consultation & Engagement Framework subject to any comments from the Public Engagement & Consultation Panel members.
- (2) Reaffirm the Council's commitment to ensuring that that children and young people's voice, engagement and co-production with families is a central tenet of LA and partnership strategies.

## Reasons for the Recommendation(s):

To ensure that there is a robust Consultation & Engagement Framework in place and that children and young people's voice, engagement and co-production with families is a central tenet of LA and partnership strategies.

## Alternative Options Considered and Rejected: (including any Risk Implications)

NA

## What will it cost and how will it be financed?

### (A) Revenue Costs

There are no costs directly associated with this report.

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## (B) Capital Costs

NA

### Implications of the Proposals:

<p><b>Resource Implications (Financial, IT, Staffing and Assets):</b> The Training Needs Analysis may identify additional training requirements.</p>							
<p><b>Legal Implications:</b></p>							
<p><b>Equality Implications:</b> There are no equality implications – the Framework will strengthen consideration of equality implications.</p>							
<p><b>Climate Emergency Implications:</b></p> <p>The recommendations within this report will</p> <table border="1"> <tr> <td>Have a positive impact</td> <td>Y</td> </tr> <tr> <td>Have a neutral impact</td> <td>N</td> </tr> <tr> <td>Have a negative impact</td> <td>N</td> </tr> </table> <p>Good consultation and engagement activity will provide local people and businesses with the opportunity to feedback on related issues.</p>		Have a positive impact	Y	Have a neutral impact	N	Have a negative impact	N
Have a positive impact	Y						
Have a neutral impact	N						
Have a negative impact	N						

### Contribution to the Council's Core Purpose:

<p>Protect the most vulnerable: Good consultation and engagement activity enables the Council and partners ensure we all protect the most vulnerable children and adults.</p>
<p>Facilitate confident and resilient communities: Good consultation activity provides communities to have a strong voice.</p>
<p>Commission, broker and provide core services:</p>
<p>Place – leadership and influencer: Good consultation activity enables the Council and partners to make sure what the Council and what others do is in the best interests of Sefton and its residents. The Council will use data and feedback from our communities, children and young people in shaping plans.</p> <p>The Council will demonstrate strong leadership and influence partner organisations to</p> <ul style="list-style-type: none"> <li>• work towards common goals</li> <li>• deliver the best opportunities and outcomes for the children in young people in and leaving our care by being good Corporate Parent</li> <li>• deliver the best opportunities and outcomes for residents and every child in Sefton</li> <li>• ensure Sefton is a child, older person and disability friendly place</li> <li>• and build pride in the borough.</li> </ul>
<p>Drivers of change and reform: Good consultation activity enables the Council to consider and take account of community feedback in decision making.</p>

Facilitate sustainable economic prosperity: Good consultation activity enables the Council to consider and take account of community feedback in decision making
--

Greater income for social investment: Good consultation activity enables the Council to consider and take account of community feedback in decision making
--

Cleaner Greener Good consultation activity enables the Council to consider and take account of community feedback in decision making
--

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7080/23) and the Chief Legal and Democratic Officer (LD.5280/23) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

The draft framework will be considered by partners at the Public Engagement & Consultation Panel 13<sup>th</sup> January 2023

## Implementation Date for the Decision

Immediately following the Council meeting.

<b>Contact Officer:</b>	Jan McMahon
Telephone Number:	Tel: 0151 934 4431
Email Address:	jan.mcmahon@sefton.gov.uk

## Appendices:

The following appendices are attached to this report:

Draft Consultation & Engagement Framework

## Background Papers:

[Item 5 Annual report 2022 and refreshed Consultation and Engagement Framework2.pdf](#)

# Agenda Item 9

## 1. Introduction/Background

- 1.1 In 2009 the partners of the Sefton Borough Partnership developed and agreed the Public Engagement and Consultation Framework, which set out a set of principles, standards for consultation and engagement and the work of the Public Engagement and Consultation Panel.
- 1.2 Following a Council review of consultation and engagement in the Autumn 2022, it was agreed that the Framework should be refreshed and updated, and the draft refreshed document is available as Appendix 1 and this will be considered by the Public Engagement & Consultation Panel on 13<sup>th</sup> January 2023 and is presented to Council for approval subject to any comments from Panel members.
- 1.3 Whilst in general the principles and standards of the current framework are still relevant and support meaningful consultation and engagement for children and young people, adults, families and carers and the Public Engagement and Consultation Panel very much embedded as a partnership quality assurance panel, there are some areas that are out of date.
- 1.4 A refresh of the framework also provides an opportunity to strengthen some areas around child and youth voice and co-production and will complement other partnership documents such as the Youth Voice and Participation Toolkit developed by the Sefton Young Advisors in 2015, which has also recently been refreshed.
- 1.5 The original document had a section about performance that relates to key performance indicators that are out of date. The draft refreshed document still proposes the same aims as in the original document and the Public Engagement and Consultation Panel will consider using the following as a way of monitoring going forward. If agreed, these measures will be incorporated into the Feedback and Evaluation report template and a summary could be reported to the Panel each January as part of the Annual Report.

<b>Aims of the public engagement and consultation framework.</b>	<b>How we will know we have been successful?</b>
We know and work with our communities and understand their needs and views, for example children and young people, people who have an illness, a disability or who are elderly).	<p>We have completed an equality impact assessment for our activity to get people involved in our work.</p> <p>We have collected equality monitoring information and looked at this as part of developing our service or project.</p> <p>We can show that we have spoken with and listened to local people according to the Standards for Engagement and Consultation.</p>
Make sure that we involve and ask our communities in identifying issues that are	We have provided information in accessible formats and removed any barriers so people can take part.

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<b>Aims of the public engagement and consultation framework.</b>	<b>How we will know we have been successful?</b>
important to them or they have lived experience in.	<p>We are working together with people who use services and their carers and value their lived experience and involvement.</p> <p>We can show that we have made changes to how we deliver services, because of the work we carried out with the local community.</p>
We have asked our communities whether we have achieved the things that are important to them.	<p>We have built time in to review our consultation and engagement activity and check if the activity is making a difference to people's lives.</p> <p>We share good practice and look at what we can do better next time.</p>
We have worked with other partners when we have wanted to speak with and listen to our communities, and we have told our local communities about what we have found.	We can show that we are working with partners to plan, design and deliver our work with the local community, and that we are sharing the results of the activities.

1.6 The Consultation and Engagement Toolkit and Methods Guides will be updated and redesigned in 2023 to be part of the same 'family' of documents. Any additional documents developed will be branded the same.

1.7 A promotion campaign will commence in early 2023, using the same visual identity to Council colleagues and partner organisations. The consultation and engagement webpage and Council intranet page will be updated at the same time.

1.8 Following the recent review of consultation and engagement it is intended to carry out a consultation and engagement training needs assessment with colleagues in the Council, to understand.

- Levels of awareness of the standards, the Panel and processes and other relevant guidance.
- Levels of experience and confidence of consultation, engagement, and co-production activity.
- Other relevant training courses attended.
- Any areas of expertise willing to share with others.
- Whether interested in becoming an Accessible Information Advocate.

1.9 The Training Needs Assessment will help us to improve the quality and continuity of our consultation and engagement activity, have a consistent approach and share best practice and highlight any strengths existing within the organisation.

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- 1.10 The Training Needs Assessment will take place early in 2023 with a programme of training and skills development designed to taking place in 2023/4. This work will strengthen the Council's commitment to ensuring that that children and young people's voice, engagement and co-production with families is a central tenet of LA and partnership strategies.



# A PUBLIC ENGAGEMENT AND CONSULTATION FRAMEWORK

Putting people at the heart of what we do





**YOUR SEFTON  
YOUR SAY**

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In this document, where we mention ‘people’, we mean everyone - adults - children and young people, their representatives, families, and unpaid carers, who live in, or work/study in or visit Sefton. They may or may not receive or take part in services or activities we provide or buy.

Communities are groups of people that are connected by where they live or by a shared interest.

There are several supporting documents to this Framework, including the Youth Voice and Participation Toolkit which maximises the strengths and opportunities for organisations to engage children and young people to make sure their voices are heard and valued.

## What this Framework will do

This Public Engagement and Consultation Framework is a document that explains how we and anyone we ask to do the work for us, will work with our communities and gives us clear information on how to speak with and listen to our communities and involve them in the work we do.

This means that we must ensure that adults, children, and young people are given opportunities to be involved in processes for decision making on issues that affect them. This means listening to what matters to them and taking their views seriously.

Best practice in many areas indicated that organisations adopt and be informed by the UN Convention on the Rights of the Child which includes a basic right to express their opinions and be listened to.

The Equalities Act 2010 say that we must make reasonable adjustments for people who have protected characteristics. Protected characteristics are age, sex, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, religion and belief and race.

Public Sector organisations like the Council, Health and the Police and Fire Authorities must also consider the Public Sector Equality Duties. These are specific rules for public services, including when we carry out consultation and engagement activity. The Public Sector Equality Duties applies also to the organisations that are asked to carry out consultation and engagement on behalf of the Public Sector.

The following organisations, will follow the framework.

- Sefton Council
- Sefton Partnership
- Sefton Council for Voluntary Service
- Healthwatch Sefton
- Sefton Young Advisors
- Merseyside Fire and Rescue Service
- Any other partner organisation that uses this Framework



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By using this Framework, we will:

- Follow a set of principles and standards that influence the way we speak with and actively listen to our communities.
- Support and develop ways of working that recognises that everyone has an important contribution to make.

The aim of these principles, standards and ways of working is to make sure that we can improve the way we speak with, listen to and involve adults, children, and young people. It will help to ensure that adults, children, and young people are given opportunities to be involved in decisions that affect their lives. This Framework will give us better information which we can share with our partners. It will also stop us from doing the same engagement activity twice, which will then save us money and time.



**This Framework  
gives us clear information  
on how to speak with and  
listen to our communities  
and get them involved  
in the work we do.**

### Our Main Aims

We want to make sure that we support our communities to get involved in the services they receive or in projects that might affect them.

Our main aims are to:

- Know and work with our communities and understand their needs and views, (for example children and young people, people who have an illness, a disability or who are elderly).
- Make sure that we involve and ask our communities in identifying issues that are important to them or they have lived experience in.
- Make sure that we maximise the opportunities to collaborate and co-produce solutions.
- Ask our communities whether we have achieved the things that are important to them; and work with other partners (people using this Framework) when we want to speak with or listen to our communities, and we will tell our communities about what we find.

The Public Engagement and Consultation Panel will check that we are achieving these aims.



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## The Public Engagement and Consultation Panel

Our Public Engagement and Consultation Panel makes sure that the way we speak with and listen to our communities is of a high standard.

The Panel is made up of:

- The Cabinet Member for Regulatory, Compliance and Corporate Services.
- Other Elected Members nominated to be a member of the Public Engagement and Consultation Panel.
- A representative from Sefton Partnership.
- A representative from Sefton Council for Voluntary Services.
- A representative from the Merseyside Fire and Rescue Service.
- A representative from Sefton Young Advisors (paid professional young people aged 15 to 21 who advise adults on how to work with young people).
- A representative from Healthwatch Sefton
- A Voluntary, Community & Faith Sector and Equalities representative.

The Panel will also receive feedback, assessment reports and presentations from our partners. This feedback will be about:

- How we carried out our work.
- The opinions of the people taking part on how they found the process.
- The number of people who took part and the costs of the different methods of getting them involved.
- How successful different methods were at getting the views of people, for example children, young people, and people with disabilities.



- What has worked well and what could be done differently.
- How feedback is being shared with people who took part.
- If there are opportunities to continue the engagement and involve people.



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## Important principles

To maintain high standards in the way we work with our communities, we will use the following important principles in everything we do.

We will:

- Put people at the heart of how we develop a service or project.
- Involve adults, children and young people in decisions that affect their lives.
- Treat the involvement of our communities as a developing process, which grows and improves over time.
- Look and improve the way we speak with and listen to our communities by sharing information with our partners.
- Give our stakeholders (people who have an interest in our organisation) feedback on the results of the work we do.
- Work in a fair and clear way and make sure that everyone can be involved.
- Make sure that anyone we speak with and listen to has all the information they need to get involved and this is in a format they can understand.
- Make sure people know how they can influence the decisions we make.
- Set standards for how we work with our communities and keep to them.

The Partnership Public Engagement and Consultation Panel will make sure we keep to these standards.



**Involving children and young people can help them feel valued and included and can develop important and useful skills.**

## The standards

We will use these standards to make sure that the work we do with our communities is of a high quality and fair.

These standards will help us get a better understanding of our communities and stop us from doing the same work twice.

### **Standard 1:**

The way we want to speak with and listen to our communities is clear.

We will make sure that our work:

- Has clear aims that explain what we are asking people's views on, what we are not asking people's views on and any limits we must work within.
- Includes a review of the other work we are currently doing, so we know this work is needed.

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- Is linked with other similar work, so we don't do the same work twice.
- Follows all relevant legal requirements - for example, the Equality Act 2010, the NHS Accessible Information Standard 2016 and the Data Protection Act 2018.

## **Standard 2:**

**We identify all local people who are likely to be affected or interested.**

We will make sure that:

- We make a list of all local people - for example, members of the public (including children and young people and those that may experience discrimination or who may be vulnerable), elected members, staff, and other people who might be affected or interested by the issues.
- We make the work we are doing easy to get involved in, and that we clearly target the people we want to speak with, listen to and involve and remove any barriers to their involvement.

## **Standard 3:**

**We have a public engagement and consultation plan that is value for money.**

We will make sure that:

- The plan includes an equality impact assessment (an analysis to help us decide how our decisions will affect different groups).
- The plan has clear aims and realistic timescales, budget and resources.
- The plan includes different ways to engage people and approaches which are appropriate for the target audience.
- The plan allows everyone interested to give us their feedback.
- We choose an officer who has the relevant skills and knowledge to lead the work we are doing.

## **Standard 4:**

All relevant information is available in appropriate formats and written in plain English for people who want to see it.

We will make sure that we:

- Develop a communications plan as part of our work and all information is available in accessible formats and written in plain English for people who want to see it.
- Make all background documents, supporting documents and information available at the time we carry out the work, including our reasons for carrying out the work.
- Are clear on reasoning for how decisions were reached.

## **Standard 5:**

We record all responses accurately and fairly.

We will make sure that we:

- Record all the information we find from the work we do.
- Analyse the responses and the equality monitoring information.
- Upload information onto the Your Sefton Your Say Consultation Hub.

## **Standard 6:**

We have a clear plan for giving feedback on the results from our work with the community.

We will make sure that we:

- Have a list of the people who took part and their views and comments.
- Give everyone who took part in our work the chance to see the results we found.

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- Have a clear process to give feedback to people who did not take part, but who are still affected.
- Tell people about the suggestions we cannot use and explain why.
- Let people know what's coming next and how people can be involved.

## **Standard 7:**

The results of our work with the public and how it has influenced our policies and plans.

We will make sure that we:

- Use the information we have found to develop our policies and service plans; and tell people about any changes we make.

## **Standard 8:**

Looking at how effective our work is.

We will make sure that we:

- Look how effective and efficient our work has been.
- Share what we have learnt and use this for the next time we want to speak with, listen and involve our communities.

### What we mean by ‘engagement and consultation’

The words ‘engagement’ and ‘consultation’ can mean different things. To us, engagement is more than making information available or getting opinions and feedback. We should use the information we receive to help us make decisions on or changes to our service, plans or projects.

We believe it is important to get our community involved in designing and assessing services, as they have lots of ideas about how things could be done differently or better. This should improve things for local people and strengthen the relationship we have with them.

We must consider what we can do to communicate with all local people, so that everyone can have their say. It is important that the wider community understand how they can get involved in activities before they start, and that they feel able to do so. It is also important that we keep local people informed and tell them: -

- What is going to happen with the information they have given us.
- What changes we will make because of the work we have done with them.
- How else they can get involved.

For this partnership Public Engagement and Consultation Framework, people can get involved at four levels:

#### Information-giving

Where communities are informed but have no influence on the decisions that are being made. We need to explain what is happening and be clear.

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## **Consulting (getting people's views)**

Where residents can inform decisions, but don't have the final say. There is room to work with our communities on what happens next.

## **Co-production**

Where things are done jointly, acting together – there is lots of room to shape the decision/service.

## **Supporting Citizen Power**

Where residents leads and the Council/organisations stands back- long-term involvement.

*Adapted from the Local Government Association New Conversations Guide to Engagement.*





### More information about co-production

Co-production is a way of involving people in the development of services, projects, practice, and policy from the start of the process in a way that is inclusive.

Co-production is:

- People who use services, their families, carers and professionals coming together as equals.
- All people are involved in every step of the process.
- No one is left out, everyone involved gets to share their experiences as part of the process.
- Meetings are structured in such a way that everyone understands what is happening.
- Everyone get the chance to have their say in making real changes
- Building on existing skills and developing new ones

Co-production requires deeper engagement than traditional consultation. The guiding principle is that people with lived experience are often best placed to advise on what support and services will make a positive difference to them. It means that adults, children, and young people know what is important to them and have ideas for the solutions to problems/issues and what works.

It's about doing things together, not just talking about things together and we value their contribution.



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## Examples of Co-production

### Sefton's Improving Information Group

Sefton Council, people who have different communication needs and other partners are working together to change the way information is provided to residents. The project is driven by the passion and drive of all those involved, and they are spreading the word across the whole of Sefton that making information accessible is everyone's responsibility.

In 2017 the Council looked at customer experiences of financial benefits and identified the need to improve how it communicated with people who had different communication needs. This review included the lived experience of people receiving Council information, who told us that they didn't always understand the information they received which caused them stress and uncertainty.

Following the review, the people with lived experience and representatives from wider groups, including People First Merseyside, Merseyside Society for Deaf People, Healthwatch Sefton, Crisis Café (for mental health), Sefton Advocacy, Sefton Partnership of Older Citizens and Southport Access for Everyone wanted to work together to help the Council improve the way it communicates with people and to make sure that everybody can understand the information they receive in a way that suits them.

The Group meets regularly and has agreed its own objectives and identified areas where improvements were needed. This is the work that the group has developed so far: -

- A top tips guide for communicating in an accessible way
- A contact list sharing the details of organisations that support people who use different ways to communicate in Sefton.

- A short film made by the group sharing their experiences of receiving communication from the Council in a format they cannot use.
- An accessible information e-learning training session for the Council and partners.
- The development of an Accessible Information Advocate programme and council wide training and skill development.

The Group has successfully engaged with Council departments and regularly act as a critical friend by reviewing and guiding on things such as new policies, consultations, and service redesign. This has led to real improvements for people in Sefton.

*“Being part of the Improving Information Group is important to all the members of People First Merseyside. We have campaigned for a long time for information in a way we can understand, and this group has shown that if we all work together, we can make a difference.”*

Phil, People First Merseyside



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## SEND Local Offer website refresh

The SEND Sefton Partnership received feedback from the SEND parent/carer survey that the SEND Local Offer was difficult to follow.

Following a review, the Council decided that the current Local Offer website needed to be improved.

The SEND Local Offer Officer created a group of young people and a group of parents/carers. Young people from Sefton's Buddy Up, a mentoring and befriending service for young people with additional needs also formed a focus group so members could share their ideas.

We worked together and had lots of discussions. The young people choose the homepage layout, colours, and icons. All changes were co-produced with young people and parents and carers. The SEND Local Offer website has been refreshed to improve access and the look and feel. The Local Offer homepage was also completely redesigned following user testing and feedback. Recite Me software was also added to the Local Offer website which has improved accessibility.



The Young Person's group really enjoyed working together to drive the improvement to the look and feel of the local offer website. The young people made new friends and they learnt new skills, they learnt how to complete research, website testing and they learnt how the local offer website works.

The group continue to meet on a weekly basis and has expanded and agreed on the name of The Young Person's Get Talking Group. They are involved in coproducing pieces of work, meet new friends, and have fun. The young people are going to produce a video that will tell people about their involvement and their thoughts about the website before and after the improvements. Schools and the Sefton Parent Carer Forum have helped to promote the new look website to parents and carers and children and young people.

Some feedback from the young people:

*"We love the colours and icons and are pleased we were involved in making it."*

*"We worked together as a team to co-produce the refreshed website, improving the design and how it works".*

*"We worked well as a team, to share our ideas, and research for the website. We learnt a lot of new things and gave feedback about the changes we had made".*

*"We think the refreshed website is easier to use and looks a lot clearer than the old one".*

For more information about the Local Offer visit:

[www.seftondirectory.co.uk/localoffer](http://www.seftondirectory.co.uk/localoffer)

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## The Sandbrook co-production group

The Sandbrook co-production group helped the Council with developing a new short-term assessment unit. It started so that Sefton Council can work with people with expertise through lived experience.

This unit will help people with autism or learning difficulties who need extra support. It will give them a place to stay for a short period of time. Staff can also assess their needs and come up with a support plan.



The co-production group is made up of people with lived experience of complex care needs. This includes parents, carers and service users. People First Merseyside worked with Sefton Council to create the group.

The group helped to design different areas of the unit, including the gardens and sensory room. In later meetings, they worked together to pick the colour of furniture in the unit, and the individual apartments.

The group will continue to meet to share their ideas around how the service will be run.

The co-production group will also help Sefton Council to watch the service once it is open. This will give us the expertise needed to continually improve. If you would like to find out more, visit <https://www.sefton.gov.uk/stau>.

### How will we know if it is working?

By reviewing our progress, we can make any changes or improvements we need to. We will also be able to make sure that local people are receiving the best possible services. We understand that everyone has a part to play in creating strong, safe, successful, and healthy communities that put the people at the heart of what we do.

### How will we know if we have been successful?

The Public Engagement and Consultation Panel is responsible for managing how we perform. To check whether the Framework is having an effect, the Panel will use the following scorecard to identify areas we need to develop, and also areas where we are showing good practice.

<b>Results of the public engagement and consultation framework</b>	<b>How we will know we have been successful</b>
We know and work with our communities and understand their needs and views, for example children and young people, people who have an illness, a disability or who are elderly).	We have completed an equality impact assessment for our activity to get people involved in our work.  We have collected equality monitoring information and looked at this as part of developing our service or project.  We can show that we have spoken with and listened to local people according to the Standards for Engagement and Consultation.

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<b>Results of the public engagement and consultation framework</b>	<b>How we will know we have been successful</b>
<p>Make sure that we involve and ask our communities in identifying issues that are important to them or they have lived experience in.</p>	<p>We have provided information in accessible formats and removed any barriers so people can take part.</p> <p>We are working together with people who use services and their carers and value their lived experience and involvement.</p> <p>We can show that we have made changes to how we deliver services, because of the work we carried out with the local community.</p>
<p>We have asked our communities whether we have achieved the things that are important to them.</p>	<p>We have built time in to review our consultation and engagement activity and check if the activity is making a difference to people's lives.</p>
<p>We have worked with other partners when we have wanted to speak with and listen to our communities, and we have told our local communities about what we have found.</p>	<p>We can show that we are working with partners to plan, design and deliver our work with the local community, and that we are sharing the results of the activities.</p>



## Other documents and supporting information

New Conversations 2.0 Local Government Association guide to engagement, 2020

Website: <https://www.local.gov.uk/publications/new-conversations-20-lga-guide-engagement>

Youth Voice and Participation Toolkit 2022

Contact: [Georgia.ribbens@seftoncvcs.org.uk](mailto:Georgia.ribbens@seftoncvcs.org.uk)

UN Convention on the Rights of the Child – Save the Children

<https://www.savethechildren.org.uk/what-we-do/childrens-rights/united-nations-convention-of-the-rights-of-the-child>

The Equality Act 2010 and Public Sector Equality Duties

<https://www.gov.uk/guidance/equality-act-2010-guidance>

WCAG – Web Content Accessibility Guidelines.

Understanding accessibility requirements for public sector bodies

<https://www.gov.uk/service-manual/helping-people-to-use-your-service/understanding-wcag>

New Realities – A ‘can-do’ collaborative agreement between Sefton Council and Sefton’s Voluntary, Community, and Faith Sector New Realities agreement

<https://www.sefton.gov.uk/media/5514/sefton-new-realities-role-of-cvs.pdf>

## Contact details

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Web: <https://yourseftonyoursay>Page 113v.uk/



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# Agenda Item 10

<b>Report to:</b>	Council	<b>Date of Meeting:</b>	Thursday 19 January 2023
<b>Subject:</b>	Amendments to the Constitution		
<b>Report of:</b>	Executive Director of Corporate Resources and Customer Services	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To seek approval to amend the terms of reference for the Audit and Governance Committee to allow for the appointment of one independent member and to revise the Financial Procedure Rules in Chapter 10 of the Constitution.

## Recommendation(s):

- (1) Approval be granted to amend the terms of reference for the Audit and Governance Committee to allow for the appointment of one independent member.
- (2) Approval be granted to amend the Financial Procedure Rules as set out in Appendix 1 to this report.

## Reasons for the Recommendation(s):

To comply with recommended good practice and ensure the Constitution is up to date and fit for purpose.

The Council's Monitoring officer has responsibility for maintaining the Council's Constitution.

## Alternative Options Considered and Rejected:

None

## What will it cost and how will it be financed?

### (A) Revenue Costs

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None

## (B) Capital Costs

None

### Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>	
None	
<b>Legal Implications:</b>	
<b>Equality Implications:</b>	
There are no equality implications.	
<b>Climate Emergency Implications:</b>	
The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y

### Contribution to the Council's Core Purpose:

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services:
Place – leadership and influencer:  An up to date and fit for purpose constitution provides the basis for good governance and lawful decision making in the Council and will provide confidence to members of the public and the Council operates within the law and complies with good practice.
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:

Cleaner Greener
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## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.....) has been consulted and any comments have been incorporated into the report. The Chief Legal and Democratic Services Officer is the author of the report.

### (B) External Consultations

None

## Implementation Date for the Decision

Immediately following the Council meeting.

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## Appendices:

Appendix 1 – Revised Financial Procedure Rules

## Background Papers:

There are no background papers available for inspection.

## 1. Introduction

1.1 The Council has agreed a Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, whilst others are for the Council to choose.

## 2 Audit and Governance Committee Terms of Reference

2.1 The Chartered Institute of Public Finance and Accountancy (CIPFA) issues Practical Guidance for Local Authorities and Police on the role of the Audit Committees which includes suggested terms of reference.

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- 2.2 The 2018 version of the guidance was considered by the Audit and Governance Committee on 17 March 2021 and the committee recommended a change to its terms of reference in light of the guidance to Full Council on 18th May 2021 which were approved.
- 2.3 CIPFA have now produced a new version of the guidance with revised terms of reference. A comparison of the revised suggested terms of reference with the committee's current terms of reference shows no material differences but the Audit and Governance Committee considered some variances at its meeting on 14<sup>th</sup> December 2022 and recommends to Council to make one amendment to its current terms of reference.
- 2.4 CIPFA recommends that an audit committee should have at least two co-opted members. The reasons for CIPFA's recommendation are as follows:
- To supplement the knowledge and experience of elected representatives in specific areas, such as audit or financial reporting.
  - To provide continuity outside the political cycle. This is of particular importance where membership of the committee changes annually or because of elections.
  - To help achieve a non-political focus on governance, risk and control matters
  - Having two co-opted members rather than one will allow recruitment of members with different but complementary knowledge and experience, increase the resilience and continuity of the committee.
  - Having two co-opted members shows a commitment to supporting and investing in the committee.
- 2.5 While including co-opted members can bring real value to the committee, care is needed to ensure that the arrangement works well, both for the co-opted member and for the other committee members. It is essential that the co-opted member receives an adequate induction and ongoing support to provide organisational context and to build working relationships.
- 2.6 We currently do not have any co-opted independent members on the committee, but members of the committee decided to recommend to Council to revise the terms of reference for the committee to allow for the appointment of one independent member and to review the position next year when an annual review of the terms of reference is undertaken.
- 2.7 The independent member will have an advisory role and will not have voting rights.

## **3 Financial Procedure Rules**

- 3.1 As part of the annual review of the Council's Constitution, the Council's Financial Procedure Rules have been the subject of review. This review has included officers from the Finance Service, Internal Audit and Senior Officers within the



Council. The final document as included within this report has also been the subject of review and initial approval by the Council's Monitoring Officer, prior to presentation to members. The revised rules were considered and approved by the Audit and Governance Committee on 14<sup>th</sup> December 2022.

3.2 As would be expected, large elements of the previous version of the Financial Procedure Rules remain as previously approved, however certain changes are proposed and are discussed below. These changes align with the Council's structure, Framework for Change programme and the aims of the Financial Procedure Rules such that:

- They provide the framework for managing the financial affairs of the Council;
- They define the roles and responsibilities of members and officers;
- They facilitate the effective operation of Council activity; and
- They provide a framework for the delivery of an effective internal control environment.

3.3 Having reviewed the Financial Procedure Rules there are a number of areas that are reflected in the updated schedule and the changes have been summarised within the following paragraphs.

3.4 Other minor changes have been made to the format and content of the Financial Procedure Rules to enhance user accessibility including additional section definitions and amendments to paragraph references.

#### 4 Changes as a Result of Organisational Redesign

4.1 The Financial Procedure Rules have been updated to take account of changes to roles and responsibilities and job titles within the Council including officers within the Senior Leadership Board.

#### 5 Section 106 (paragraphs B.50 to B.53)

5.1 The FPRs include a delegation to the Assistant Director of People (Communities) with respect to Section 106 balances.

5.2 A minor amendment has been made to this section to clarify that this relates to the Communities (Neighbourhoods) elements of Section 106 funding. The non-Communities elements will be spent in line with the associated Section 106 agreements and in line with the wider requirements of the FPRs.

#### 6 Determination, Monitoring and Control of Affordable Borrowing (C.19 to C.21)

6.1 Under the Local Government Act 2003 the Council is required by regulation to comply with the CIPFA Prudential Code for Capital Finance in Local Authorities. The key objectives of the Prudential Code are to ensure that within a clear framework, the capital investment plans of local authorities are affordable, prudent and sustainable. A further objective is to ensure that treasury management supports prudence, affordability and sustainability.

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- 6.2 The Council is responsible for approving prior to the commencement of the financial year the prudential indicators for the forthcoming financial year and subsequent financial years as required by the Code.
- 6.3 Following an update to the Code, the following indicators have been included within the FPRs:
- Estimated Liability benchmark – to support an appropriate level of external borrowing.
  - Estimate of net income from commercial and service investments to net revenue stream – this comprises net income from financial investments (other than treasury management investments), together with net income from other assets held primarily for financial return, such as commercial property. This indicator will highlight how reliant the Council is on this income.
- 6.4 Additionally, the revised Code explicitly states that authorities must not borrow to invest primarily for a financial return. This has been reflected in the update to the FPRs.
- 7 Commercial Activity (paragraphs C.35 to C.41)
- 7.1 The Council holds a selection of assets that support the Council's Core Purpose and operate on a more commercial basis than other elements of the Council's General Fund. The financial arrangements for these assets are set out within the FPRs.
- 7.2 This section has been updated to: clarify that any associated revenue and capital budgetary approval for these assets will align with the wider requirements of the FPRs – including any in year requests for additional financial resources; clarify the arrangements for the monitoring and reporting of operational and financial performance; and to clarify the frequency of review and refresh of the associated annual business plans.
- 8 Inventories (paragraph D.45)
- 8.1 Executive Directors and Assistant Directors must ensure that proper arrangements are made to maintain inventories of all valuable and transportable items.
- 8.2 The global pandemic has had a significant impact on the working arrangements at the Council including greater use of agile working and working from home. To support these arrangements, there has been an increase in the number of ICT equipment – including laptops – issued to staff and used off site.
- 8.3 The relevant section of the FPRs has been updated to highlight that Executive Directors and Assistant Directors must ensure they, and staff within their service areas, adhere to the requirements of the ICT Acceptable Use Policy, the Starters, Movers and Leavers Policy and the supporting policies and guidance.

- 8.4 The ICT Acceptable Use Policy describes acceptable usage, supports the security of Sefton's ICT network, information compliance and helps to prevent against cyber-attacks and cybercrime. The supporting Starters, Movers & Leavers Policy includes the details of what needs to be done with ICT inventory for new starters, those moving within the Council to another post and those leaving the authority.
- 8.5 Both must be followed by Executive Directors and Assistant Directors when making arrangements for the effective management of inventories including ICT equipment.
- 9 Charging for Income (paragraph E.11)
- 9.1 The FPRs delegate approval of fees and charges to the respective Cabinet Member. This provides flexibility for service areas to ensure that fees are set at the most appropriate level and are reviewed and adjusted in a timely manner in advance of each financial year.
- 9.2 The FPRs have been updated to recognise that there may be circumstances where fees and charges require in year amendments – for example, during periods of economic uncertainty, where there are volatile rates of inflation and sector specific pressures. These in year changes will be approved by the relevant Cabinet Member.
- 10 Bad Debts (paragraph E.21 to E.25)
- 10.1 The Section 151 Officer is responsible for producing and issuing guidance on bad debt. Executive Directors and Assistant Directors are responsible for ensuring their teams comply with this guidance which includes the Corporate Debt Policy and Procedures.
- 10.2 This section of the FPRs has been updated to highlight that all debts due to the Council will be subject to full recovery, collection and legal procedures as detailed in the Corporate Debt Policy and Procedures. This section has also been updated to clarify that:
- bad debts of up to £10,000 may be written off by Authorised Officers as contained in the Scheme of Financial Delegation in consultation with the Section 151 Officer and the Monitoring Officer.
  - bad debts of £10,000 and over should be reported jointly by the Section 151 Officer and the relevant Assistant Director to the Audit and Governance Committee for write-off action.
- 10.3 This section has also been updated to require that any write off which arises as a result of theft or fraud must be notified to the Chief Internal Auditor immediately. This is in line with the requirement of the FPRs for theft or fraud regarding other non-cash assets.
- 11 Partnerships (paragraph F.3 to F.5)

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- 11.1 Partnerships play a key role in delivering community strategies and contributing to the well-being of the area. They also provide new ways to share risks, access new resources and new and better ways of delivering services. Partnership working has become more and more important against the backdrop of reducing public sector resources and increased demand for services.
- 11.2 This section of the FPRs has been simplified to include the high level responsibilities of Executive Directors and Assistant Directors which include:
- a. Adhering to the guidance issued by the Section 151 Officer before embarking on any partnership agreement, ensuring a risk management appraisal is undertaken and obtaining the appropriate approvals
  - b. Ensuring partnerships do not impact adversely on Council services
  - c. Providing appropriate information for the statement of accounts
  - d. Maintaining all contract documents and any associated requirements of the Contract Procedure Rules
  - e. Ensuring partners are aware of their obligations with regards to confidentiality, conflicts of interest, communication and financial and contractual responsibilities
  - f. Ensuring that financial resources are used efficiently and effectively and that accounting arrangements are satisfactory and maintain the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council
- 11.3 Separate guidance will be issued by the Section 151 Officer to support Executive Directors and Assistant Directors to meet these responsibilities. This will include a checklist of all necessary requirements before entering into a partnership, during it and following its cessation.

## 12 Bidding for Grant Funding (paragraphs F.6)

- 12.1 The ongoing impact of budget reductions and higher demands for Council services has placed increased emphasis on identifying alternative sources of funding for existing and new Council activities. This includes bidding for grant funding where this aligns with Council priorities. Often, bids must be submitted at relatively short notice and so it is important that the approval process is clear and allows for quick submission.
- 12.2 Therefore, this section of the FPRs has been updated as follows to streamline and clarify the approval process whilst maintaining appropriate Officer and Member oversight:
- a. All grant submissions should be approved by the Section 151 Officer and the relevant Assistant Director / Executive Director in advance
  - b. The relevant Cabinet Member / Cabinet Member for Regulatory, Compliance and Corporate Services should be consulted and provide approval to proceed

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c. If a bid is successful, expenditure can only commence when formal approval for the Supplementary Revenue / Capital Estimate has been received.

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Sefton Council 

Sefton Metropolitan Borough Council

# Constitution

DECEMBER 2022

## CHAPTER 10 – FINANCIAL PROCEDURE RULES

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## SECTION A - INTRODUCTION TO THE FINANCIAL PROCEDURE RULES

- A.1 The Financial and Contract Procedure Rules provide the framework for managing the Council's financial affairs. They apply to every Member and Officer of the Council and anyone acting on its behalf, including School Governors operating under local delegation arrangements. All decision makers need to ensure that they are not only empowered under the Constitution to make every decision that they propose to make, but that they are also authorised under these Rules to incur the financial consequences of every decision that they make.
- A.2 The Rules identify the financial responsibilities of the full Council, Cabinet, Overview and Scrutiny Members, statutory officers and the Executive Directors and Assistant Directors. A written record shall be kept of all decisions taken under these Rules which are taken using delegated powers.
- A.3 All Members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is warranted, properly authorised, provides value for money and achieves best value and is in the interest of the Council's citizens.
- A.4 The Section 151 Officer is responsible for maintaining a regular review of the Financial Procedure Rules and submitting any additions or changes necessary to the full Council for approval. The Assistant Director Corporate Resources and Customer Services (Strategic Support) is responsible for maintaining a regular review of the Contract Procedure Rules and submitting any additions or changes necessary to the full Council for approval. The Section 151 Officer is also responsible for reporting, where appropriate, breaches of the Financial and Contract Procedure Rules to Audit and Governance Committee.
- A.5 Executive Directors and Assistant Directors are responsible for ensuring that all staff in their Services are aware of the existence and content of the Council's Financial and Contract Procedure Rules and other internal regulatory documents and that they comply with them, as required by the Council's Code of Conduct for Employees and this Constitution. Failure to comply with the Code of Conduct will be dealt with in accordance with the Council's Disciplinary Policy and Procedure. These documents will be located on the Sefton intranet for reference. Where staff do not have access to the intranet, Executive Directors and Assistant Directors must ensure that an adequate number of copies of the relevant policies are available for reference within their Services.
- A.6 The Section 151 Officer, is responsible for issuing advice and guidance to underpin the Financial and Contract Procedure Rules that Members,

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officers and others acting on behalf of the Council are required to follow.

- A.7 The Rules are not intended to cover every eventuality, but the spirit of the Rules must always be followed. Where there is any uncertainty in matters of interpretation, advice should be sought from the Section 151 Officer before decisions or actions are taken.

## SECTION B - FINANCIAL MANAGEMENT

### WHY THIS IS IMPORTANT

- B.1 Financial Management covers all financial accountabilities in relation to the running of the Council, including the policy framework and budget. Members and Officers have a responsibility to abide by the highest standards of probity in dealing with financial issues, understanding their respective roles and responsibilities and other key financial accountabilities regarding financial management.

### WHAT IS COVERED IN THIS SECTION

- B.2 The roles and responsibilities of:
- The full Council
  - The Cabinet
  - The committees delegated by Cabinet
  - Statutory officers; and
  - Executive Directors and Assistant Directors
- B.3 Other financial accountabilities:
- Virement
  - Supplementary estimates
  - Section 106
  - Treatment of year end balances
  - Accounting policies
  - Accounting records and returns
  - The Annual Statement of Accounts

### THE FULL COUNCIL

- B.4 The responsibilities of the full Council are set out in Chapter 4 of the Constitution. In respect of financial matters, this includes approving the Budget within which the Cabinet operates.
- B.5 The Budget comprises the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base and Council Tax rate, and decisions relating to the control of the Council's borrowing requirement, and the allocation and control of capital expenditure.

## THE CABINET

- B.6 The Cabinet's responsibilities, in respect of financial matters include:
- a. developing and reviewing the Council's plans and policies
  - b. advising on budget setting
  - c. ensuring proper arrangements exist for the effective and efficient management of the Council's executive affairs
  - d. monitoring and auditing the lawful, proper and efficient conduct of the Council's financial affairs, including the extent to which budgets and financial policies are being met and any appropriate remedial action; and
  - e. ensuring officers exercising delegated powers on behalf of the Cabinet discharge their responsibilities efficiently and effectively.

## CABINET MEMBERS

- B.7 Individual Cabinet Members have specific decision-making powers which are set out in Chapter 5 of the Council's Constitution. Cabinet Members responsibilities in respect of financial matters include:
- a. the proper administration of the Council's services
  - b. ensuring adequate staffing, premises and other resources are in place to secure agreed standard and target outcomes within the scope of their portfolio
  - c. ensuring budget control and financial monitoring within the scope of their portfolio
  - d. making recommendations to the Cabinet in respect of strategic policy concerning matters within their portfolio.
- B.8 Cabinet Members must consult with relevant officers before exercising their delegated decision-making powers. In doing so, the individual Member must take account of legal and financial liabilities and risk management issues that may arise from the decision and that they have authority to incur the financial consequences of that decision.

## COMMITTEES

### OVERVIEW AND SCRUTINY COMMITTEES

- B.9 Overview and Scrutiny Committees are responsible for discharging the Council's functions under Section 9F to 9FU of the Local Government Act 2000, including:
- a. scrutinising Cabinet decisions before or after they have been implemented; and
  - b. establishing task and finish reviews as they see fit.

## AUDIT AND GOVERNANCE COMMITTEE

- B.10 The Audit and Governance Committee has right of access to all of the information necessary to effectively discharge its responsibilities and can consult directly with internal and external auditors.
- B.11 The committee responsibilities are detailed in Chapter 7 of the Constitution.

## STATUTORY OFFICERS

### CHIEF OFFICERS

- B.12 Chief Officers are the Chief Executive, Executive Directors or any Assistant Directors to whom there has been specific delegation in writing by the Council or the Chief Executive.
- B.13 In accordance with the management structure of the Council, Chief Officers will be referred to as follows:
  - a. Chief Executive (Head of Paid Service)
  - b. Executive Directors
  - c. Assistant Directors
- B.14 The Chief Executive is the Head of the Council's Paid Service. The responsibilities of the Chief Executive include:
  - a. leading and directing the strategic management of the Council
  - b. ensuring the effective pursuit and achievement of the Council's objectives
  - c. ensuring the Council's activities are carried out with maximum effectiveness and efficiency.
- B.15 The Chief Executive must report to and provide information for full Council, the Cabinet, the Overview and Scrutiny Committees and other committees.

### MONITORING OFFICER

- B.16 The Council's Monitoring Officer pursuant to Section 5 and 5A of the Local Government and Housing Act 1989 (as amended) is responsible for exercising the functions of that role. This includes reporting, in consultation with the Chief Executive and Section 151 Officer to the full Council (or to the Executive in relation to an Executive function), if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to a finding of maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been

considered by Cabinet.

- B.17 The Monitoring Officer must ensure that Cabinet decisions and the reasons for them are made public. They must also ensure that Council Members are aware of decisions made by the Cabinet and of those made by officers who have delegated responsibility.
- B.18 The Monitoring Officer is responsible for advising all Members and officers about who has authority to take a particular decision.
- B.19 The Monitoring Officer is responsible for advising the Cabinet or full Council about whether a decision is likely to be considered contrary or not wholly in accordance with the Policy Framework.
- B.20 The Monitoring Officer (together with the Section 151 Officer) is responsible for advising the Cabinet or full Council about whether a decision is likely to be considered contrary to or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:
  - a. initiating a new policy which may have financial implications that cannot be contained within existing budgets
  - b. committing expenditure in future years that exceeds Medium Term Financial Plan assumptions
  - c. agreeing budget transfers that exceed approved virement limits
  - d. causing the total expenditure financed from Council tax, grants and corporately held reserves to increase, or to increase by more than a significant amount ("Significant" to be defined by the Section 151 Officer or their representative).
- B.21 The Monitoring Officer is responsible for maintaining an up-to-date Constitution.

## RESPONSIBLE FINANCIAL OFFICER (SECTION 151 OFFICER)

- B.22 The Section 151 Officer is the financial adviser to the Council, the Cabinet and officers and is the Council's 'responsible financial officer' under the Accounts and Audit Regulations. They are responsible for the proper administration of the Council's affairs as specified in, and undertaking the duties required by, Section 151 of the Local Government Act 1972, Section 114 of the Local Government Finance Act 1988, the Local Government and Housing Act 1989, the Local Government Act 2003 and all other relevant legislation.
- B.23 The Section 151 Officer is responsible generally, for discharging, on behalf of the Council, the responsibilities set out in the Chartered Institute of Public Finance and Accountancy (CIPFA) Statement on the Role of the Chief Financial Officer in Local Government, including:



- a. in conjunction with the Executive Directors and Assistant Directors, the proper administration of the Council's financial affairs
  - b. setting and monitoring compliance with financial management standards
  - c. advising on the corporate financial position and on the key financial controls necessary to secure sound financial management
  - d. providing financial information
  - e. preparing the revenue budget and capital programme
  - f. treasury management.
- B.24 Section 114 of the Local Government Finance Act 1988 includes a requirement for the Section 151 Officer to report to the full Council, Cabinet and external auditor if the Council or one of its officers:
- a. has made, or is about to make, a decision which involves incurring unlawful expenditure
  - b. has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Council
  - c. is about to make an unlawful entry in the Council's accounts
- B.25 Section 114 of the 1988 Act also requires:
- a. the Section 151 Officer to nominate a properly qualified Member of staff to deputise should they be unable to perform the duties under section 114 personally. The designated deputy for this purpose is the Service Manager (Finance).
  - b. the Authority to provide the Section 151 Officer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114 of the Local Government Finance Act 1988.

## MONEY LAUNDERING REPORTING OFFICER

- B.26 The Section 151 Officer is appointed as the Council's Money Laundering Reporting Officer and will maintain and advise on Anti-Money Laundering procedures.
- B.27 They will be responsible for notifying the National Crime Agency (NCA) of any suspected cases of money laundering committed within the accounts of the Council as soon as possible and fulfil other duties as defined by legislation or regulation related to the post. Simultaneously, the Cabinet Member for Regulatory Compliance and Corporate Services will be kept informed of any notifications to NCA and of any issues arising from them.

## EXECUTIVE LEADERSHIP TEAM AND STRATEGIC LEADERSHIP BOARD

- B.28 The officer management arrangements for the Council are overseen by an Executive Leadership Team comprising the Chief Executive and Executive Directors including the Section 151 Officer. Each member of the Executive Leadership Team is accountable to the Chief Executive for ensuring that Council Services are managed in accordance with the objectives, plans, policies, programmes, budgets and processes of the Council.
- B.29 The Strategic Leadership Board includes the Executive Leadership Team and all of the Executive Directors and Assistant Directors. The Strategic Leadership Board is responsible for ensuring that the Council's Services are managed in accordance with the Council's strategic objectives and within the agreed policy and budget framework.

## EXECUTIVE DIRECTORS AND ASSISTANT DIRECTORS

- B.30 Powers are delegated to Executive Directors and Assistant Directors, who will establish, operate and keep under review Schemes of Financial Delegation, to cascade powers and responsibilities to Service Managers and other subordinate officers. Every such sub-delegation will be recorded in writing within a Scheme of Financial Delegation. The sub-delegation of functions shall not in any way diminish the overall responsibility and accountability of the delegator. Executive Directors, Assistant Directors and their managers should provide leadership, act with integrity, be open and transparent as possible, regarding financial performance and risks.
- B.31 Executive Directors and Assistant Directors are responsible for and accountable for the financial management arrangements within their service area. They shall manage the development of budget policy options with a detailed assessment of financial implications within the budget process and resource framework agreed by the Council.
- B.32 Executive Directors and Assistant Directors will establish, operate and annually review Schemes of Financial Delegation, in consultation with the Section 151 Officer, to ensure that:
- a. the day to day financial management of services within their directorate is carried out in a secure, efficient and effective manner, and in accordance with the Financial Procedure Rules and associated relevant guidance.
  - b. expenditure is contained within the service's overall approved budget and that individual budget heads are not overspent, by

- monitoring the budget and taking appropriate and timely corrective action where significant variances are forecast and if necessary, seeking specific in year approval for the transfer of resources between budgets.
- c. regular reports in an approved format are made to Cabinet on projected expenditure against budget and performance against service outcome targets.
  - d. prior approval is sought at the appropriate level for new proposals that create financial commitments in future years, change existing policies, initiate new policies or materially extend or reduce the Council's services.
  - e. resources are only used for the purposes for which they were intended.
  - f. compliance with the scheme of virement (as set out in the following section "MANAGING EXPENDITURE: SCHEME OF VIREMENT").
  - g. risks are appropriately assessed, reviewed and managed.
  - h. all members of staff are fully trained, aware of and comply with the requirements of Financial Procedure Rules, including the Contract Procedure Rules.
  - i. all allegations of suspected fraud, corruption and financial irregularity are promptly reported to the Section 151 Officer and Chief Internal Auditor and that any local investigations are undertaken thoroughly, consistently and impartially.
- B.33 Schemes of Financial Delegation will set out all financial responsibilities and approval limits as delegated by the Executive Directors and Assistant Directors to Service Managers, and any sub-delegations within services. Authorised Officers are those officers given specific delegated authority by their Executive Directors and Assistant Director as documented in that service's Scheme of Financial Delegation. The financial limits specified in the Scheme of Financial Delegation will be used to control access to financial systems and on-line transaction approvals. The Section 151 Officer will provide advice and prescribed format to Executive Directors and Assistant Directors to facilitate the completion of the Schemes of Financial Delegation. The Section 151 Officer to review and approve all Schemes of Financial Delegation on an annual basis.

## MANAGING EXPENDITURE

### SCHEME OF VIREMENT

- B.34 A virement constitutes the movement of existing approved budgets from one area to another and is not an increase in overall budgets through the addition of new monies.
- B.35 The Scheme of Virement is intended to enable the Cabinet, Executive Leadership Team and Strategic Leadership Board and their staff to

manage budgets with a degree of flexibility within the overall policy framework determined by the full Council, and therefore to optimise the use of resources.

- B.36 The full Council is responsible for agreeing limits for virement of expenditure between budget headings.
- B.37 Executive Directors and Assistant Directors are responsible for agreeing in-year virements within delegated limits; in consultation with the Section 151 Officer where required and ensuring that written records of any changes are maintained.
- B.38 Key controls for the scheme of virement are:
- a. it is administered by the Section 151 Officer within guidelines set by the full Council. Any departure from this scheme requires the approval of the full Council.
  - b. the overall budget is agreed by the Cabinet and approved by the full Council. Executive Directors, Assistant Directors and budget managers are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. Income received cannot be used to defray expenditure.
  - c. for the purposes of this scheme, a budget head is considered to be a division of service as identified in the approved Budget Report, or, as a minimum, at an equivalent level to the standard service subdivision as defined by CIPFA's Service Expenditure Analysis
  - d. virement does not create additional overall budget liability
  - e. no virements are permitted from ring fenced budgets
- B.39 Some revenue virements are essentially of an administrative nature, for example, implementation of restructuring and reorganisation proposals that have already received the appropriate level of officer and Member approval; routine changes to the structure of the chart of accounts or changes to notional accounting budgets which are required for reporting purposes but which do not impact on the Councils cash expenditure. Where the virement is of an administrative nature, Member approval is not required and approval limits will be based on the Scheme of Financial Delegation. Administrative virements that exceed these limits will be approved by the Section 151 Officer.
- B.40 Executive Directors and Assistant Directors are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. Executive Directors and Assistant Directors must plan to fund such commitments from within their own budgets.

- B.41 Where transfers are a single transaction they must be affected as such and must not be undertaken as two or more smaller transactions.  
Approval limits for virements are as follows:

## REVENUE AND CAPITAL VIREMENTS

### VIREMENT WITHIN A PORTFOLIO

Virement Amount (within portfolio)	Approval Level
Up to and including £100,000	The relevant Executive Director or Assistant Director
In excess of £100,000 up to and £250,000	The relevant Executive Director or Assistant Director in consultation with the Cabinet Member and the Section 151 Officer
In excess of £250,000 up to and including £1,000,000	The relevant Cabinet Member in consultation with Cabinet Member for Regulatory, Compliance and Corporate Service (or the Leader of the Council if the matter concerns the Cabinet Member Regulatory, Compliance and Corporate Services)
Over £1,000,000 (where virement is within budget framework)	Cabinet
Over £1,000,000 (where virement is outside budget framework)	Council

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## VIREMENT BETWEEN PORTFOLIOS

Virement Amount (between portfolios)	Approval Level
Up to and including £250,000	The relevant Executive Director or Assistant Director in consultation with the Cabinet Members and the Section 151 Officer
In excess of £250,000 up to and including £1,000,000	The relevant Cabinet Members in consultation with Cabinet Member for Regulatory, Compliance and Corporate Service (or the Leader of the Council if the matter concerns the Cabinet Member Regulatory, Compliance and Corporate Services Portfolio).
Over £1,000,000 (where virement is within budget framework)	Cabinet

## SUPPLEMENTARY REVENUE ESTIMATES

- B.42 Where services wish to undertake an activity not originally identified in the budget or incur additional revenue expenditure on an existing activity where this is fully funded (for example through additional specific grant allocations), approval must be sought for a supplementary revenue estimate in accordance with the following table. The Section 151 Officer must be consulted to establish that any additional grant funding identified can be legitimately linked to the expenditure in question and the net impact of the proposal must be neutral on the Councils overall budget.
- B.43 Approval limits for fully funded supplementary revenue estimates are as follows:

Supplementary Estimate Amount	Approval Level
Up to and including £100,000	The relevant Executive Director or Assistant Director
In excess of £100,000 up to and including £250,000	The relevant Executive Director or Assistant Director in consultation with the Cabinet Member and the Section 151 Officer
In excess of £250,000 up to and including £500,000	The relevant Cabinet Member in consultation with Cabinet Member for Regulatory, Compliance and Corporate Service (or the Leader of the Council if the matter concerns the Cabinet Member Regulatory, Compliance and Corporate Services) and the Section 151 Officer
In excess of £500,000 up to and including £1,000,000	Cabinet
Over £1,000,000	Council

B.44 During the financial year, all earmarked reserves and contingencies will be reviewed at least once. In the event that funding can be released the approval limits for the utilisation of this funding for either a supplementary revenue or capital estimate are as follows:

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Supplementary Estimate Amount	Approval Level	
	From Earmarked Reserves	From Contingencies
Up to and including £250,000	Section 151 Officer	Section 151 Officer
In excess of £250,000 up to and including £500,000	Section 151 Officer in consultation with the Chief Executive	Section 151 Officer in consultation with the Chief Executive
In excess of £500,000 up to and including £1,000,000	Cabinet	Section 151 Officer in consultation with the Cabinet Member for Regulatory Compliance and Corporate Services
Over £1,000,000	Council with recommendation from Cabinet	Cabinet

B.45 Supplementary revenue estimates which are to be funded wholly or in part from general reserves or general purpose funding (i.e. Council Tax or non-ring fenced grant) must be approved by Council regardless of value.

## SUPPLEMENTARY CAPITAL ESTIMATES

B.46 Council approves the inclusion of capital block grant allocations within the capital programme. The respective Cabinet Members in conjunction with the Council's Section 151 Officer have delegated authority to allocate capital grants to capital projects to be included within the capital programme up to a level of £1m per individual scheme. Schemes above this threshold will require approval by Council.



- B.47 Supplementary capital estimates which are fully funded from external resources (e.g. specific grant; developer’s contributions) must be approved in accordance with following table.
- B.48 Capital budget increases funded wholly or in part from additional Council resources such as capital reserves, borrowing and capital receipts, regardless of value, must be approved by Council. Council approval is also required where there are significant revenue implications for future year’s budgets.
- B.49 Approval limits for supplementary capital estimates are as follows:

Supplementary Estimate Amount	Approval Level
Up to and including £100,000	Section 151 Officer in consultation with the Chief Executive
In excess of £100,000 up to and including £250,000	Section 151 Officer in consultation with Cabinet Member for Regulatory Compliance and Corporate Services
In excess of £250,000 up to and £1,000,000	Cabinet
Over £1,000,000	Council with recommendation from  Cabinet

SECTION 106

- B.50 Full delegation with respect of the allocation of Neighbourhoods Section 106 balances is given to the Assistant Director of People (Communities).

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- B.51 The Assistant Director of People (Communities) will ensure that any expenditure commitments are in accordance with each individual agreement and the associated legislative requirements. The Assistant Director of People (Communities) will make arrangements for adequate records to be kept to meet the reporting requirements of the Annual Infrastructure Funding Statement.
- B.52 Approval limits will be set by the Assistant Director of People (Communities).and agreed with the Section 151 Officer and will be recorded within the Schemes of Financial Delegation for the service area.
- B.53 Reporting will be in accordance with the Council's normal and established monthly monitoring process.

## TREATMENT OF YEAR END BALANCES

- B.54 The full Council is responsible for agreeing procedures for carrying forward under-and overspendings on budget headings.
- B.55 A budget heading is considered to be a division of service as identified in the approved Budget Report, or, at an equivalent level to the standard service subdivision as defined by CIPFA's Service Expenditure Analysis.
- B.56 Any revenue underspending at the year-end may be carried forward, subject to the agreement of the Cabinet. The Section 151 Officer will identify and make recommendations about the carry forward of underspends to Cabinet as part of the budget monitoring reporting process. All carry forward proposals must be supported by an appropriate business case demonstrating that the underspend was planned and that the resources carried forward will be earmarked for a specific and appropriate purpose. Executive Directors and Assistant Directors should include provisional indications of likely carry forward requests as part of their in year budget and performance monitoring. Before approval is sought for a carry forward, Executive Directors and Assistant Directors should ensure that there are no unfunded overspends within their service. It is extremely unlikely that proposed carry forwards will be approved if there are unfunded overspends elsewhere within the service.
- B.57 Capital block provisions are allocations within which the full cost value of approved schemes must be contained. Any uncommitted sum at the year-end may be carried forward subject to consideration by Cabinet. Any uncommitted sum which is not justified on this basis will be returned to Council balances. Equally, any overspending will be carried forward as the first call on the following year's provision.

## ACCOUNTING POLICIES

- B.58 The Section 151 Officer is responsible for selecting appropriate accounting policies; exercising oversight of financial and accounting records and systems; and preparing and publishing reports containing statements on the overall finances of the Council including the annual statement of accounts.
- B.59 The key controls for accounting policies are:
- a. systems of internal control are in place to ensure that financial transactions are lawful
  - b. suitable accounting policies are selected and applied consistently
  - c. accurate and complete accounting records are maintained
  - d. financial statements are prepared which present fairly the financial position of the Council and its expenditure and income
- B.60 The Section 151 Officer is responsible for:
- a. selecting suitable accounting policies and ensuring that they are applied consistently
  - b. exercising supervision over financial and accounting records and systems
  - c. preparing and publishing reports containing the statements on the overall finances of the Council including the Council's Annual Report and Accounts
- B.61 Executive Directors and Assistant Directors are responsible for ensuring that all staff within their directorates receive any relevant financial training which has been approved by the Section 151 Officer, and that they are aware of and adhere to the accounting policies, procedures and guidelines set by down by the Section 151 Officer.

## ACCOUNTING RECORDS AND RETURNS

- B.62 The Section 151 Officer is responsible for determining and approving the accounting procedures and records for the Council.
- B.63 All accounts and accounting records will be compiled by the Section 151 Officer or under his/her direction. The form and content of records maintained in other directorates will be approved by the Section 151 Officer.
- B.64 The key controls for accounting policies are:
- a. calculation, checking and recording of sums due to or from the Council will be separated as completely as possible from their collection or payment

- b. officers responsible for examining and checking cash transaction accounts will not process any of these transactions themselves
- c. reconciliation procedures are carried out to ensure transactions are correctly recorded
- d. procedures are in place to enable accounting records to be reconstituted in the event of systems failure
- e. prime documents are retained in accordance with legislative and other requirements.

## THE ANNUAL STATEMENT OF ACCOUNTS

- B.65 The Section 151 Officer is responsible for ensuring that the annual statement of accounts is prepared in accordance with the Code of Practice on Local Council Accounting in the United Kingdom (CIPFA/LASAAC) and signing them in accordance with the Accounts and Audit Regulation 2015. Approval of the statutory accounts has been delegated by Council to the Audit and Governance Committee.

## SECTION C - FINANCIAL PLANNING

### WHY THIS IS IMPORTANT

- C.1 Financial planning is the development of effective systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. Preparing a policy framework, comprehensive budgets and robust business and performance plans are the key elements to achieving this. By regular monitoring, the Council can ensure that legal requirements and other relevant government guidelines are met and that variances and spending pressures are identified and dealt with promptly.
- C.2 The full Council is responsible for agreeing the Council's Budget, which will be proposed by the Cabinet. In terms of financial planning, the key elements are:
- a. the Medium Term Financial Plan – sets out:
    - what the Council wants to achieve in the short and medium term
    - how services will change in the light of priorities, performance, resources, workforce planning needs and consideration of risks
    - investment required to deliver change
    - how much services will cost in overall terms and to service users
  - b. the Budget – this is the financial expression of the Council's Business Plan. It sets out the allocation of resources to services and projects, the level of contingency funding, the Council Tax base and Council Tax rate, borrowing limits and capital financing requirements.
  - c. the Capital Programme – Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Council, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.
  - d. the Capital Strategy and Treasury Management Strategy – which sets out the arrangements for the management of the Council's borrowing, lending, cash flows and investments
  - e. specific Strategies which have a financial implication

## WHAT IS COVERED IN THIS SECTION

- C.3 The following aspects of Financial Planning are covered in this section:
- Policy Framework
  - Budget Plan
  - Revenue Budget Monitoring and Control of Revenue Expenditure
  - Monitoring and Control
  - Contingent Liabilities
  - Determination, Monitoring and Control of Affordable Borrowing
  - Resource Allocation
  - Capital Expenditure
  - Capital Monitoring, Approvals and Amendments to the Capital Programme
  - Capital Receipts
  - Leasing and Rental Agreements
  - Commercial Activity
  - Maintenance of Reserves
  - Reporting

## POLICY FRAMEWORK

- C.4 The full Council is required by law, to agree a Policy Framework. The Policy Framework is comprised of the plans and strategies as set out in Chapter 4 of the Constitution.
- C.5 The full Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the Policy Framework.
- C.6 The full Council is responsible for setting the level at which the Cabinet may reallocate budget funds from one service to another. The Cabinet is responsible for taking in-year decisions on resources and priorities in order to deliver the Policy Framework within the financial limits set by the Council.

## BUDGET PLAN

- C.7 Each year the Section 151 Officer is responsible for preparing a budget plan for the Council including an approved revenue budget, capital programme, treasury management strategy (new capital strategy) and reserves strategy detailing the financial and service scenario and the policy and expenditure changes required to respond to this scenario.
- C.8 Executive Directors and Assistant Directors will support this process by assessing and advising on the service scenario and policy and

expenditure options for revenue and capital, in their area of responsibility, in a form determined by the Section 151 Officer.

- C.9 The Cabinet, advised by the Section 151 Officer, Executive Directors and Assistant Directors, will develop a budget package including financing options, policy and expenditure options and capital programme. This will be subject to scrutiny by the Overview and Scrutiny Committee before the Cabinet finalises its recommendations to Council. The final Budget policy and Council Tax will be determined by Council.

## REVENUE BUDGET MONITORING AND CONTROL REVENUE EXPENDITURE

- C.10 Revenue expenditure is broadly defined as any expenditure incurred on the day to day running of the Council. Examples of revenue expenditure include salaries, energy costs, and consumable supplies and materials.

## MONITORING AND CONTROL

- C.11 The Section 151 Officer is responsible for providing appropriate financial information to enable budgets to be monitored effectively. They must monitor and control expenditure against budget allocations at a corporate level and report to the Cabinet on the overall position on a regular basis.
- C.12 It is the responsibility of Executive Directors and Assistant Directors to control income and expenditure within their area and to monitor performance, taking account of financial information and guidance provided by the Section 151 Officer. They must report on variances within their own areas. They must also take any action necessary to avoid exceeding their budget allocation and alert the Section 151 Officer to any potential overspending or under-achievement of income budgets in a timely manner.
- C.13 The Section 151 Officer is responsible for the following:
- a. Establishing an appropriate framework of budgetary management and control which ensures that:
    - budget management is exercised within annual budget allocations unless the full Council agrees otherwise
    - timely information on receipts and payments is made available, which is sufficiently detailed to enable officers to fulfil their budgetary responsibilities

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- expenditure is committed only against an approved budget head
  - all officers responsible for committing expenditure comply with relevant guidance, and the Financial and Contract Procedure Rules
  - each cost centre has a single named manager, determined by the relevant Executive Director and Assistant Director. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making processes that commits expenditure
  - significant variances from approved budgets are investigated and reported by budget managers regularly
- b. Administering the Council's scheme of virement
  - c. Submitting reports to the Cabinet and to the full Council, in consultation with the relevant Executive Director or Assistant Director, where they are unable to balance expenditure and resources within existing approved budgets under their control
  - d. Preparing and submitting reports on the Council's projected income and expenditure compared with the budget on a regular basis.

C.14 Executive Directors and Assistant Directors are responsible for the following:

- a. Maintaining budgetary control within their Services and ensuring that all income and expenditure is properly recorded and accounted for
- b. Ensuring that an accountable budget manager is identified for each item of income and expenditure under their control. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure.
- c. Ensuring that spending remains within the service's overall approved budget, and that individual budget heads are not overspent, by monitoring the budget and taking appropriate and timely corrective action where significant variations from the approved budget are forecast.
- d. Ensuring that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and is operating effectively
- e. Preparing and submitting to the Cabinet regular reports on the service's projected expenditure compared with its budget, in consultation with the Section 151 Officer
- f. Ensuring prior approval by the full Council or Cabinet (as appropriate) for new proposals, of whatever amount, that:
  - create financial commitments in future years
  - change existing policies, initiate new policies or cease existing policies or materially extend or reduce the Council's services.
- g. Ensuring compliance with the scheme of virement
- h. Agreeing with the appropriate Executive Director or Assistant Director any budget proposal, (including a virement proposal) which impacts their respective service areas, after having



consulted with the Section 151 Officer and the Cabinet Member Regulatory and Compliance and Corporate Resources

- i. Ensuring Schemes of Financial Delegation are maintained for all within their area of responsibility
- j. Ensuring best value is obtained.

## CONTINGENT LIABILITIES

C.15 Contingent liabilities are possible obligations whose existence will be confirmed by uncertain future events which are not wholly within the control of the Council.

C.16 The S151 Officer is responsible for:

- a. reviewing at least annually in consultation with Executive Directors and Assistant Directors the existing contingent liabilities and ensuring that a balance sheet provision is made where necessary, in accordance with CIPFA guidance.
- b. taking steps wherever possible, in consultation with the Chief Executive, Executive Directors and Assistant Directors, to minimise the risk of contingent liabilities.

C.17 The Chief Executive, Executive Directors and Assistant Directors are responsible for:

- a. setting up procedures and processes to minimise the risk of creating contingent liabilities
- b. reviewing at least annually their service areas for contingent liabilities
- c. informing the Section 151 Officer of any new contingent liabilities and of any changes in the circumstances of existing contingent liabilities.

C.18 These regulations may be modified by any Delegation Scheme which the Council may approve from time to time.

## DETERMINATION, MONITORING AND CONTROL OF AFFORDABLE BORROWING

C.19 Under the Local Government Act 2003 the Council is required by regulation to comply with the CIPFA Prudential Code for Capital Finance in Local Authorities. The key objectives of the Prudential Code are to ensure that within a clear framework, the capital investment plans

of local authorities are affordable, prudent and sustainable. A further objective is to ensure that treasury management supports prudence, affordability and sustainability. The Code explicitly states that authorities must not borrow to invest primarily for a financial return.

C.20 The Council is responsible for approving prior to the commencement of the financial year the prudential indicators for the forthcoming financial year and subsequent financial years as required by the Code. The indicators required as a minimum are:

- a. Estimates of capital expenditure
- b. Estimate of capital financing requirement (underlying need to borrow for a capital purpose)
- c. Authorised limit for external debt
- d. Operational boundary for external debt
- e. Estimate of gross debt to CFR
- f. Estimated Liability benchmark
- g. Estimates of the ratio of financing costs to net revenue stream
- h. Estimate of net income from commercial and service investments to net revenue stream

After the year end actual values are to be calculated for:

- a. Capital expenditure
- b. Capital financing requirement
- c. External debt
- d. Liability benchmark
- e. Ratio of financing costs to net revenue stream
- f. Ratio of net income from commercial and service investments to net revenue stream

C.21 The Section 151 Officer is responsible for:

- a. establishing procedures to both monitor performance against all forward looking prudential indicators and for ensuring that net external borrowing does not exceed the capital financing requirement.
- b. reporting to Council any significant deviations from expectations.
- c. ensuring that regular monitoring is undertaken in year against the key measures of affordability and sustainability, by reviewing estimates of financing costs to revenue and the capital financing requirement.
- d. reporting to Council, setting out management action, where there is significant variation in the estimates used to calculate these prudential indicators, for example caused by major overruns of expenditure on projects or not achieving in-year capital receipts.

## RESOURCE ALLOCATION

- C.22 The Section 151 Officer is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Council's Policy Framework.
- C.23 The Section 151 Officer is responsible for:
- a. advising on methods available for the funding of resources, such as grants from central government and borrowing requirements
  - b. assisting in the allocation of resources to budget managers
- C.24 Executive Directors and Assistant Directors are responsible for:
- a. working within budget limits and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way
  - b. identifying opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery

## CAPITAL EXPENDITURE

- C.25 Capital expenditure is broadly defined as expenditure on the acquisition of a tangible asset, or expenditure which enhances (rather than merely maintains), the value of an existing asset and/or extends the useful life of an asset and increasing usability, provided that the asset yields benefits to the Council and the services it provides is for a period of more than one year. Sefton's de minimis level for new assets is currently £10,000. This limit can be varied at the discretion of the Section 151 Officer.

## CAPITAL MONITORING, APPROVALS AND AMENDMENTS TO THE CAPITAL PROGRAMME

- C.26 The Section 151 Officer is responsible for preparing and submitting reports to Cabinet on the Council's projected capital expenditure and resources compared with the budget on a regular basis, as well as an annual outturn report after the close of the financial year.
- C.27 The Section 151 Officer is responsible for establishing procedures to monitor and report on performance compared to the prudential indicators set by the Council.

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- C.28 The Section 151 Officer in conjunction with the Chief Executive is responsible for:
- a. Setting up procedures under which capital expenditure proposals are evaluated and appraised to ensure that value for money is being achieved, are consistent with service and are achievable
  - b. Compiling a capital programme for approval by Council
  - c. Setting up procedures for corporate monitoring of external sources of capital funding
  - d. Ensuring that expenditure treated as capital expenditure by the Council is in accordance with the best accounting practice
- C.29 Executive Directors and Assistant Directors are responsible for:
- a. liaising with the Section 151 Officer ensuring that estimated final costs of schemes in the approved capital programme are included within the reports to Cabinet of the overall capital programme position
  - b. reporting to the Section 151 Officer circumstances when it is considered that additional Council capital resources will be required to implement a project that has previously been given approval to spend, where such additional resources cannot be identified from within the portfolio programme concerned
  - c. reporting to the Section 151 Officer on any proposed variations to the capital programme during a financial year
  - d. seeking authority for a capital scheme which is not in the capital programme agreed by Council or changes to capital programme
- C.30 Any 'in year' approval sought for capital schemes, must be supported by a completed, detailed Business Case template, in a format approved by the Section 151 Officer, prior to submission through the appropriate decision-making route.

## CAPITAL RECEIPTS

- C.31 The Section 151 Officer must be informed of all proposed sales of land and buildings so that the effect on financial and property management can be assessed.
- C.32 On the advice of the Section 151 Officer, the Council will determine how capital receipts will be applied when setting the annual revenue and capital budget.

## LEASING AND RENTAL AGREEMENTS

- C.33 Leasing or renting agreements must not be entered into unless the service has established that they do not constitute a charge against the Council's prudential borrowing limits. The Section 151 Officer is responsible for issuing any financial procedures /guidance in relation to Leases and Lease agreements including, but not limited to, those leases and lease arrangements relating to schools, commercial and general leasing activity. Leases, including land or property, of less than 20 years can be agreed by the Section 151 Officer via a Chief Officers Report. Leases, including land and property, of 20 years or more will require Cabinet Member approval in addition to the Section 151 Officer.
- C.34 Leases relating to land or property following the approval process can only be signed by the Monitoring Officer or his/her authorised deputies, or persons specifically authorised by the Service Scheme of Financial Delegation, may sign such agreements. The Chief Executive, Executive Directors and Assistant Directors are responsible for ensuring all procedures / guidance issued by the Executive Director of Corporate Resources and Customer Services in regard to Leases and Lease arrangements are complied with.

## COMMERCIAL ACTIVITY

- C.35 The Council holds a selection of assets that support the Council's Core Purpose and operate on a more commercial basis than other elements of the Council's General Fund. These include the Council's wholly owned companies – Sandway Homes Limited, Sefton Hospitality Operations Limited and Sefton New Directions Limited – together with Bootle Strand Shopping Centre.
- C.36 For such defined assets, detailed business plans outlining forecast income and expenditure over a determined period are produced for approval by Cabinet. Business plans should be reviewed and refreshed annually and presented to Cabinet for approval. Where the business plans require budgetary approval – including revenue or capital expenditure– this is approved in line with the requirements of the Financial Procedure Rules.
- C.37 In order to support the management of these assets, Cabinet have approved the establishment of an Investment Board (led by the Chief Executive and including the Section 151 Officer) that will provide the strategic management function to these assets. The approval of these business cases will include provision that all financial (capital and revenue) and operational decisions will be delegated to the Investment Board where the implications can be contained within the approved business plans.

- C.38 Investment Board will review monitoring reports on financial and operational performance on a monthly basis and will escalate any material variations to Cabinet as part of the Council's normal monthly budget monitoring process or via standalone reports where appropriate.
- C.39 Where there are requirements for additional financial resources in year for additional activity not included within the approved business plans – such as additional revenue or capital expenditure – approval should be sought in line with the requirements of the Financial Procedure Rules for supplementary revenue or capital estimates. The write-off of any assets or unrecoverable bad debts associated with these commercial assets should be approved as outlined under the Asset Disposal / Write-Off section of the Financial Procedure Rules.
- C.40 Business plans should be reviewed and refreshed annually and presented to Cabinet for approval each Autumn to allow for the financial implications to be included within the budget each Spring. Annual reports on financial and operational performance should also be presented to Overview and Scrutiny Committee.
- C.41 Cabinet will continue to have executive leadership of commercial assets and will monitor performance through the approval and monitoring of business plans, ensuring that capital expenditure is in accordance with the Council's Treasury Management Strategy and Prudential Indicators. Performance will be reported on a quarterly basis.

## MAINTENANCE OF RESERVES

- C.42 It is the responsibility of the Section 151 Officer to advise the Cabinet and/or the full Council on prudent levels of reserves for the Council.
- C.43 The key controls are:
  - a. Professional standards as set out in the Code of Practice on Local Authority Accounting in the United Kingdom: and agreed accounting policies
  - b. Clear agreement of the purpose for which reserves are held and the type of expenditure which they may be used to fund
  - c. Clear processes for the authorisation of Appropriations (transfers between accounts to and from reserves)
- C.44 The Section 151 Officer is responsible for advising the Cabinet and/or the full Council on prudent levels of reserves for the Council, having due regard to any advice that may be offered by the Council's external auditor and other professional bodies (e.g. CIPFA) in this matter.

- C.45 Executive Directors and Assistant Directors are responsible for ensuring that resources are used only for the purposes for which they were intended.

## REPORTING

- C.46 Executive Directors and Assistant Directors are responsible for preparing reports on overall financial and non-financial performance for their Services and for submitting these to the Cabinet, and the Overview and Scrutiny Committee after consulting the Section 151 Officer in accordance with procedures agreed from time to time. These reports must include specific reference to the implementation of policy changes and new developments agreed as part of the budget setting process and other specific requirements as notified in the reporting guidance. Executive Directors and Assistant Directors will also be required to support the Section 151 Officer in reporting on the progress and forecast of all capital expenditure and income against the approved programme.
- C.47 Any reports are to include specific reference to Service performance against the expected non-financial outcomes in the form of key performance targets. Executive Directors and Assistant Directors are expected to achieve value for money in the delivery of services and the reports should demonstrate how this has been achieved together with an analysis of how key policy and expenditure proposals have been implemented.
- C.48 The key reporting stages are:
- a. Approval of the Business Case, which will be in a form prescribed by the Section 151 Officer before it can be included in the Capital Programme
  - b. Monthly reviews of revenue and capital expenditure produced by the Section 151 Officer in consultation with Executive Directors and Assistant Directors
  - c. Final outturn reports for both revenue and capital expenditure, including full post-implementation review, on all major capital schemes completed during the year.
- C.49 In addition, the reports will be specifically required to give details in respect of the following:
- a. Potential overspends and proposed remedial action, including any impact on balances and future year's budgets which may need to be factored in to future financial scenario planning
  - b. Amendments to approved budgets (virements, supplementary capital estimates etc.) where Member approval is required.

## SECTION D - RISK MANAGEMENT AND CONTROL OF RESOURCES

### WHY THIS IS IMPORTANT

- D.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Council. This should include the proactive participation of all those associated with planning and delivering services.

### WHAT IS COVERED IN THIS SECTION

- D.2 The following aspects of Risk Management and Control of Resources are covered in this section:
- Risk Management and Insurance
  - Operational Risk
  - Business Continuity
  - Internal Controls
  - Audit Requirements (Internal and External)
  - Preventing Fraud and Corruption
  - Assets (Property, Inventory, Stocks, Cash, Disposal / Write Off and Intellectual Property)
  - Treasury Management
  - Banking
  - Investments and Borrowing
  - Loans to Third Parties and Acquisition of Third Party Interests
  - Trust Funds and Funds Held for Third Parties
  - Staffing (Salaries and Wages, Early Retirement/Severance, Travelling and Subsistence, Code of Conduct, Third Party Funds and Retention of Records)

### RISK MANAGEMENT AND INSURANCE

- D.3 The Cabinet is responsible for advising Council on an appropriate risk management policy statement and strategy, and for reviewing the effectiveness of risk management. The Audit and Governance Committee is responsible for monitoring the effectiveness of the risk management policy. The Cabinet is also responsible for ensuring that proper insurance exists where appropriate.
- D.4 The Section 151 Officer is responsible for preparing the Council's risk management policy statement and for promoting it throughout the Council.



## INSURANCE

- D.5 The Section 151 Officer will maintain and administer the Council's insurances. The Section 151 Officer is responsible for authorising the settlement or repudiation of insurance claims and associated costs acting on advice from the Council's Legal Services, insurers, and claim handlers.
- D.6 Executive Directors and Assistant Directors are responsible for informing the Section 151 Officer immediately of:
- a. any events which may result in an insurance claim against the Council
  - b. the terms of any indemnity which the Council is required to give prior to entering into any contracts etc.
  - c. any new risks which might require to be insured, together with any changed circumstances affecting existing risks. Consideration should be given to new projects, new ways of working, and changes in legislation requiring new ways of delivery etc., where the insurance impact is often overlooked
- D.7 No new insurances may be taken out without prior consultation with the Section 151 Officer.
- D.8 Executive Directors and Assistant Directors must ensure that there is co-operation with the Insurance Team in providing the correct documentation and that the correct retention of documents is observed.

## RISK MANAGEMENT

- D.9 The Council's approach to Risk Management is that it should be embedded throughout the organisation at both a strategic and an operational level, through integration into existing systems and processes.
- D.10 The Section 151 Officer develops the strategy and supporting framework on behalf of Executive Directors and Assistant Directors. The Audit and Governance Committee scrutinise the risk management process ensuring the Council's risks are managed effectively.
- D.11 Executive Directors and Assistant Directors are responsible for ensuring the Risk Management Strategy is implemented and that the full risk management cycle operates within their Service.
- D.12 The principles within the Corporate Risk Management Handbook consist of:

- a. identification of risks, both negative and positive, in relation to the objectives of the Council.
  - b. evaluation of risks scored for likelihood and impact, both gross (before any controls) and net (with existing controls)
  - c. treatment of the risk either by: treat, tolerate, transfer or terminate the activity.
  - d. actions and risks monitored and reviewed on a regular basis.
  - e. the Council's Corporate Risk Register will be developed and maintained by the Chief Internal Auditor in consultation with Executive Directors and Assistant Directors.
- D.13 There are three levels to the Risk Register. There should be a movement of risks both upwards and downwards throughout the levels and treatment addressed at the most appropriate level of the organisation.
- a. Corporate – those risks that impact on the organisation's overall objectives either because of their frequency of occurrence or the significance of the impact.
  - b. Service – those risks that impact on the service objectives.
  - c. Operational – minor risks that are managed within the service area that impact on the operational performance of the team. Where the risks increase they should move upwards into the service and potentially corporate risk register.

## OPERATIONAL RISK

- D.14 Executive Directors and Assistant Directors are responsible for ensuring risk management is carried out at both an operational and strategic level in accordance with the agreed guidance and procedures.
- D.15 Executive Directors and Assistant Directors will take account of, and address, corporate risks and inform the Chief Internal Auditor of any service risks that should be considered significant enough to rise to the corporate risk register level.
- D.16 Service and operational risk registers, and associated actions, should be reviewed on a regular basis (at least quarterly) as part of the performance management process.
- D.17 The Corporate Risk Register will be reported to Executive Directors and Assistant Directors / Strategic Leadership Board and to the Audit and Governance Committee on a quarterly basis.

## BUSINESS CONTINUITY

- D.18 The Civil Contingencies Act 2004 places a statutory requirement for Local Authorities to maintain plans for the continuation of services in the event of an emergency, so far as is reasonably practicable. Services are expected to have arrangements in place to ensure the effective identification, evaluation and management of business critical services.

## INTERNAL CONTROLS

- D.19 Internal Control refers to the systems devised by management to help ensure the Council's objectives are achieved in a manner that promotes economic, efficient and effective use of resources and that the Council's assets are safeguarded.
- D.20 The Section 151 Officer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice.
- D.21 It is the responsibility of Executive Directors and Assistant Directors to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness.

## AUDIT REQUIREMENTS

### INTERNAL AUDIT

- D.22 The requirement for an internal audit function for local authorities is implied by section 151 of the Local Government Act 1972, which requires that authorities "make arrangements for the proper administration of their financial affairs". The Accounts and Audit Regulations 2015 more specifically require that a "relevant authority must ensure that it has a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives; ensures that the financial and operational management of the authority is effective; and includes effective arrangements for the management of risk."
- D.23 The Public Sector Internal Audit Standards define internal auditing as "an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic,

disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.”

- D.24 The Council’s Internal Audit Team delivers this function within the Council and provides assurance to the Section 151 Officer and the Audit and Governance Committee, with regard to the effectiveness of the Council’s internal control environment.
- D.25 The Council must, on an annual basis, produce an Annual Governance statement. This statement must provide a description of the system of internal control within the Council, a description of any work undertaken to assess the effectiveness of the internal control framework, and any significant governance issues.
- D.26 To contribute to the production of the Annual Governance Statement, the Chief Internal Auditor is responsible for planning and delivering a programme of independent review of the Council’s activities, the scope of the programme being based on the Council’s objectives and an assessment of the risk which may affect the achievement of these objectives.
- D.27 The Chief Internal Auditor is also responsible for reporting to those charged with governance and currently satisfies this requirement by presenting an annual report to the Audit and Governance Committee, in which the activity of the internal audit service during the preceding financial year is summarised as to arrive at an opinion on the effectiveness of the Council’s internal control. The annual internal audit plan is presented to Audit and Governance Committee for approval and a report summarising performance and key findings is presented to every Audit and Governance meeting.
- D.28 The Internal Audit Charter sets out that Audit staff will have, in accordance with the Accounts and Audit Regulations, and with strict accountability for confidentiality, and safeguarding records and information, full, free and unrestricted access to any and all of the Council’s premises, personnel, assets and records. Rights of access to relevant external bodies will be set out in the contracts/ agreements.

## EXTERNAL AUDIT

- D.29 The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998.
- D.30 The Local Audit and Accountability Act 2014 established new arrangements for the audit and accountability of relevant authorities. Under these new arrangements the Council has opted for its external auditors to be appointed by the Public Sector Audit Appointments Limited (PSAA), an independent company established by the LGA for

this purpose.

- D.31 The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access.

#### PREVENTING FRAUD AND CORRUPTION

- D.32 The Section 151 Officer is responsible for the development and maintenance of an anti-fraud and anti-corruption policy which should be presented to Cabinet for approval.
- D.33 The Council has an approved Anti-Fraud and Corruption Policy which places responsibility for preventing fraudulent activity with all Members, Managers and individual members of staff. Any matters which involve, or are thought to involve, any fraud or other significant irregularity involving Council assets or those of a third party fund, must be notified immediately to the Section 151 Officer and Chief Internal Auditor.
- D.34 The Monitoring Officer will, in consultation with Section 151 Officer and Chief Internal Auditor, decide whether any matter under investigation should be recommended for referral to the Police or the appropriate enforcement agency. The Council's External Auditor also has powers to independently investigate fraud and corruption.

#### ASSETS

- D.35 In the context of these Rules, assets are defined as the resources, other than people, that the Council uses to deliver its service functions. Assets include buildings, land and infrastructure; furniture; equipment; plant; stores and "intellectual property" such as computer software, data and information of all kinds.
- D.36 Executive Directors and Assistant Directors are responsible for the care, control and proper and economical use of all assets used in connection with the operation and delivery of their Services. Proper records should be maintained for these assets, together with appropriate arrangements for their management and security. Information Assets should be recognised in line with the Council's guidance and recorded in the Information Asset Register.
- D.37 Executive Directors and Assistant Directors are responsible for ensuring that assets are used only for official purposes and that all appropriate rights, licenses and insurances are obtained.

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- D.38 Executive Directors and Assistant Directors are responsible for ensuring that all computer software used is properly licensed.
- D.39 Executive Directors and Assistant Directors are expected to have policies in place for:
  - a. the effective disposal of surplus assets
  - b. asset replacement programme
  - c. compilation of and regular review of Asset inventories
- D.40 The Service Manager – Property Services is responsible for ensuring there is a current Asset Management Strategy and Asset Disposal Policy in place.

## PROPERTY

- D.41 The Service Manager – Property Services is responsible for maintaining a “property terrier” recording all land and buildings owned by the Council. The delegated Monitoring Officer is responsible for the safe keeping and recording of all property deeds.
- D.42 The Council’s Asset Management Strategy sets out the vision, core values and objectives that form the context for the preparation of the Corporate Asset Management Plan and Service Asset Management Plans.
- D.43 All property acquisitions, lettings and disposals must be in accordance with the Council’s rules and procedures. Separate rules apply to specific processes, such as the use of capital receipts from property sales to pay for new schemes, and guidance should be sought from the Section 151 Officer where this arises.

## INVENTORIES

- D.44 Executive Directors and Assistant Directors must ensure that proper arrangements are made to maintain inventories of all valuable and transportable items, including vehicles, furniture, computer and other equipment (including software), visual aids, expensive tools and sports equipment.
- D.45 For ICT equipment, Executive Directors and Assistant Directors must ensure they, and staff within their service areas, adhere to the requirements of the ICT Acceptable Use Policy, the Starters, Movers and Leavers Policy and any associated guidance.
- D.46 The inventory must be updated for all acquisitions and disposals and checked at least annually. Items acquired under leasing arrangements must be separately identified for disclosure in the published final

accounts. The Section 151 Officer will provide guidance on the procedures to be followed.

## STOCKS

- D.47 Stock is defined as consumable items constantly required and held by a Service in order to fulfil its functions. Executive Directors and Assistant Directors are responsible for the control of stocks. They must ensure that stocks are appropriately secured and recorded, do not exceed reasonable requirements and that all significant stock is accounted for in the year end accounts. Stocks should be checked at least once a year, more frequently in the case of expensive items.

## CASH

- D.48 Cash held on any Council premises should be held securely, and should not exceed any sums for which the Council is insured. If retention of cash on site is unavoidable in exceptional circumstances, the Assistant Director is responsible for making appropriate security arrangements. All cash should be banked as quickly as possible.

## ASSET DISPOSAL/WRITE-OFF

- D.49 Executive Directors and Assistant Directors may authorise the disposals, of obsolete or surplus equipment / groups of items, materials, vehicles or stores up to a disposal value of £10,000 in consultation with the Section 151 Officer. For write offs of £10,000 and over per item or group of items, this should be reported jointly by the Section 151 Officer and the relevant Assistant Director to the Audit and Governance Committee for write-off action.
- D.50 Any write off which arises as a result of theft or fraud must be notified to the Chief Internal Auditor immediately.

## INTELLECTUAL PROPERTY

- D.51 The Chief Executive is responsible in conjunction with the Monitoring Officer for developing and disseminating best practice regarding the treatment of intellectual property.
- D.52 The Chief Executive, Executive Directors and Assistant Directors are responsible for:

- a. Ensuring that controls are in place to ensure that staff do not carry out private work in council time and that staff are aware that anything they create during the course of their employment, whether written or otherwise, belongs to the Council.
- b. Complying with copyright, design and patent legislation and, in particular, to ensure that:
  - Only software legally acquired and installed by the authority is used on its computers,
  - Staff are aware of legislative provisions, and
  - In developing systems, due regard is given to the issue of intellectual property rights.

## TREASURY MANAGEMENT

- D.53 The Council has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.
- D.54 The full Council is responsible for approving the treasury management policy statement setting out the matters detailed in CIPFA's Code of Practice for Treasury Management in Local Authorities. The policy statement is proposed to the full Council by the Cabinet. The Section 151 Officer has delegated responsibility for implementing and monitoring the statement.
- D.55 All money in the hands of the Council is controlled by the Section 151 Officer as designated for the purposes of section 151 of the Local Government Act 1972, referred to in the code as the finance director.
- D.56 The Section 151 Officer is responsible for proposing to the Cabinet a treasury management strategy for the coming financial year at or before the start of each financial year. Full Council is responsible for approving the strategy.
- D.57 All Cabinet decisions on borrowing, investment or financing shall be delegated to the Section 151 Officer, who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.
- D.58 The Section 151 Officer is responsible for reporting to the Council no less than two times in each financial year on the activities of the treasury management operation and on the exercise of his or her delegated treasury management powers. One such report will comprises a mid-year review and an annual report on treasury management for presentation prior to the 30<sup>th</sup> June following each financial year end.



## BANKING

- D.59 It is the responsibility of the Section 151 Officer to operate such bank accounts as are considered necessary. Opening or closing any bank account shall require the approval of the Section 151 Officer.
- D.60 Executive Directors and Assistant Directors are responsible for operating bank accounts opened with the approval of the Section 151 Officer in accordance with issued guidelines.

## INVESTMENTS AND BORROWINGS

- D.61 It is the responsibility of the Section 151 Officer to:
- a. ensure that all investments of money are made in the name of the Council or in the name of approved nominees
  - b. ensure that all securities that are the property are held in the name of the Council or its nominees (the Chief Legal and Democratic Officer is responsible for ensuring the title deeds of all property in the Council's ownership is held in safe custody)
  - c. effect all borrowings in the name of the Council
  - d. act as the Council's registrar of stocks, bonds and mortgages and to maintain records of all borrowing of money by the Council

## LOANS TO THIRD PARTIES AND ACQUISITION OF THIRD PARTY INTERESTS

- D.62 Interests should not be acquired in companies, joint ventures or other enterprises without obtaining prior approval of the full Council, the Leader, Cabinet or the appropriate Cabinet Member as outlined below.
- a. The Section 151 Officer, Cabinet Member for Regulation and Compliance and relevant Cabinet Member(s) are jointly responsible for approving financial and asset loans made to third parties up to £50,000
  - b. The Cabinet is responsible for approving financial and asset loans between £50,000 and £1m
  - c. The Council is responsible for approving financial or asset loans above £1m
  - d. Loans transacted as part of Treasury Management activities are covered by the Treasury Management Policy and Strategy.

## TRUST FUNDS AND FUNDS HELD FOR THIRD PARTIES

D.63 It is the responsibility of the Section 151 Officer to:

- a. arrange for all trust funds to be held, wherever possible, in the name of the Council (e.g. 'Sefton Metropolitan Borough Council on behalf of.....'). All officers acting as trustees by virtue of their official position shall deposit securities, etc. relating to the trust with the Section 151 Officer, unless the deed otherwise provides.
- b. arrange where funds are held on behalf of third parties, for their secure administration, approved by the Section 151 Officer, and to maintain written records of all transactions
- c. ensure that trust funds are operated within any relevant legislation and the specific requirements for each trust
- d. Approval of procedures for the management of Clients financial affairs, where the Council has been granted advocacy, Appointeeship and/or Deputyship
- e. The Executive Directors of Children's Social Care and Adult Social Care are responsible for ensuring procedures in relation to the management of Clients financial affairs are complied with.

## STAFFING

### SALARIES AND WAGES

D.64 Executive Directors and Assistant Directors are responsible, in consultation with the Chief Personnel Officer, for providing accurate and appropriate information and instructions to the Transactional HR, Payroll & Pensions Services to enable the calculation and prompt payment of salaries, expenses and pensions, including details of appointments, promotions, regrading, resignations, dismissals, retirements and absences from duty. Human Resources will advise the Transactional HR, Payroll & Pensions Services of relevant changes in respect of employee's pensions. The Service Manager – Employee Support will make arrangements for payment to the appropriate bodies, of all statutory, including taxation, and other payroll deductions.

D.65 Time sheets and other pay documents which are used to generate payment of salaries, wages or other employee-related expenses must be on official forms or via authorised electronic inputs. Executive Directors and Assistant Directors are responsible for ensuring that they are certified by an authorised officer and that they are submitted to the Transactional HR, Payroll & Pensions Services in accordance with the specified timetable. This includes on-line input entered locally. The names and specimen signatures of authorised officers must be secured by Executive Directors and Assistant Directors and included in the service Scheme of

Financial Delegation notified to the Section 151 Officer.

- D.66 The Chief Personnel Officer will implement national and local pay agreements as soon as possible after their notification from the appropriate body. Arrangements for funding such awards will be determined each year as part of the budgetary process.

## EARLY RETIREMENT/SEVERANCE

- D.67 Where Executive Directors and Assistant Directors wish to bring forward proposals under the Council's policies on severance and early retirement, they must be accompanied by a full cost and affordability assessment, in a form agreed by the Chief Executive, the Section 151 Officer and the Chief Personnel Officer. The Cabinet Member for Regulatory Compliance and Corporate Resources shall be consulted for proposals relating to Hay Grade 6 and above.
- D.68 The Chief Executive or Section 151 Officer must approve all requests up to £100,000 including pension strain. All requests in excess of £100,000 including pension strain must be approved by the Pay and Grading Committee.
- D.69 Executive Directors and Assistant Directors will generally be required to meet the costs of severance and early retirement from within their approved budget. Service efficiency applications may be subject to phasing over an agreed period. A corporate budget may also be established for staffing reductions linked to the Council's MTFP saving options and access to this budget will be subject to the agreement of the Chief Executive and the Section 151 Officer.

## TRAVELLING AND SUBSISTENCE

- D.70 The Section 151 Officer and the Chief Personnel Officer are responsible for issuing guidance on travelling and subsistence. Executive Directors and Assistant Directors are accountable for ensuring their teams follow the approved guidance on travelling and subsistence claims.
- D.71 Executive Directors and Assistant Directors are responsible for instructing the Chief Personnel Officer and for providing appropriate and accurate information to enable the prompt and accurate payment of travelling, subsistence and other expenses to authorised employees in accordance with the terms of employment agreed by the Council.
- D.72 Executive Directors and Assistant Directors are responsible for ensuring that Council employees who use their cars for official business are properly insured to indemnify the Council against any loss and for ensuring that payments are only made in respect of journeys which are necessary

and actually undertaken. Executive Directors and Assistant Directors should ensure that the most economical available means of transport is used, including pool cars, hire cars and car sharing.

D.73 All claims for reimbursement must be made using appropriate official claim forms, always using electronic processing where available.

D.74 Further guidance is available via the Intranet - Pay and Expenses.

## CODE OF CONDUCT

D.75 The Code of Conduct for Employees applies to, and will be followed by all officers. It covers financial, personal and other interests, gifts hospitality and other favours, sponsorship – giving and receiving, use of financial resources, disclosure of information, relationship with others, and separation of duties during tendering, appointments, political neutrality, additional employment, intellectual property, equality and declarations.

D.76 Where an outside organisation wishes to sponsor or is asked to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts and hospitality applies, as detailed in the Code of Conduct for Employees.

D.77 Further guidance is available via the Intranet – Personnel Policies and Procedures.

## THIRD PARTY FUNDS

D.78 A third party fund is defined as any fund financed other than by the Council, controlled wholly or partly by a member of the Council's staff in connection with the clients, establishments or activities of the Council such as School Funds, Amenity Funds or Criminal Injuries Compensation Payments for children in care. A register of third party funds will be maintained by the Corporate Finance team.

D.79 Money or goods belonging to the Third Party Fund must be kept completely separate from other money or goods belonging to the Council. Similarly, completely separate records must be kept of the money or goods involved.

D.80 An independent auditor must be appointed who has suitable qualities though not necessarily professionally qualified, to audit the Third Party Fund on an annual basis. Annual Statements of Account and Audit Certificates must be formally presented to a Management Committee or other appropriate governing body of the Third Party fund.

- D.81 Executive Directors and Assistant Directors are responsible for ensuring that any Third Party Funds controlled by Council staff are:
- a. formally declared to Corporate Finance team as part of a register kept by the Service
  - b. maintained separately and correctly in accordance with these Financial Procedure Rules, and
  - c. subject to the same standards of stewardship and probity as Council funds
- D.82 The Returning Officer will be responsible for maintaining complete and accurate records and for reconciliation with regard to elections accounts.

## RETENTION OF RECORDS

- D.83 The Council, in common with other public and private organisations, has certain statutory obligations it has to meet for the retention of its records. It also has to fulfil the requirements of HM Revenue and Customs, other legislative requirements and the external auditors in respect of its financial records.
- D.84 All records held should have an appropriate retention period assigned to them, which meet the statutory obligations to retain financial records, but also takes into account legislative requirements such as the Limitation Act and General Data Protection Regulation; Freedom of Information requirements; and the business needs of the Service.
- D.85 The majority of financial records must be kept for six years from the end of the tax year to which they relate. Some records however, may need to be kept for longer periods e.g. if required to defend future insurance claims. It is possible others can be destroyed within shorter periods. Guidance on the appropriate retention period is given in the Council's Retention Policy and its Information Asset Register.

## SECTION E - FINANCIAL SYSTEMS AND PROCEDURES

### WHY THIS IS IMPORTANT

- E.1 Sound systems and procedures are essential to an effective framework of accountability and control.

### WHAT IS COVERED IN THIS SECTION

- E.2 The following aspects of Financial Systems and Procedures are covered in this section:
- Banking Services
  - Banking Arrangements
  - Income (Generating Income, Charging for Income, Collecting Income and Bad Debts)
  - Ordering and Paying for Work, Goods and Services (General Principles, Payment of Invoices, Non-Invoice Payments, Credit Cards/Debit Cards/Purchase Cards, Imprest Accounts, Payment to Members and Financial Arrangements in an Emergency)
  - Taxation
  - Trading Accounts and Business Units

### BANKING SERVICES

- E.3 The Council will approve the terms under which banking services, including overdraft facilities, are provided.

### BANKING ARRANGEMENTS

- E.4 All bank accounts must be titled impersonally in the name of Sefton Metropolitan Borough Council.
- E.5 Subject to any directions given by the Council, all arrangements with the Council's bankers must be made solely through the Section 151 Officer. No bank accounts may be opened or arrangements made with any other bank except by agreement with the Section 151 Officer.
- E.6 Bank transfers from the General Fund and subsidiary accounts must be authorised by the Section 151 Officer, or those officers authorised to sign through the agreed Scheme of Financial Delegation or in accordance with the Treasury Management Policy and Strategy.

- E.7 Cheques drawn must bear the mechanically impressed signature of the Section 151 Officer or be signed by the Section 151 Officer or other officer authorised to sign through the agreed Scheme of Financial Delegation.

## INCOME

### GENERATING INCOME

- E.8 The Section 151 Officer is responsible for developing and maintaining standards, procedures, systems and reports to facilitate the effective and efficient identification, collection, receipting, banking and recovery of income due to the Council in accordance with current relevant UK legislation.
- E.9 Executive Directors and Assistant Directors are responsible for ensuring that the appropriate legal authority for all income generating activities has been identified.

### CHARGING FOR INCOME

- E.10 Executive Directors and Assistant Directors, in consultation with the relevant Cabinet Member, shall determine on an annual basis the level of fees or charges payable in respect of any chargeable goods or services supplied, work undertaken or the loan or use of plant, equipment or machinery. These will be approved by Cabinet Member in advance of the start of the financial year.
- E.11 There may be circumstances where fees and charges require in year amendments – for example, during periods of economic uncertainty, where there are volatile rates of inflation and sector specific pressures. These in year changes will be approved by the relevant Cabinet Member.

### COLLECTION OF INCOME

- E.12 The Council operates a Sundry Debt Collection policy to secure invoiced sundry debt income for the provision of services. All debt owing to the Council must be collected promptly, effectively, efficiently and economically, while ensuring fair treatment of those that owe money, including consideration of any financial difficulties.
- E.13 Council officers must comply with guidelines issued by the Section 151 Officer, and those contained in the Corporate Debt Policy and Corporate Debt Procedures for the safe and efficient collection and recording of all money due to the Council.

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- E.14 Executive Directors and Assistant Directors are responsible for ensuring that accounts for income due to the Council, including grant claims, reimbursements and third party contributions, are raised immediately and accurately in a form approved by the Section 151 Officer. These must include VAT where appropriate.
- E.15 The cost of collection should be taken into account when raising accounts. Executive Directors and Assistant Directors must ensure that the method of collection is the most cost effective relative to the value of the transaction.
- E.16 Executive Directors and Assistant Directors are responsible for ensuring that all income received is receipted, where required, recorded correctly against the appropriate budgets, and in the case of cash and cheques, banked with the minimum of delay. The frequency of banking should follow guidelines provided by the Section 151 Officer Services should avoid incurring disproportionate banking charges on relatively low value transactions, taking into account local security arrangements.
- E.17 Executive Directors and Assistant Directors are responsible for monitoring income collection and ensuring appropriate recovery action is taken. A summary of the position on the level of outstanding debt and collection issues should be included in quarterly financial updates and the final outturn report.
- E.18 The Section 151 Officer will monitor compliance with Executive Director and Assistant Director responsibilities regarding the collection of income and may, in circumstances where avoidable adverse cash flow has resulted, determine an appropriate interest charge against Service budgets.
- E.19 Credit notes must be authorised by appropriate officers nominated in the local Scheme of Financial Delegation.
- E.20 Any receipts, tickets or other documents used as receipts should be in a format agreed by the Section 151 Officer. All controlled stationery issued to a Assistant Director must be recorded in a register, which is held by a single officer within each Service.

## BAD DEBTS

- E.21 The Section 151 Officer is responsible for producing and issuing guidance on bad debt. Executive Directors and Assistant Directors are responsible for ensuring their teams comply with this guidance and the Corporate Debt Policy and Procedures.
- E.22 All debts which are due to the Council will be subject to full recovery, collection and legal procedures as detailed in the Council Corporate Debt



Policy and Procedures. However, not all debts may be collectable and therefore it will be appropriate, in certain circumstances, to classify debts as irrecoverable or “bad debts”.

- E.23 Bad debts of up to £10,000 may be written off by Authorised Officers as contained in the Scheme of Financial Delegation in consultation with the Section 151 Officer and the Monitoring Officer. Bad debts of £10,000 and over should be reported jointly by the Section 151 Officer and the relevant Assistant Director to the Audit and Governance Committee for write-off action.
- E.24 Any write off which arises as a result of theft or fraud must be notified to the Chief Internal Auditor immediately.
- E.25 Executive Directors and Assistant Directors are responsible for ensuring that an adequate provision for bad debt is made in the Council’s accounts at year end and that contributions to this provision are included in budgetary projections and outturn reports.

## ORDERING AND PAYING FOR WORK, GOODS AND SERVICES

### GENERAL PRINCIPLES

- E.26 Executive Directors and Assistant Directors are responsible for providing all appropriate information and instructions to Transactional Services to allow for prompt and accurate payment for goods and services provided and for the analysis of expenditure.
- E.27 Except for purchases by purchase /credit /debit card, all purchases must be supported by an official requisition. All purchases must have regard to Contract and Financial Procedure Rules.
- E.28 All requisition and purchase orders must be authorised in accordance with the relevant service Scheme of Financial Delegation to ensure that funds are available to pay for the purchase.
- E.29 All official purchase orders must include, as a minimum, the order number, the price agreed with the supplier, description of the goods or services to be provided, the delivery address, the address where invoices must be received and a link to the standard terms and conditions for the goods and services to be provided.
- E.30 Executive Directors and Assistant Directors must ensure that there is adequate separation of duties in the raising and authorisation of requisitions, authorising of purchase orders, receipt of goods and authorisation of payments to transactional services.

- E.31 Executive Directors and Assistant Directors must ensure robust processes to continually maintain computer records and accesses, and Schemes of Financial Delegation so that electronic workflows associated with core financial systems are not compromised.
- E.32 All procurement, commissioning, contract administration or contract management must be carried out in accordance with the Council's Contract Procedure Rules
- E.33 Executive Directors and Assistant Directors must consult the Section 151 Officer on appropriate arrangements for purchases of goods and services which cannot be accommodated within standard ordering and payment processes.

## PAYMENT OF INVOICES

- E.34 All invoices must be sent directly by the creditor to the address stated on the official purchase order to enable prompt payment.
- E.35 All invoices, as a minimum, must include the official purchase order number, the description of the goods or services provided, the quantity delivered, the delivery address, the date of the invoices and/ or date of delivery of the goods or services, the address and VAT registration number of the supplier and the price and VAT at the prevailing rate.
- E.36 Invoices received without a valid purchase order number may be returned to the creditor as unauthorised for payment.
- E.37 The Council's standard payment terms are 30 days from receipt of a correct invoice by BACS (Bankers Automated Clearing System). Alternative terms may not be negotiated or agreed with suppliers without the explicit approval of the Section 151 Officer. Executive Directors and Assistant Directors are responsible for notifying suppliers of these terms and for ensuring that they are observed by all those involved in the purchasing and payment processing.
- E.38 Payment will only be made for goods and services which have been formally receipted in accordance with receipting procedures set out by the Section 151 Officer.
- E.39 All procurement, commissioning, contract administration or contract management activity must be carried out in accordance with the Council's Contract Procedure Rules and any advice or guidance that may be issued from time to time by the Section 151 Officer regarding the efficient and effective use of the Council's core financial and e-procurement systems and processes. Invoices received for payment must comply with the Council's best practice processes.

## NON-INVOICE PAYMENTS

- E.40 Where Executive Directors and Assistant Directors wish to initiate a payment to a third party without a supporting invoice, an official request for payment must be submitted in a form approved by the Section 151 Officer.
- E.41 Any such requests must be authorised by an officer designated with an appropriate approval limit in the relevant service Scheme of Financial Delegation. They are responsible for ensuring that all payment details provided are accurate and that supporting records and documentation are available to substantiate the payment, including an official VAT receipt to allow for the reclaim of any VAT element.
- E.42 Appropriately authorised requests for payment will be processed and paid by BACS. Cheques will only be used in exceptional cases and by prior agreement.
- E.43 Non-invoice payments should be requested on an exceptional basis only. Where payments of this type need to be made on regular basis Executive Directors and Assistant Directors must consider, in conjunction with the Section 151 Officer, other alternative options which may be more appropriate.
- E.44 Payments or reimbursements in respect of salaries and wages travelling expenses or other employment allowances must be processed through the Payroll system and not treated as a non-invoice payment.

## CREDIT CARDS, DEBIT CARDS AND PURCHASE CARDS

- E.45 The Section 151 Officer is responsible for:
- a. providing credit cards, debit cards and purchase cards to be used for agreed purposes and to be allocated to nominated members of staff
  - b. prescribing procedures for the use of credit cards, debit cards and purchase cards and the accounting arrangements required to record and monitor expenditure incurred with such cards
- E.46 Purchase Cards/Credit Cards/Debit Cards are an effective method of payment for goods and services of low value and for one off purchases. Executive Directors and Assistant Directors are responsible for the appropriate deployment, management and the security of purchase/credit/debit cards within their service in accordance with the Scheme of Financial Delegation.

- E.47 Purchase Cards/Credit Cards/Debit Cards should only be used for legitimate Council business by the person who has been allocated the card and whose name the card is in.
- E.48 Adequate records must be maintained to allow for the verification and reconciliation of all payments made to the Council's general ledger and bank accounts, and to allow for the proper treatment of VAT.

## IMPREST ACCOUNTS

- E.49 The Section 151 Officer is responsible for providing, in agreed circumstances and where such need is proven to be essential, cash or bank imprest accounts to meet minor or other agreed expenditure. The Section 151 Officer is also responsible for defining procedures for operating these accounts.
- E.50 The Chief Executive, Executive Directors and Assistant Directors are responsible for the operation of approved cash and bank imprest accounts in accordance with procedures issued by the Section 151 Officer.
- E.51 Executive Directors and Assistant Directors are responsible for ensuring that where local arrangements are in place:
  - a. Schemes of Financial Delegation set out clearly the responsibilities and approval limits of individual officers in respect of these arrangements; and that these are reviewed and updated regularly
  - b. they are operated in accordance with guidance issued and that appropriate management supervision and compliance monitoring is undertaken
  - c. adequate records must be maintained to allow for the verification and reconciliation of all payments made to the Council's general ledger and bank accounts, and to allow for the proper treatment of VAT
  - d. arrangements are being operated for legitimate Council business only
- E.52 Local arrangements may not be used in any circumstances to circumvent either the Council's Contract Procedure Rules or agreed approval and authorisation procedures, nor must they be used for any payments in respect of salaries and wages, travelling or other employment expenses, or payments for work carried out under the Construction Industry Tax Deduction Scheme.

## PAYMENT TO MEMBERS

- E.53 The Section 151 Officer is responsible for paying all allowances to Members.
- E.54 The Section 151 Officer will make payments to any Members entitled to claim allowances on receipt of the proper form, completed and certified in accordance with the approved scheme for allowances.

## FINANCIAL ARRANGEMENTS IN AN EMERGENCY

- E.55 The Chief Executive, or his / her representative acting as Emergency Duty Co-ordinator must be able to incur expenditure immediately in order to carry out the role effectively and may rely on the provisions of Section 138 of the Local Government as amended by Section 156 of the Local Government and Housing Act 1989 (LGHA 1989). Section 155 of the LGHA 1989 provides for a scheme whereby local authorities may recoup from central government a proportion of agreed expenditure under 'Bellwin Rules'.
- E.56 The Section 151 Officer is responsible for:
  - a. approving a form of record for all emergency expenditure.
  - b. reporting all expenditure to the Cabinet as soon as reasonably practicable.
  - c. issuing a single expenditure code for the emergency.
- E.57 Those who incur expenditure on the occasion of any Emergency or scaled up incident are responsible for:
  - a. taking such steps as are reasonable, bearing in mind the local circumstances, to enable proper accounting for any disbursement to be achieved after the event.
  - b. taking such judgments as to what constitutes reasonable controls in light of the scale and the nature of the payments, their urgency and the physical conditions at the time.
  - c. ensuring caution is exercised where large scale cash disbursements to third parties are involved
  - d. attempting to obtain some documented acknowledgement of receipt.
  - e. attempting to utilize cashless methods wherever possible.
- E.58 Wherever possible/practicable, the Council's existing procurement framework contracts should be used.

## TAXATION

E.59 It is the responsibility of the Section 151 Officer, in conjunction with Transactional HR, Payroll & Pensions Services to:

- a. complete all Inland Revenue returns regarding PAYE
- b. complete a monthly return of VAT inputs and outputs to HM Revenue and Customs
- c. provide details to HM Revenue and Customs regarding the construction industry tax deduction scheme
- d. maintain up-to-date guidance for Council employees on taxation issues

E.60 It is the responsibility of Executive Directors and Assistant Directors to:

- a. ensure that the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HM Revenue and Customs regulations
- b. ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements
- c. ensure that all persons employed by the Council are added to the Council's payroll and tax deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency
- d. follow the guidance on taxation issued by the Section 151 Officer.

## TRADING ACCOUNTS AND BUSINESS UNITS

E.61 As a general rule, separate trading accounts are required when services are provided to either internal or external clients, on a basis other than a straightforward recharge of full cost. It is the responsibility of the Section 151 Officer to advise on the establishment and operation of trading accounts and business units.

E.62 It is the responsibility of Executive Directors and Assistant Directors to:

- a. consult with the Section 151 Officer and the Monitoring Officer where a business unit wishes to enter into a contract with a third party where the contract expiry date exceeds the remaining life of their main contract with the Council. In general, such contracts should not be entered into unless they can be terminated within the main contract period without penalty.
- b. observe all statutory requirements in relation to business units, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure,

- including overhead costs, is charged, and to produce an annual report in support of the final accounts
- c. ensure that the same accounting principles are applied in relation to trading accounts as for other services or business units
  - d. ensure that each business unit prepares an annual business plan.

## SECTION F - EXTERNAL ARRANGEMENTS

### WHY THIS IS IMPORTANT

F.1 The Council provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders.

### WHAT IS COVERED IN THIS SECTION

F.2 The following aspects of External Arrangements are covered in this section:

- Partnerships
- Bidding for Grant Funding
- Support to Other Organisations
- Sponsorship Arrangements

### PARTNERSHIPS

F.3 Partnerships play a key role in delivering community strategies and contributing to the well-being of the area. They also provide new ways to share risks, access new resources and new and better ways of delivering services.

F.4 The Section 151 will provide guidance for Partnership Arrangements. This will outline officer and partner responsibilities and provides a checklist of all necessary requirements before entering into a partnership, during it and following its cessation.

F.5 Executive Directors and Assistant Directors are responsible for:

- a. Adhering to the guidance issued by the Section 151 Officer before embarking on any partnership agreement, ensuring a risk management appraisal is undertaken and obtaining the appropriate approvals
- b. Ensuring partnerships do not impact adversely on Council services
- c. Providing appropriate information for the statement of accounts
- d. Maintaining all contract document and any associated requirements of the Contract Procedure Rules
- e. Ensuring partners are aware of their obligations with regards to confidentiality, conflicts of interest, communication and financial and contractual responsibilities



- f. Ensuring that financial resources are used efficiently and effectively and that accounting arrangements are satisfactory and maintain the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council

## BIDDING FOR GRANT FUNDING

- F.6 In some circumstances there may be specific grant funds available, where these are aligned with the Council's priorities, accessed through some form of bidding process. The approval process for bidding for grant funding is as follows:
- a. All grant submissions should be approved by the Section 151 Officer and the relevant Assistant Director / Executive Director in advance
  - b. The relevant Cabinet Member / Cabinet Member for Regulatory, Compliance and Corporate Services should be consulted and provide approval to proceed
  - c. If a bid is successful, expenditure can only commence when formal approval for the Supplementary Revenue / Capital Estimate has been received.
- F.7 Any new capital schemes must be approved in line with the requirement for Supplementary Capital Estimates. Officers must ensure that they understand and are aware of the grant conditions attaching to any funding and consider whether the Council's processes and procedures are sufficient to comply with these conditions or whether more detailed processes need to be followed.

## SUPPORT TO OTHER ORGANISATIONS

- F.8 The Cabinet Member for Regulatory Compliance and Corporate Resources will on a periodical basis, agree a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies, in consultation with the Section 151 Officer and The Chief Legal and Democratic Services Officer. The Policy would be presented for approval through Cabinet and Council.
- F.9 Grants, donations and contributions will be paid by the Council in accordance with this policy, subject to there being adequate provision in service budgets and the appropriate approvals being sought.

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Approval level	Amount
Officers	Up to and including £50,000 (where grant is within approved grant policy)
Cabinet Member	Between £50,000 and £100,000 (where grant is within approved grant policy)
Cabinet	All Grants of £100,000 or more.  All grants which do not fall within existing approved grant policy require Cabinet approval.

- F.10 The Grant Funding Protocol sets out further guidance on grant funding, the process for allocation and any conditions that should apply to any grant funding.
- F.11 Executive Directors and Assistant Directors will report on the outcomes achieved through the provision of support to outside bodies on an annual basis to the appropriate Member Group and Cabinet Member, with interim reporting (quarterly reports being the minimum) where the sums involved are in excess of £100,000.

## SPONSORSHIP ARRANGEMENTS

- F.12 Sponsorship arrangements must comply with the Council's Sponsorship Policy and Code of Conduct.
- F.13 All sponsorship arrangements will require a business case to be submitted to the Chief Executive and the Section 151 Officer for approval.
- F.14 The Assistant Director of Corporate Resources and Customer Services (Strategic Support) is responsible for maintaining a register which will include a list of approved sponsors.
- F.15 The following financial thresholds must be adhered to:

Value	Level of Approval
Up to and including £10,000	Executive Director Cc Assistant Director
In excess of £10,000 and up to and including £50,000	Chief Executive Cc Executive Director and Assistant Director
Over £50,000	Cabinet Cc Executive Director and Assistant Director

F.16 Any sponsorship arrangement over £100k or materially affecting 2 or more wards will need including on the Forward Plan as a key decision.

## ANNEXE

### GLOSSARY OF TERMS / DEFINITIONS

**Appropriation** – Amounts transferred between the Revenue account and revenue or capital reserves.

**Bad Debt** – All debts which are due to the Council will be subject to full recovery, collection and legal procedures as outlined in the Council Corporate Debt Policy & Procedures. However, not all debts may be collectable and therefore it will be appropriate, in certain circumstances, to classify debts as irrecoverable or “bad debts”.

**Balances (Revenue Account)** – The accumulated surplus of income over expenditure. Members may agree that Balances be used to reduce future Council Tax precepts although a minimum level, consistent with prudence and best practice will be maintained. Amounts in excess of that required for day-to-day cash management and to finance working capital can be invested to generate interest income to the Council.

**Block Provisions** – Annual capital allocations made to cover minor schemes with starting values of less than £250,000.

**Business Case Template** – This is a pro forma to be completed for all Capital schemes and all significant Revenue proposals. It will provide details on the expected outcomes falling from the proposed investment and identify how the proposal will meet corporate objectives.

**Capital Approval** – The capital programme provision as amended by any supplementary estimates or virements.

**Capital Expenditure** – Expenditure on the purchase, construction or replacement of capital (fixed) assets or expenditure which adds to the life or value of an existing fixed asset.

**Capital Programme** – The Council’s plan of capital projects and spending over future years. Included in this category are the purchase of land and buildings, the erection of new buildings and works, Highway Improvement schemes and design fees, and the acquisition of vehicles and major items of equipment.

**Capital Project / Scheme** – These terms mean the same thing and are used interchangeably within these Rules. A project/scheme may be separately identified in the capital programme or be an item within a block provision.

**Capital Receipts** – Income received from the sale of capital assets and available, subject to rules laid down by the Government, to finance new capital expenditure or to repay debt.

All **carry-forwards** (except for Schools) need the approval of the Cabinet upon the presentation of a business case. The Sefton Scheme for Financing Schools identifies the level of balances each maintained school can carry forward without prior permission from the Schools Forum.

**Chief Officers** – Chief Officers are the Chief Executive or any Assistant Director of the Council to whom there has been specific delegation in writing by the Council or the Chief Executive. Chief Officers must operate efficient systems of financial control.

**Contingencies** – Sums set aside to meet either:

the potential costs of activities expected to occur during the year over and above those costs included in Service budgets (pay and price contingency); or

items which are difficult to predict in terms of financial impact or timing (contingency for uncertain items).

**Contract** – An agreement to supply goods, services or works for a price. A contract is normally in writing however a contractual arrangement may, inadvertently be entered into orally.

**Contractor** – Any person or organisation awarded a Contract. This includes any consultant appointed by the Council to provide advice on any project.

**Commissioning Team /Procurement** – The central procurement unit is the department responsible for procurement activity within the Council.

**Council Fund** – The Council's main revenue fund to which all revenue receipts are credited, and from which revenue liabilities are discharged. The movement on the fund in the year represents the excess of income over expenditure within the Consolidated Revenue Account. The level of balances held is based on the Council's assessment of the level of risk and uncertainty and the potential call on such reserves.

**Debt Write-Off** – Realising the cost of debt which is considered to be "bad" (unrecoverable) by writing it off against the revenue account or bad debt provision.

**Earmarked Reserves** – These reserves represent monies set aside that can only be used for a specific use or purpose.

**Financial Year** – The Council's accounting period covers the 12 months from April 1 to March 31.

**Forward Plan** – As defined in the Constitution.

**Key Decision** – As defined in the Constitution.

**Leases** – Agreements covering the hire/rental of equipment or buildings, generally for a specified period of time and at a specified rate.

**Option Appraisal/Business Case** – This is required for all Capital schemes and all significant revenue proposals and takes the form of a Business Case Template. This will be used to assess whether the scheme is affordable and deliverable. Consequences to the Service are considered and evaluated and it will also provide a basis for monitoring and reporting progress. In the case of revenue proposals, it will also take into account the risk and impact on users.

**Policy and Expenditure Planning** – The Council's annual cycle of planning for the medium and short-term future, aimed at achieving optimal allocation of available resources.

**Policy and Expenditure Proposals** – Proposals, including new policies, which have resource implications and will be subject to appraisal by Members, Executive Leadership Team and consultees before inclusion in annual budget preparation.

**Provision** – An amount set aside by the Authority for any liabilities of uncertain amount or timing that have been incurred.

The main category is estimates of liabilities or losses already incurred but whose exact amount will be determined in the future (e.g. bad debts, obsolete stock). See also Capital Provision and Provision for Doubtful Debt.

**Provision for Doubtful Debt** – An allocation of funds set aside from Service revenue budgets to cover amounts which may not be recoverable from debtors.

**Prudential Borrowing Limits** – The maximum amount of borrowing that the Council can enter into at any one point in time during the year. This limit is set by Council prior to the start of the year to which it relates and cannot be breached under any circumstances.

**Revenue Account** – The Account which sets out the Council's income and expenditure for the year for non-capital spending.

**Revenue Expenditure** – Spending on the day-to-day running expenses of the Council. It includes expenditure on employees, premises, transport and supplies and services.

**Ring Fencing** – Certain budgets agreed by the Section 151 Officer are "ring-fenced". This means that under-spends on these budgets will return to balances and overspends will be met centrally. This is to reflect the fact that certain items of expenditure are either demand-led or so significantly influenced by extraneous factors that they are beyond the direct control of managers. Ring-fenced budgets include planning levies, external audit fees and election expenses.

**Schemes of Financial Delegation** – Schemes of Financial Delegation are the documents that set out, for each Service, all authorisations and approval limits as delegated by the Executive Directors and Assistant Directors to Authorised Officers within their Service. Executive Directors and Assistant Directors are responsible for maintaining up to date and

accurate Schemes of Financial Delegation.

**Section 106 Agreement** - Planning obligations, also known as Section 106 agreements (based on that section of The 1990 Town & Country Planning Act) are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms. This will set out a number of on-site and/or financial obligations that are necessary to make the proposal acceptable in planning terms.

**Service Plan** – A plan which outlines measurable Service aims for the year ahead, encompassing both core purpose and specific key objectives for any given year. The Plan will consider both inputs and outputs.

**“Starts value”** – Represents the full value of the Council’s contribution to a Capital Scheme irrespective of the timing of the payments.

**Sponsorship** is defined as - “An agreement between the Council and the sponsor, where the Council receives either money or a benefit in kind for an event, campaign or initiative from an organisation or individual which in turn gains publicity or other benefits”.

**Supplementary Capital Estimate (SCE)** – Additional resources approved by Members during the financial year with funds either provided by a third-party (e.g. developer contributions, receipts, government grant), by the use of Council reserves or from the Revenue budget.

**Supplementary Revenue Estimate (SRE)** – An approved increase to a Service revenue budget during the financial year, funded centrally from reserves, contingencies or external funding sources such as grants or partner contributions.

**Third Party Fund(s)** – Funds provided by outside bodies or individuals in support of Council activities, establishments or clients. Can sometimes be known as trust funds.

**Underspend** – An underspend results when the net costs of a budget holder are lower than the net budget for the year.

**Virement** – A Revenue virement is a transfer of amounts from one budget heading to another within, or between, Executive Directors / Assistant Directors. Capital virements cover any changes to Capital budgets funded from within the existing Capital programme.

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# Agenda Item 11

<b>Report to:</b>	Pay and Grading Committee Council	<b>Date of Meeting:</b>	11 January 2023 19 January 2023
<b>Subject:</b>	Pay Policy 1.4.2023- 31.3.2024		
<b>Report of:</b>	Chief Personnel Officer	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To recommend a Pay Policy for the Council as required by the Localism Act 2011.

## Recommendation(s):

### Pay and Grading Committee:

The proposed Pay Policy report is recommended to the full Council for approval.

### Council:

- (i) The proposed Pay Policy in this report be approved.
- (ii) That any changes to the Pay Policy as required because of legislation are delegated to the Pay and Grading Committee.

## Reasons for the Recommendation(s):

To comply with the Localism Act 2011

## Alternative Options Considered and Rejected: (including any Risk Implications)

No alternative, a Pay Policy for the Council as required by the Localism Act 2011

## What will it cost and how will it be financed?

(A) Revenue Costs N/A

(B) Capital Costs N/A

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## Implications of the Proposals:

### Resource Implications (Financial, IT, Staffing and Assets):

The Pay Policy has been amended and updated to reflect any changes that have occurred since the last report

### Legal Implications:

The Council has the following duties under the following sections of the Localism Act 2011: -

Section 38- The Council must prepare a Pay Policy Statement for each financial year which sets out its policies relating to the remuneration of its chief officers and its lowest-paid employees and the relationship between the remuneration of its chief officers and its employees.

Section 39-The Council's Pay Policy Statement must be approved by resolution of the authority before it comes into force and prior to 31<sup>st</sup> March immediately preceding the financial year to which it relates.

Section 40- Regarding its functions under sections 38 and 39 [above] the Council must have regard to any guidance issued or approved by the Secretary of State

**Equality Implications:** There are no equality implications.

### Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

There are no direct climate emergency implications arising from this report.

## Contribution to the Council's Core Purpose:

Protect the most vulnerable: N/A
Facilitate confident and resilient communities: N/A
Commission, broker and provide core services: N/A
Place – leadership and influencer: N/A
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener N/A

## What consultations have taken place on the proposals and when?

## **(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services (FD.7041/22) and the Chief Legal and Democratic Officer (LD.5241/22) have been consulted and any comments have been incorporated into the report.

## **(B) External Consultations N/A**

### **Implementation Date for the Decision**

Immediately following the Committee / Council meeting.

<b>Contact Officer:</b>	Paul Cunningham
Telephone Number:	0151 934 3209
Email Address:	Paul.cunningham@sefton.gov.uk

### **Appendices:**

Annex A

### **PAY POLICY FOR CENTRALLY EMPLOYED TEACHING STAFF to follow**

### **Background Papers:**

There are no background papers available for inspection.

#### **1. Introduction/Background**

1. This report deals with a requirement in the Localism Act 2011 (the Act) which became statute in November 2011. The Act introduced a requirement for Local Authorities to agree and publish an Annual Pay Policy Statement effective from December 2011.
2. In February 2012 the DCLG issued statutory guidance "Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act 2011" and required Local Authorities in England to take account of the supplementary guidance when preparing their Pay Policy Statements.
3. To comply with this requirement the Council's revised Pay Policy statement is attached.

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## PAY POLICY 1.4.23 – 31.3.24

(As required by the Local Government Transparency code 2015 and the Localism Act 2011)

### Contents

A	Opening Statement para 1
B	Scope of Policy para 5
C	Availability of Policy para 6
D	Decision Making para 7
E	Senior Officers Pay para 20
F	Educational Professionals Pay para 32
G	Soulbury SPA points para 46
H	Youth and Community workers para 49
I	National Joint Council (NJC) Employees para 52
J	Market Supplements Policy para 58
K	Other pay para 62
L	Pay Protection para 68
M	Pay Relationships para 69
N	Other Terms and Conditions para 71
O	Public Health staff par 75
P	National Minimum wage and Living Wage para 76
Q	Re-employment of staff in receipt of redundancy pay para 81
R	Gender Pay Gap reporting para 83
S	Pay Policy for Centrally Employed Teaching staff para 86

Annex A Pay Policy for Centrally Employed Teaching Staff

**Note:** Reference is made in this policy to various national and local terms and conditions agreements, and policies.

### National Pay Agreements within Local Government

- JNC Chief Executive Terms and Conditions of Service.
- JNC Chief Officer Terms and Conditions of Service.

- Local Government Pension Scheme:
- NJC Terms and Conditions of Service (Green Book): [Green book](#)
- Soulbury Terms and Conditions of Service: (Education & Young People)
- Youth and Community Workers Terms and Conditions of Service (Pink Book) :(Education & Young People)
- Non-Standard Working Arrangements and Associated Payments: [Non-standard Working Arrangements](#)

## **A. OPENING STATEMENT**

1. The aim of this policy is to help maintain and improve quality of service provision by ensuring all employees are valued and receive proper reward for their work and contribution. It also serves to satisfy the requirements of the Localism Act 2011 relative to pay accountability.
2. It is recognised that both financial and non-financial rewards are necessary to attract, retain and motivate employees. As such, there needs to be a close link between reward and the overall approach to people management, including workforce planning and development strategies. There needs to be a fair balance between changing organisational needs and the aspirations of individuals. Equally, there needs to be recognition of the financial constraints of the current economic climate and the imperative to manage public monies responsibly.
3. This policy will assist in managing pay in a fair, equitable, responsible, and transparent manner. The Council supports the principle of equality of opportunity in employment. In this regard every endeavour will be made to ensure that employees receive equal treatment, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marital status, pregnancy, or maternity.
4. All pay related decisions will be taken in compliance with the provisions of The Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999, the Employment Act 2002, The Employment Act 2008, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002, all as amended.

## **B. SCOPE OF POLICY**

5. This policy covers all employees other than those in schools.

## **C. AVAILABILITY OF POLICY**

6. This policy will be made available on the Sefton's Council website

## **D. DECISION MAKING**

7. The pay policy is the responsibility of the Pay & Grading Committee with any recommendations for change being subject to the approval of the Council.

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8. The policy will be reviewed by the Committee at least once every municipal year and referred to the Council for consideration prior to the beginning of the subsequent municipal year on 1<sup>st</sup> April.
9. The authority to make decisions in accordance with the policy and its application, is in accordance with the delegations described in the Council's constitution, which can be found in the documents library on Sefton's website.
10. The Council has an agreed a mechanism specifically for;
  - a. The consideration of severance packages which amount to £100,000 or above. and
  - b. The consideration of new appointments (new posts) which have a remuneration package of £100,000 or above. It was agreed that:
    - o Relative to a) In relation to any severance packages in respect of the Chief Executive, Executive Directors and Heads of Service which amount to £100,000 or above, that Full Council are given an opportunity to vote to determine agreement, following a recommendation from the Pay and Grading Committee.
11. All other employees' severance packages of £100,000 or above are to be determined by the Pay and Grading Committee and may come before Full Council as part of the Budget process. The reason for utilising the Pay and Grading Committee is to allow operational effectiveness in seeking the approval of such payments, leaving Full Council to deal with severance packages for the Senior Officer positions.
12. In respect of the definition of a severance payment this is defined as:
  - (a) A redundancy payment
  - (b) Any capital cost to the pension fund
  - (c) Any other contractual payments which are due to the employee
  - (d) Any other payments which the Local Authority may seek to make
13. Relative to b) The Employment Procedure Committee will decide on the remuneration packages for Senior Officers in cases where the proposed remuneration is over £100,000. This will be debated at the point when the decision to fill the post is made. A recommendation will then be made to the Full Council who will have the opportunity to vote on the remuneration proposed. The remuneration must be agreed prior to an appointment offer being made.
14. It is proposed that the decision-making processes for a) and b) above remain in force subject to the following:
15. The Government is committed to ensure that Public Sector exit payments are fair and proportionate to employers, employees, and taxpayers. The Restriction of Public Sector Exit Payments Regulations 2020 came into force on 4th November 2020.

16. The legislation set a £95,000 cap on exit payments for public sector authorities. However, after extensive review of the application of the Cap, the Government concluded that the Cap had unintended consequences and the Regulations were revoked.
17. On 8<sup>th</sup> August 2022 the HM Treasury published consultation on a new administrative control process for public sector exit payments over £95,000 and amendments to the process for special severance payments. The consultation on this document closed on 17 October 2022.
18. In the consultation document the Government states that:
  - ❖ staff exit payments, have an important role to play in facilitating organisational changes in the public sector. However, it is vital that such exits are agreed through a rigorous process where value for money is considered, and alternatives robustly explored.
  - ❖ the proposal is to introduce an expanded approvals process for employee exit severance payments, and additional reporting requirements, for parts of the public sector. This is intended to allow for additional scrutiny and assurance of exit decisions, and to provide further insight on the use of exit payments.
  - ❖ this will support Government's wider ambition to reduce the use of large exit payments in the public sector, improving the consistency and accountability of decisions to exit public sector employees at a cost to the taxpayer.
  - ❖ for the first time, it will set the expectation that recovery of special severance payments should be considered across central government, where such payments are agreed.
19. The Gov.UK website (as at 23.11.22) states that the feedback from the consultation exercise is being analysed and the outcome will be published in due course. Consequently, as and when legislation is published which has any bearing on the agreed council mechanism for the consideration of severance packages the Pay Policy will be updated accordingly and as previously agreed at the Council meeting on 25<sup>th</sup> January 2018, it is recommended that the Pay and Grading Committee is delegated to deal with any necessary amendment to bring the Authority into compliance with any such statutory measures.

## **E. SENIOR OFFICERS PAY**

20. Senior officers were originally defined as those currently earning £50,000 and above. The £50,000 threshold was updated in September 2011 as per the Code of Recommended Practice for Local Authorities on Data Transparency and the "Senior Officer's salary" is now defined as salaries above £58,200. Individual Senior Management pay is set out in data published on the Council's website in accordance with the above code of practice. It provides details of:
  - the number of employees whose remuneration in that year was at least £58,200 - in brackets of £5,000

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- details of the job title of senior employees whose salary is at least £58,200, and
- identification by name of any employees whose salaries are £150,000 or more.
- the information is not solely based on basic salary and will include all remuneration i.e., overtime pay received, contractual allowances etc.

Senior Officer Pay data can be accessed through the Sefton Council website.

21. In addition, local authorities must provide a list of responsibilities (for example, the services and functions the postholder is responsible for and details of bonuses and 'benefits-in-kind', for all employees whose salary exceeds £58,200.
22. Senior officers (other than those paid under the Soulbury agreement) are paid in accordance with the HAY job evaluation method.
23. Chief Executive (as at 1.4.2022) is paid £162,947. The salary comprises of 5 incremental points within a salary band ranging from £155,279 to £170,615.
24. As at 1.4.2022 Executive Directors are paid as follows:
  - Executive Director Corporate Resources and Customer Services, Executive Director Place and Executive Director People are paid spot salary payments of HAY 1 = £123,677.
  - The Executive Director Adult Social Care and Health DSS and Place Director NHS is paid a Personal grade HAY 1 plus additional payment of £6323 = total £130,000.
  - Executive Director - Children's Social Care & Education is paid HAY 1 plus market supplement of £6323 total £130,000.
25. Assistant Directors and the Chief Legal Officer are paid at HAY 3 £90,836 as a spot grade.
26. The Head of Health & Wellbeing/Director of Public Health is paid at HAY 3 £90836 plus market supplement of £2492 Total = £93328
27. Other Senior Management are paid relative to Hay grades 4 as a spot grade of £80,240
28. Hay grades 5 and 6 are incremental grades:
  - Hay 5 has 5 incremental points and ranges from £66,548 - £73,004 and
  - Hay 6 has 7 incremental points and ranges from £52,691 - £60701
29. The terms and conditions for the post of Chief Executive are in accordance with the Joint National Council (JNC) Scheme for Chief Executives. In the case of HAY Grades 1 - 5 the terms and conditions are as per the JNC Scheme for Chief Officers. For officers paid at HAY Grade 6 the terms and conditions are in accordance with the National Joint Council (NJC) Scheme for Local Government services employees (known as the "Green Book").



30. HAY grades are allocated to posts using the HAY job evaluation system. This system enables the factors of a job to be analysed and translated into a point score which, in turn, is related to the appropriate grade associated with the score.
31. Pay awards are payable as per the agreements reached by the appropriate Joint negotiating Committees.

**F. EDUCATION PROFESSIONALS PAY [Soulbury Agreement]**

32. The Soulbury Committee provides national collective bargaining machinery for advisory staff in Local Authorities. Nationally, it covers staff including; education improvement professionals, education psychologists, and young people's/community service managers. In addition to any annual pay increase, the Soulbury Committee also determines the national salary framework.

33. The Soulbury agreement provides separate sets of pay spines for Education Improvement Professionals (EIPs), Educational Psychologists, including Principals, Seniors, Assistants and Trainees as well as Community Service Managers. At the time of writing formal offers have made (in October 2022) to both the Soulbury Officers' Side and the Youth and Community Staff Side. Both offers are:

- An increase of £1,925 on all pay points with effect from 1 September 2022.
- An increase of 4.04% on all allowances with effect from 1 September 2022

34. The Unions are consulting on these offers and the response is awaited. Consequently, the payment as detailed below covers pay spines payable from 1st September 2021 (pay award pending).

35. The Soulbury salary scales are based on the duties and responsibilities of the post and the need to recruit and motivate staff. Minimum starting points are defined in the pay conditions and include an extended range to accommodate up to 3 structured professional assessments (SPA) points.

**36. Education Improvement Professionals (EIPs)**

Spine Point	Salary from 1.9.2021
Ranges from spine point 1	£37,056
To spine point 50 inclusive of 3 SPA points	£98,079

**37. Educational Psychologists**

Spine Point	Salary from 1.9.2021
Ranges from	£38,865

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spine point 1	
To spine point 11 inclusive of SPA points	£57,544

38. Educational Psychologists, have an available point range of 11 spinal column points from which a 9-point scale is chosen. This consists of 6 Incremental points and 3 SPAs. In Sefton Educational Psychologists commence on the highest possible point which gives a pay scale comprising SCP 3-11

39. **Senior & Principal Educational Psychologists**

Spine Point	Salary from 1.9.2021
Ranges from spine point 1	£48,727
To spine point 18 inclusive of SPA points	£72,090

40. Senior and Principal Educational Psychologists, have an available point range of 18 spinal column points, the last two of which are discretionary. The pay scales consist of 4 incremental points plus the opportunity to apply for 3 SPA points. The minimum starting point for a Principal Educational Psychologist is point 3, there is no minimum point stated for Senior/Lead Educational Psychologists.

41. **Trainee Educational Psychologists**

Spine Point	Salary from 1.9.2021
Ranges from spine point 1	£24,970
To spine point 6	£34,107

42. Trainee Educational Psychologist have a 6-point scale from which a 4-point scale Pay grade is applied.

43. **Assistant Educational Psychologists**

Assistant Educational Psychologists have a fixed 4-point scale as follows:

Spine Point	Salary from 1.9.2021
Ranges from spine point 1	£30,694
To spine	£34,448

point 4

#### 44. Young Peoples Community Service Managers

Spine Point	Salary from 1.9.2021
Ranges from spine point 1	£38,433
To spine point 24	£67,650

45. The Soulbury agreement does not set its own specific conditions of service. Instead, it provides that:

*“The conditions of service of Soulbury officers shall be not less favourable than those prescribed for the local government services staff of the authority”*

#### G. Soulbury SPA POINTS

46. To be eligible for SPA1 an employee must have been paid for four years on Soulbury terms and conditions and have been in their current role for two years. There is a discretionary rule whereby SPA points are transferrable, and Sefton have had instances where staff have been appointed to the second point on a pay scale due to having a SPA which was awarded by another authority.

SPA2 can be applied for one year following the award of SPA1.

SPA3 can be applied for two years after an employee has been awarded SPA2.

47. A formal application process is in place for employees to apply for the application of structured professional assessments for Senior management to consider. SPAs cannot be paid backdated and are payable from 1<sup>st</sup> September in any year.
48. The Council has a formal application process which defines the principles underpinning the SPA process and defines the basis of what is considered relative to each application.

#### H. Youth and Community Workers

49. The pay of Youth and Community Workers is determined from pay points prescribed by the Joint Negotiating Committee (JNC). On 21<sup>st</sup> December the JNC announced the acceptance of the offer of:

- An increase of £1,925 on all pay points with effect from 1 September 2022
- An increase of 4.04% on all allowances with effect from 1 September 2022

50. Consequently the tables below covers pay spines payable from 1st September 2022.

51. There are two ranges of pay points, one for Youth and Community Support Workers and one for Professional staff.

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## Youth and Community Support Workers

Spine Point	Salary from 1.9.2022
Ranges from spine point 5	£21,571
To spine point 17	£31,216

## Professional staff

Spine Point	Salary from 1.9.2022
Ranges from spine point 13	£27,681
To spine point 32	£45,391

### **I. NATIONAL JOINT COUNCIL (NJC) EMPLOYEES**

52. The largest proportion of employees are paid in accordance with the NJC (Green Book) terms and conditions of employment and in conjunction with a locally determined grading structure that is derived from the spinal column points (SCPs) provided by the NJC for Local Government Services pay scales.
53. Grades are allocated to posts using the Local Government Single Status Job Evaluation Scheme which forms part of the NJC (Green Book) terms and conditions of employment.
54. The grading structure and the arrangements for applying the job evaluation scheme are agreed with the local trade unions.
55. The current pay spine for NJC employees was agreed on 1<sup>st</sup> November 2022 to be backdated and effective from 1.4.2022. The lowest spinal column point (point 1) within Sefton is £10.7919 per hour based on the Council's 36-hour standard working week.
56. The highest spinal column point for none HAY grade officers (Point 43) is £26.4178 per hour based on the Council's 36 hour per week standard working week.
- 57.. The full National NJC pay scale as at 1.4.2022 is detailed below.

SCP	Annual Salary	Hourly rate of
-----	---------------	----------------

		pay
1	£20,258	£10.7919
2	£20,441	£10.8894
3	£20,812	£11.0871
4	£21,189	£11.2879
5	£21,575	£11.4935
6	£21,968	£11.7029
7	£22,369	£11.9165
8	£22,777	£12.1339
9	£23,194	£12.3560
10	£23,620	£12.5830
11	£24,054	£12.8142
12	£24,496	£13.0496
13	£24,948	£13.2904
14	£25,409	£13.5360
15	£25,878	£13.7858
16	£26,357	£14.0410
17	£26,845	£14.3010
18	£27,344	£14.5668
19	£27,852	£14.8374
20	£28,371	£15.1139
21	£28,900	£15.3957
22	£29,439	£15.6829
23	£30,151	£16.0622
24	£31,099	£16.5672
25	£32,020	£17.0578
26	£32,909	£17.5314
27	£33,820	£18.0167
28	£34,723	£18.4978
29	£35,411	£18.8643
30	£36,298	£19.3368
31	£37,261	£19.8498
32	£38,296	£20.4012
33	£39,493	£21.0389
34	£40,478	£21.5636
35	£41,496	£22.1059
36	£42,503	£22.6424
37	£43,516	£23.1820
38	£44,539	£23.7270
39	£45,495	£24.2363
40	£46,549	£24.7978
41	£47,573	£25.3433
42	£48,587	£25.8835
43	£49,590	£26.4178

**J. MARKET SUPPLEMENTS POLICY**

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58. The Council aims to recruit and retain the best possible employees with the skills, knowledge and experience needed to deliver excellent services and to meet its corporate objectives. There may be times when the grading of a post results in an inability to successfully recruit or retain to a particular post. In such cases it may be appropriate to pay a market supplement in addition to the salary to ensure that an appointment can be secured.
59. In these circumstances, the potential for the application of a Market Supplement Rate will need to be objectively justified. Such payments are lawful under the Equality Act 2010 where there is evidence to justify that market factors are the “material factor” for the post attracting a higher rate of pay than other posts with the same score. To establish equality of pay the Council needs factual evidence to prove that paying any Market Supplement Rate is “a proportionate means of achieving a legitimate aim”.
60. The Chief Personnel officer is authorised to consider any additional payments to assist with any recruitment and retention difficulties to ensure that the Authority has a balanced and cohesive workforce. Such payments will only be put into operation following appropriate legal advice. Any business cases made for Market Supplement payments will be subject to investigation and scrutiny.
61. The implementation of any additional payments will require the formal approval via the Executive Director Corporate Resources and Customer Services in consultation with the Chief Executive and formal documentation of the payment principles to be applied. Additional payments will be subject to annual review, and, where necessary, supplementary reviews following any pay award agreements or incremental advancement. In addition, the Joint Trade Union forum will be provided with details of any positions which have been approved for the Market Supplement Payments.

## **K. OTHER PAY**

62. **Returning officer** The Council has to appoint a Returning Officer for elections. This is usually a senior officer of the Council who performs the role in addition to his/her normal duties. Appointment as a Returning Officer is deemed to be separate remunerable employment.
63. **Acting up payments** An employee who, following a fair selection arrangement, performs the full duties and responsibilities of a higher graded post on a temporary basis, will be paid in accordance with the higher graded post for the specified period and without any commitment to permanency in that post. This is known as “Acting Up”.
64. It is an operationally practical arrangement applied throughout the workforce. It is an expedient measure that should maintain for as short a period as possible – normally less than 12 months.
65. **NJC Employees- Non-Standard Working Arrangements and Associated Payments** In accordance with The National Joint Council agreement on Pay and Conditions of Service Part 3 the Council has an approved a package of “Local” terms and conditions which have been agreed by local negotiation in respect of employees who are required to work outside “normal” working hours.

66. **Tupe Pay obligations-** The Council can from time to time employ staff on Personal salaries stemming from staff transferring into the organisation via TUPE regulations. In these cases, as and when reviews are conducted the Council would look to transfer employees onto Sefton's Grading structure and Sefton Terms and Conditions. At the present time there are no staff in receipt of Personal Salaries in this
67. **Progression through the grade -** An employee's progression through the incremental point on the grade is linked to length of service. Increments are awarded on 1<sup>st</sup> April each year or for new employees with less than 6 months service in the grade as of 1<sup>st</sup> April after 6 months completed service.

## **L. PAY PROTECTION**

68. In certain circumstances where employees suffer a loss in basic pay as a result of the actions of the employer, 12 months' pay protection is available.

## **M. PAY RELATIONSHIPS**

69. The Local Government Transparency Code 2015 Part 2.2 para 51 and Section 38 of the Localism Act 2011 requires local authorities to produce information relative to pay dispersion i.e., the relationship between remuneration of Senior Officers and the remuneration of other staff. The information in this section illustrates the Council's pay dispersion.

**NOTE** At the time of writing the remuneration associated with the post of Chief Executive is £161,022. This is based on the figure applicable from 1.4.21 as the pay award applicable from 1.4.22 is yet to be agreed.

70. Consequently, the FTE pay relationships information below has been based on comparison of the Chief Executive salary as at 1.4.21 AND NJC graded salaries as at **1.4.21**. This is necessary in order that the pay dispersion figures are not compromised. To compare the salary of the Chief Executive with a pay award pending with NJC salaries those pay award has already been agreed and implemented would not provide comparable information.
- The highest level of (*full time equivalent – FTE*) employee remuneration in the Council is associated with the post of Chief Executive which is £161,022 (Figure A)
  - The lowest level of (FTE) employee remuneration which is £18,333 Based on the lowest scp of the NJC grade and excluding apprentice salaries. (Figure B)
  - Based on figures A and B the Highest pay is 8.78 times greater than lowest pay.
  - The median level full time equivalent basic pay (excluding the Chief Executive) is £22,571 (Figure C)

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- The median level of full time equivalent pay inclusive of contractual allowances earned (e.g. overtime, shift pay etc) (excluding the Chief Executive) is £24,920 (Figure D)
- Based on figure C the FTE Median basic pay is 1.23 times greater than lowest pay figure B
- Based on figure D the FTE Median pay including all contractual allowances earned (e.g. weekend working allowances, shift allowances etc) is 1.36 times greater than lowest pay figure B.
- Highest pay associated with the Chief Executive is 7.13 times greater than median basic pay C and 6.46 times greater than median pay including contractual allowances D.

## **N. OTHER TERMS AND CONDITIONS**

71. The normal working week is 36 hours (FTE). This is on the understanding that for those staff defined as senior officers, additional hours will be worked, as necessary, without financial or time off recompense.
72. The Council recognises the importance of the need to balance personal and working demands. Employees are required to be receptive to such needs both in their own case and relative to those for whom they may be responsible. It is considered that an empathetic management approach to controlled attendance will contribute to high performance and outcomes.
73. The Council's terms and conditions of employment generally provide for 27 days leave for employees with less than 5 years' service and 32 days after 5 years have been completed (35 days for HAY 5 and above). The Council also recognises long service by granting an additional 5 days leave (as a one off award) after 25 years' service has been completed and celebrates longer periods of service.
74. The Council also supports officers in the discharge of their duties by reimbursing expenditure, paying subsistence allowances, and operating a corporate travel scheme for eligible employees offering reduced cost rail travel with deductions being made direct from payroll.

## **O. PUBLIC HEALTH STAFF**

75. The transfer of the Public Health function and its associated employees in 2013 was on a statutory basis as per the Health and Social Care Act 2012. The pay scales applicable at the point of transfer were as per Public Health NHS pay scales and will remain static until such time as the positions become vacant. New appointments to posts within the Public Health function are made on either NJC or JNC HAY grades as appropriate to the role. There is only one post currently paid in accordance with Public Health pay scales.

## **P. NATIONAL MINIMUM WAGE / REAL LIVING WAGE**



76. The rates below show the National Living Wage (for those aged 23 and over) and the National Minimum Wage (for those under 23). The rates change on 1 April every year.

	23 and over	21 to 22	18 to 20	Under 18	Apprentice
<b>As at 1.4.22</b>	£9.50	£9.18	£6.83	£4.81	£4.81
<b>As at 1.4.23</b>	£10.42	£10.18	£7.49	£5.28	£5.28

77. In addition to the above there is a *living wage* determined by the Real Living Wage Foundation. This rate is usually announced in November each year, but this year, the announcement was brought forward to 22.9.22 reflect the extraordinary rises to the cost of living this year. Employers who are Living wage Employers have until 14th May 2023 to implement the new rate of £10.90 per hour (outside of London). The Real Living wage rate is based on the concept that a certain amount of money is needed to ensure that people can have a decent standard of living. The adoption of the Real living wage is voluntary whilst the adoption of the Minimum/National Living wage is a legal requirement.

78. To become a true Real Living Wage employer the rate would need to be applied not only to employees but also be extended to Third party contractors who are defined by the Living Wage Foundation as those who work regularly on Council premises, or premises necessary to the work being carried out, for 2 or more hours a day, in any day of the week, for 8 or more consecutive weeks of the year.

79. The National Joint Council (NJC) rates are updated in April each year. With effect from 1.4.2022 the Council is paying £10.7919 as its lowest rate per hour.

80. As part of the 1.4.22 Pay award it was agreed that effective from 1.4.23 the NJC will abolish its current lowest spinal column point on the NJC pay scale. The 2<sup>nd</sup> spinal column point on the NJC scale is currently £10.8894. A pay award of 1% on this scp effective from 1.4.23 would provide for the lowest pay rate of £10.99 in line with the Real living wage.

**Q. RE-EMPLOYMENT OF STAFF WHO HAVE BEEN IN RECEIPT OF REDUNDANCY PAY AND/OR PENSION.**

81. Subject to compliance with legislative/regulatory requirements:

- An individual may be in receipt of a pension (LGPS or otherwise) in addition to remuneration from their employment with the Council.

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- An individual who has left the Council and been in receipt of a severance or redundancy payment and/or pension (LGPS or otherwise) may subsequently be re-employed or engaged under a contract for services. However, given the budgetary pressures facing the Council there should be (in most cases) a period of at least 2 years from the redundancy date before re-employment occurs and such cases must also satisfy robust justification and the business case in respect of justification must include specific details why the re-employment would be beneficial to the Council or service area.
- The Council recognises in consideration of the business case that any re-employment must only be after consideration of characteristics of the post and work area (including the ability to attract and retain employees). The business case should also consider the circumstances of the individual that left employment recognising that individuals in low pay jobs may be more readily re-employed.

82. All Local Government Pension Schemes (LGPS) Administrating Funds have the discretion to abate pension upon re-employment to local government. Merseyside Pension Fund discretion stipulates that anyone in receipt of a pension from the LGPS, re-employed after 25 September 2006, **will not** have their pension adjusted if they return to local government employment, **unless** they were granted Compensatory Added Years when they retired due to redundancy/ interest of efficiency. Merseyside Pension Fund have confirmed that this discretion still applies, however, the members awarded added years will now be of an age (youngest 68 years of age) where it would be highly unlikely that they would be re-employed

## **R. GENDER PAY GAP REPORTING**

83. The Council is required by law to carry out Gender Pay Reporting under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and to publish the results on both the Council website and a government website. In line with these requirements data is published annually. Ordinarily, the data published reflects the position on 5<sup>th</sup> April in the previous year.

84. The data published shows the difference between the average earnings of male and female employees but does not involve publishing individual employee data. The pay calculations are based on gross pay calculated before deductions at source. Pay data includes basic pay, paid leave, allowances, and shift pay but not overtime pay, expenses, redundancy or any other termination pay.

85. Gender Pay Reporting information is established each year by using our HR and payroll records and relates to centrally employed staff only and does not include Schools data as only employers with over 250 employees are covered by the legislation.

## **S. PAY POLICY FOR CENTRALLY EMPLOYED TEACHING STAFF**

86. Section 3 of the School Teachers' Pay and Conditions Document places a statutory duty on the Council to have a pay policy for centrally employed teaching staff, including appeals against pay determinations. This policy has been devised in addition to the usual Pay Policy for Teaching staff and is attached as Annex A to this report.

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Annex A to follow

# Agenda Item 12

<b>Report to:</b>	Cabinet Council	<b>Date of Meeting:</b>	1 December 2022 19 January 2023
<b>Subject:</b>	Programme of Meetings – 2023/24 Municipal Year		
<b>Report of:</b>	Chief Legal and Democratic Officer	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To seek approval of a Programme of Meetings for the 2023/24 Municipal Year.

## Recommendation:

### Cabinet

That the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Safer Sefton Together and the Health and Wellbeing Board for 2023/24 as set out in Annexes A and D of the report be approved.

### Council

- (1) the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; and Overview and Scrutiny Committees for 2023/24 as set out in Annexes B and C of the report be approved; and
- (2) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Safer Sefton Together and the Health and Wellbeing Board for 2023/24 as set out in Annexes A and D of the report be noted.

## Reasons for the Recommendation:

To enable the business of the Council and its various Committees/bodies to be conducted during the 2023/24 Municipal Year.

## Alternative Options Considered and Rejected:

None. The Council is required to produce a programme of meetings.

## What will it cost and how will it be financed?

(A) Revenue Costs – None

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## (B) Capital Costs – None

### Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> None	
<b>Legal Implications:</b> None	
<b>Equality Implications:</b> There are no equality implications.	
<b>Climate Emergency Implications:</b>  The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
There are no direct climate emergency implications arising from this report.	

### Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: The Programme of Meetings for 2023/24 will be published on the Council's website for the benefit of the residents of Sefton and the wider general public. This will raise awareness of the Council's political management system and allow the opportunity for the public to engage in the Council's democratic processes.
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

### What consultations have taken place on the proposals and when?

## (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD7002/22) has been consulted and notes there are no direct financial implications arising from this report.

The Chief Legal and Democratic Officer (LD5202/22) is the author of this report.

Chief Executive  
Executive Director of Corporate Resources and Customer Services  
Assistant Director Corporate Resources and Customer Services (Strategic Support)  
Assistant Director of People (Communities)  
Director of Public Health / Head of Health & Wellbeing  
Chief Planning Officer

## (B) External Consultations

Merseyside Police and Crime Commissioner

### Implementation Date for the Decision

In respect of the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Safer Sefton Together and the Health and Wellbeing Board the implementation date will be upon the expiry of the call-in period of the minutes of the Cabinet meeting.

In respect of the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; and Overview and Scrutiny Committees immediately following the Council meeting.

<b>Contact Officer:</b>	Paul Fraser
Telephone Number:	0151 934 2068
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### Appendices:

Annex A - Programme of Meetings for the Cabinet in 2023/24  
Annex B - Programme of Meetings for the Council, Members' Briefing Sessions and Regulatory Committees in 2023/24  
Annex C - Programme of Meetings for the Overview and Scrutiny Committees in 2023/24  
Annex D - Programme of Meetings for the Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board in 2023/24  
Calendar of meetings 2023/24

### Background Papers:

There are no background papers available for inspection.

# Agenda Item 12

## 1. Introduction/Background

- 1.1 The Council is required to establish a programme of meetings for the 2023/24 Municipal Year.
- 1.2 Annexes are attached to the report setting out the suggested programme.
- 1.3 Similar to the arrangements put in place last year once the programme of meetings have been approved, an “in-house” diary will be produced for Members of the Council.

## 2. Programme of Meetings 2023/24

2.1 The key principles of the Programme of Meetings are as follows:

- Five Ordinary Council Meetings to be held every 8 weeks on a Thursday commencing at 6.30 p.m. plus the Budget Council Meeting to be held on 29 February 2024.
- Council will not meet on the same day as Cabinet.
- Members’ Briefing Sessions to be held at 5.00 p.m. prior to the five Ordinary Council Meetings.
- No meetings will be held:
  - In the period between Christmas and New Year (December 2023/January 2024)
  - In April 2024 except for the meetings of the Planning Committee, Cabinet and Council.
- As far as possible no meetings will be held during the school half term holiday weeks.
- The programme of meetings indicates that all meetings will alternate between Bootle and Southport Town Halls.
- Cabinet Meetings to be held on a Thursday at 10.00 a.m. The first meeting to be held on 25 May 2023.
- Planning Committee to meet every four weeks on a Wednesday.
- Planning Visiting Panel to meet 2 days prior to each meeting of the Planning Committee to undertake site visits as agreed by the Committee.
- the Overview and Scrutiny Committees (Regeneration and Skills), (Regulatory, Compliance and Corporate Services) and (Adult Social Care and Health) meet bi-monthly, 5 times during the year commencing at 6.30 p.m. – the main Overview and Scrutiny work will be done by Working Groups established on an ad hoc basis.
- the Overview and Scrutiny Committee (Children’s Services and Safeguarding) meet every 6 weeks
- Special meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) to be held on 6 February 2024 to scrutinise the Cabinet budget process.
- Overview and Scrutiny Management Board to meet 5 times per year, commencing at 4.30 p.m.
- Licensing and Regulatory Committee to meet quarterly on a Monday commencing at 6.30 p.m.
- Meetings of the Licensing Sub-Committee to be convened as and when



required.

- Audit and Governance Committee to meet every quarter (4 meetings per year) on a Wednesday commencing at 3.00 p.m. in order to meet statutory requirements etc. A special meeting of the Committee will be scheduled to be held on 27 September 2023 to approve the audited Statement of Accounts
- Pay and Grading Committee to be convened as and when required.
- Health and Wellbeing Board to meet 4 times per year.
- The dates for the Public Engagement and Consultation Panel, which are not public meetings are included in the Corporate Calendar.

### **3. Cabinet Consideration of Programme of Meetings**

3.1 At its meeting held on 1 December 2022 the Cabinet considered this report.

The Cabinet resolved that:

- (1) the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Safer Sefton Together and the Health and Wellbeing Board for 2023/24 as set out in Annexes A and D of the report be approved; and
- (2) the Programme of Meetings for the Council, Member Briefing Sessions; Regulatory Committees; and Overview and Scrutiny Committees for 2023/24 as set out in Annexes B and C of the report be noted; and submitted to the Council for approval subject to the meetings of the Overview and Scrutiny Committee (Children's Services and Safeguarding being held every six weeks.

3.2 In accordance with resolution (2) above the programme of meetings has been amended to reflect the decision of Cabinet that meetings of the Overview and Scrutiny Committee (Children's Services and Safeguarding being held every six weeks.

### **4. Calendar of Meetings**

4.1 A copy of the Calendar of Meetings for 2023/24 and associated annexes are attached.

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**ANNEX A**  
**METROPOLITAN BOROUGH OF SEFTON**  
**PROGRAMME OF CABINET MEETINGS - 2023/2024**

Meeting	Day	Time	Venue	2023								2024					
				May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	
CABINET	Thur.	10.00 a.m.	B	25		27				5		7		1	7		23
			S		22				7		2		4	→8		4	

→ Budget Meeting

Key to Venues:

B - Bootle Town Hall

S - Southport Town Hall

**ANNEX B**  
**METROPOLITAN BOROUGH OF SEFTON**  
**PROGRAMME OF COUNCIL, MEMBERS' BRIEFING SESSIONS AND REGULATORY COMMITTEE MEETINGS ETC. - 2023/2024**

Meeting	Day	Time	Venue	2023								2024						
				May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
COUNCIL	Thur.	6.30 p.m.	B	18←					14				18	29→			14↓ Tue	
			S	16↑			13				16					18	16°	
MEMBERS' BRIEFING SESSIONS Prior to each Ordinary Council Meeting. <b>Confirmation that Briefing Sessions will be held will be notified to Members nearer the time</b>	Thur.	5.00 p.m.	B						14				18					
			S				13				16				18			
AUDIT AND GOVERNANCE COMMITTEE	Wed.	3.00 p.m.	B		21				27			13						
			S						6						20			
EVALUATIONS (FOR PERSONNEL RESOURCES) - as and when required	Thur.	-																
LICENSING AND REGULATORY COMMITTEE	Mon.	6.30 p.m.	B		12								8					
			S						4							11		
LICENSING SUB-COMMITTEE - as and when required			B															
			S															
PLANNING COMMITTEE	Wed.	6.30 p.m.	B	↓24	28					18		13		7		10	↓22	
			S	31		26			20		15		17		13			
PLANNING VISITING PANEL	Mon	10.00 a.m.	B	30	26	24			18	16	13	11	15	5	11	8		
PAY AND GRADING COMMITTEE - as and when required																		

↑ Annual Meeting 2023/24 - commences at 6.00 p.m. (Tuesday) (Venue to be determined)  
 ← Adjourned Annual Meeting - Appointment of Committees etc. for 2023/24  
 → Budget Meeting  
 †Mandatory Planning Committee

↓ Annual Meeting 2024/2025 - commences at 6.00 p.m. (Tuesday) (Venue to be determined)  
 ° Adjourned Annual Meeting - Appointment of Committees etc. for 2024/2025

**ANNEX C**  
**METROPOLITAN BOROUGH OF SEFTON**  
**PROGRAMME OF MEETINGS FOR OVERVIEW AND SCRUTINY COMMITTEES - 2023/2024**  
**(Tuesday)**

Meeting	Venue	2023								2024				
		May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
OVERVIEW AND SCRUTINY COMMITTEE (Adult Social Care) (6.30 p.m.) (Tue)	B		20					17						
	S					5					2			
OVERVIEW AND SCRUTINY COMMITTEE (Regulatory, Compliance and Corporate Services) (Tue) (6.30 p.m.)	B					12					9	*6		
	S		13					31				27		
OVERVIEW AND SCRUTINY COMMITTEE (Regeneration and Skills) (6.30 p.m.) (Tue)	B		27						7				5	
	S					19					16			
OVERVIEW AND SCRUTINY COMMITTEE (Children's Services Safeguarding) (1 p.m.) (Tue)	B		6			26				19			12	
	S			18					8			30		
OVERVIEW AND SCRUTINY COMMITTEE (Regeneration and Skills) (6.30 p.m.) (Tue)	Remote Meetings		20			12			7			9		12

\* Special meeting to consider Budget proposals.

**ANNEX D**  
**METROPOLITAN BOROUGH OF SEFTON**  
**PROGRAMME OF MEETINGS FOR PARTNERSHIP MEETINGS- 2023/2024**

Meeting	Day	Time	Venue	2023								2024				
				May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
PUBLIC ENGAGEMENT AND CONSULTATION PANEL ^	Fri	10.00 a.m.	B	26		14		8		10		19		8		
			S													
SAFER SEFTON TOGETHER	Thu	10.00 a.m.	B		8			14		30				14		
			S													
HEALTH AND WELLBEING BOARD	Wed.	2.00 p.m.	B		7			13			6			6		
			S													

Meetings video conferenced to Southport Town Hall

# Agenda Item 12

## SEFTON COUNCIL CALENDAR OF MEETINGS 2023/24

MAY 2023		
MON	1	MAY BANK HOLIDAY
TUE	2	
WED	3	
THU	4	COUNCIL AND PARISH COUNCIL ELECTIONS
FRI	5	
SAT	6	
SUN	7	
MON	8	KING'S CORONATION BANK HOLIDAY
TUE	9	
WED	10	
THU	11	
FRI	12	
SAT	13	
SUN	14	
MON	15	
TUE	16	6.00 ANNUAL COUNCIL (VENUE TO BE DETERMINED)
WED	17	
THU	18	6.30 ADJOURNED ANNUAL COUNCIL (B)
FRI	19	
SAT	20	
SUN	21	
MON	22	
TUE	23	
WED	24	6.30 MANDATORY PLANNING COMMITTEE TRAINING SESSION (B)
THU	25	10.00 CABINET (B)
FRI	26	10.00 PUBLIC ENGAGEMENT AND CONSULTATION PANEL (B)
SAT	27	
SUN	28	
MON	29	SPRING BANK HOLIDAY      SCHOOL HALF-TERM HOLIDAY WEEK
TUE	30	10.00 PLANNING VISITING PANEL (B)
WED	31	6.30 PLANNING COMMITTEE (S)
MAY 2023		

# Agenda Item 12

JUNE 2023		
THU	1	
FRI	2	
SAT	3	
SUN	4	
MON	5	
TUE	6	6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (B)
WED	7	2.00 HEALTH AND WELLBEING BOARD (B)
THU	8	10.00 SAFER SEFTON TOGETHER (B)
FRI	9	
SAT	10	
SUN	11	
MON	12	6.30 LICENSING AND REGULATORY (B)
TUE	13	6.30 OVERVIEW AND SCRUTINY (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) (S)
WED	14	
THU	15	
FRI	16	
SAT	17	
SUN	18	
MON	19	
TUE	20	4.30 OVERVIEW AND SCRUTINY MANAGEMENT BOARD (RM)      6.30 OVERVIEW AND SCRUTINY (ADULT SOCIAL CARE) (B)
WED	21	3.00 AUDIT AND GOVERNANCE (B)
THU	22	<b>10.00 CABINET (S)</b>
FRI	23	
SAT	24	
SUN	25	
MON	26	10.00 PLANNING VISITING PANEL (B)
TUE	27	6.30 OVERVIEW AND SCRUTINY (REGENERATION AND SKILLS) (B)
WED	28	5.00 PLANNING TRAINING SESSION (B) 6.30 PLANNING COMMITTEE (B)
THU	29	
FRI	30	
JUNE 2023		



# Agenda Item 12

JULY 2023		
SAT	1	
SUN	2	
MON	3	
TUE	4	
WED	5	
THU	6	
FRI	7	
SAT	8	
SUN	9	
MON	10	
TUE	11	
WED	12	
THU	13	5.00 MEMBERS' BRIEFING – TBC (S) 6.30 COUNCIL (S)
FRI	14	10.00 PUBLIC ENGAGEMENT AND CONSULTATION PANEL (B)
SAT	15	
SUN	16	
MON	17	
TUE	18	6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (S)
WED	19	
THU	20	
FRI	21	
SAT	22	
SUN	23	
MON	24	10.00 PLANNING VISITING PANEL (B)
TUE	25	
WED	26	5.00 PLANNING TRAINING SESSION (S) 6.30 PLANNING COMMITTEE (S)
THU	27	10.00 CABINET (B)
FRI	28	
SAT	29	
SUN	30	
MON	31	
JULY 2023		

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AUGUST 2023		
TUE	1	
WED	2	
THU	3	
FRI	4	
SAT	5	
SUN	6	
MON	7	
TUE	8	
WED	9	
THU	10	
FRI	11	
SAT	12	
SUN	13	
MON	14	
TUE	15	
WED	16	
THU	17	
FRI	18	
SAT	19	
SUN	20	
MON	21	
TUE	22	
WED	23	
THU	24	
FRI	25	
SAT	26	
SUN	27	
MON	28	<b>SUMMER BANK HOLIDAY</b>
TUE	29	
WED	30	
THU	31	
AUGUST 2023		

# Agenda Item 12

SEPTEMBER 2023		
FRI	1	
SAT	2	
SUN	3	
MON	4	6.30 LICENSING AND REGULATORY (S)
TUE	5	6.30 OVERVIEW AND SCRUTINY (ADULT SOCIAL CARE) (S)
WED	6	3.00 AUDIT AND GOVERNANCE (S)
THU	7	10.00 CABINET (S)
FRI	8	10.00 PUBLIC ENGAGEMENT AND CONSULTATION PANEL (B)
SAT	9	
SUN	10	
MON	11	
TUE	12	4.30 OVERVIEW AND SCRUTINY MANAGEMENT BOARD (RM) 6.30 OVERVIEW AND SCRUTINY (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) (B)
WED	13	2.00 HEALTH AND WELLBEING BOARD (B)
THU	14	10.00 SAFER SEFTON TOGETHER (B) 5.00 MEMBERS' BRIEFING - TBC (B) 6.30 COUNCIL (B)
FRI	15	
SAT	16	
SUN	17	
MON	18	10.00 PLANNING VISITING PANEL (B)
TUE	19	6.30 OVERVIEW AND SCRUTINY (REGENERATION AND SKILLS) (S)
WED	20	5.00 PLANNING TRAINING SESSION (S) 6.30 PLANNING COMMITTEE (S)
THU	21	
FRI	22	
SAT	23	
SUN	24	
MON	25	
TUE	26	6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (B)
WED	27	3.00 AUDIT AND GOVERNANCE (B) (SPECIAL MEETING FOR APPROVAL OF 2022/23 STATEMENT OF ACCOUNTS)
THU	28	
FRI	29	
SAT	30	
SEPTEMBER 2023		

# Agenda Item 12

OCTOBER 2023		
SUN	1	
MON	2	
TUE	3	
WED	4	
THU	5	10.00 CABINET (B)
FRI	6	
SAT	7	
SUN	8	
MON	9	
TUE	10	
WED	11	
THU	12	
FRI	13	
SAT	14	
SUN	15	
MON	16	10.00 PLANNING VISITING PANEL (B)
TUE	17	6.30 OVERVIEW AND SCRUTINY (ADULT SOCIAL CARE) (B)
WED	18	5.00 PLANNING TRAINING SESSION (B) 6.30 PLANNING COMMITTEE (B)
THU	19	
FRI	20	
SAT	21	
SUN	22	
MON	23	<b>SCHOOL HALF-TERM HOLIDAY WEEK</b>
TUE	24	
WED	25	
THU	26	
FRI	27	
SAT	28	
SUN	29	
MON	30	
TUE	31	6.30 OVERVIEW AND SCRUTINY (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) (S)

# Agenda Item 12

NOVEMBER 2023		
WED	1	
THU	2	10.00 CABINET (S)
FRI	3	
SAT	4	
SUN	5	REMEMBRANCE SUNDAY
MON	6	
TUE	7	4.30 OVERVIEW AND SCRUTINY MANAGEMENT BOARD (RM)      6.30 OVERVIEW AND SCRUTINY (REGENERATION AND SKILLS) (B)
WED	8	6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (S)
THU	9	
FRI	10	10.00 PUBLIC ENGAGEMENT AND CONSULTATION PANEL (B)
SAT	11	
SUN	12	
MON	13	10.00 PLANNING VISITING PANEL (B)
TUE	14	
WED	15	5.00 PLANNING TRAINING SESSION (S) 6.30 PLANNING COMMITTEE (S)
THU	16	5.00 MEMBERS' BRIEFING- TBC (S) 6.30 COUNCIL (S)
FRI	17	
SAT	18	
SUN	19	
MON	20	
TUE	21	
WED	22	
THU	23	
FRI	24	
SAT	25	
SUN	26	
MON	27	
TUE	28	
WED	29	
THU	30	10.00 SAFER SEFTON TOGETHER (B)
NOVEMBER 2023		

# Agenda Item 12

DECEMBER 2023		
FRI	1	
SAT	2	
SUN	3	
MON	4	
TUE	5	
WED	6	2.00 HEALTH AND WELLBEING BOARD (B)
THU	7	10.00 CABINET (B)
FRI	8	
SAT	9	
SUN	10	
MON	11	10.00 PLANNING VISITING PANEL (B)
TUE	12	
WED	13	3.00 AUDIT AND GOVERNANCE (B) 5.00 PLANNING TRAINING SESSION (B) 6.30 PLANNING COMMITTEE (B)
THU	14	
FRI	15	
SAT	16	
SUN	17	
MON	18	
TUE	19	6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (B)
WED	20	
THU	21	
FRI	22	<b>SCHOOL CHRISTMAS BREAK</b> COUNCIL OFFICES CLOSED
SAT	23	
SUN	24	
MON	25	<b>CHRISTMAS DAY</b>
TUE	26	<b>BOXING DAY</b>
WED	27	COUNCIL OFFICES CLOSED
THU	28	COUNCIL OFFICES CLOSED
FRI	29	COUNCIL OFFICES CLOSED
SAT	30	
SUN	31	
DECEMBER 2023		

# Agenda Item 12

JANUARY 2024		
MON	1	<b>NEW YEAR'S DAY</b>
TUE	2	6.30 OVERVIEW AND SCRUTINY (ADULT SOCIAL CARE) (S)
WED	3	
THU	4	<b>10.00 CABINET (S)</b>
FRI	5	
SAT	6	
SUN	7	
MON	8	6.30 LICENSING AND REGULATORY (B)
TUE	9	4.30 OVERVIEW AND SCRUTINY MANAGEMENT BOARD (RM) 6.30 OVERVIEW AND SCRUTINY (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) (B)
WED	10	
THU	11	
FRI	12	
SAT	13	
SUN	14	
MON	15	10.00 PLANNING VISITING PANEL (B)
TUE	16	6.30 OVERVIEW AND SCRUTINY (REGENERATION AND SKILLS) (S)
WED	17	5.00 PLANNING TRAINING SESSION (S) 6.30 PLANNING COMMITTEE (S)
THU	18	5.00 MEMBERS' BRIEFING – TBC (B) <b>6.30 COUNCIL (B)</b>
FRI	19	10.00 PUBLIC ENGAGEMENT AND CONSULTATION PANEL (B)
SAT	20	
SUN	21	
MON	22	
TUE	23	
WED	24	
THU	25	
FRI	26	
SAT	27	
SUN	28	
MON	29	
TUE	30	6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (S)
WED	31	
JANUARY 2024		

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FEBRUARY 2024		
THU	1	10.00 CABINET (B)
FRI	2	
SAT	3	
SUN	4	
MON	5	10.00 PLANNING VISITING PANEL (B)
TUE	6	6.30 OVERVIEW AND SCRUTINY (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) BUDGET MEETING (B)
WED	7	5.00 PLANNING TRAINING SESSION (B) 6.30 PLANNING COMMITTEE (B)
THU	8	10.00 CABINET (BUDGET) (S)
FRI	9	
SAT	10	
SUN	11	
MON	12	SCHOOL HALF-TERM HOLIDAY WEEK
TUE	13	
WED	14	
THU	15	
FRI	16	
SAT	17	
SUN	18	
MON	19	
TUE	20	6.30 OVERVIEW AND SCRUTINY (ADULT SOCIAL CARE) (B)
WED	21	
THU	22	
FRI	23	
SAT	24	
SUN	25	
MON	26	
TUE	27	6.30 OVERVIEW AND SCRUTINY (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) (S)
WED	28	
THU	29	6.30 BUDGET COUNCIL (B)
FEBRUARY 2024		



# Agenda Item 12

<b>MARCH 2024</b>		
FRI	1	
SAT	2	
SUN	3	
MON	4	
TUE	5	6.30 OVERVIEW AND SCRUTINY (REGENERATION AND SKILLS) (B)
WED	6	2.00 HEALTH AND WELLBEING BOARD (B)
THU	7	<b>10.00 CABINET (B)</b>
FRI	8	10.00 PUBLIC ENGAGEMENT AND CONSULTATION PANEL (B)
SAT	9	
SUN	10	
MON	11	10.00 PLANNING VISITING PANEL (B) 6.30 LICENSING AND REGULATORY (S)
TUE	12	4.30 OVERVIEW AND SCRUTINY MANAGEMENT BOARD (RM) 6.30 OVERVIEW AND SCRUTINY (CHILDREN'S SERVICES AND SAFEGUARDING) (B)
WED	13	5.00 PLANNING TRAINING SESSION (S) 6.30 PLANNING COMMITTEE (S)
THU	14	10.00 SAFER SEFTON TOGETHER (B)
FRI	15	
SAT	16	
SUN	17	
MON	18	
TUE	19	
WED	20	3.00 AUDIT AND GOVERNANCE (S)
THU	21	
FRI	22	
SAT	23	
SUN	24	
MON	25	
TUE	26	
WED	27	
THUR	28	
FRI	29	<b>GOOD FRIDAY</b>
SAT	30	
SUN	31	<b>EASTER SUNDAY</b>
<b>MARCH 2024</b>		

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<b>APRIL 2024</b>		
MON	1	<b>EASTER MONDAY</b> SCHOOL SPRING HOLIDAY
TUE	2	
WED	3	
THU	4	<b>10.00 CABINET (S)</b>
FRI	5	
SAT	6	
SUN	7	
MON	8	10.00 PLANNING VISITING PANEL (B)
TUE	9	
WED	10	5.00 PLANNING TRAINING SESSION (B) 6.30 PLANNING COMMITTEE (B)
THU	11	
FRI	12	
SAT	13	
SUN	14	
MON	15	
TUE	16	
WED	17	
THU	18	5.00 MEMBERS' BRIEFING - TBC (S) 6.30 COUNCIL (S)
FRI	19	
SAT	20	
SUN	21	
MON	22	
TUE	23	
WED	24	
THU	25	
FRI	26	
SAT	27	
SUN	28	
MON	29	
TUE	30	
<b>APRIL 2024</b>		

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MAY 2024		
WED	1	
THU	2	<b>COUNCIL, MERSEYSIDE POLICE AND CRIME COMMISSIONER AND LIVERPOOL CITY REGION COMBINED AUTHORITY MAYORAL ELECTIONS</b>
FRI	3	
SAT	4	
SUN	5	
MON	6	<b>MAY BANK HOLIDAY</b>
TUE	7	
WED	8	
THU	9	
FRI	10	
SAT	11	
SUN	12	
MON	13	
TUE	14	<b>6.00 ANNUAL COUNCIL (VENUE TO BE DETERMINED)</b>
WED	15	
THU	16	<b>6.30 ADJOURNED ANNUAL COUNCIL (S)</b>
FRI	17	
SAT	18	
SUN	19	
MON	20	
TUE	21	
WED	22	<b>6.30 MANDATORY PLANNING COMMITTEE TRAINING SESSION (B)</b>
THU	23	<b>10.00 CABINET (B)</b>
FRI	24	
SAT	25	
SUN	26	
MON	27	<b>SPRING BANK HOLIDAY</b> <b>SCHOOL HALF-TERM HOLIDAY WEEK</b>
TUE	28	
WED	29	
THU	30	
FRI	31	
MAY 2024		

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<b>Report to:</b>	Member Development Steering Group	<b>Date of Meeting:</b>	1 November 2022
	Cabinet		1 December 2022
	Council		19 January 2023
<b>Subject:</b>	Member Development in Sefton - The Next Steps		
<b>Report of:</b>	Executive Director of Corporate Resources and Customer Services	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

This report outlines the purpose and benefits of the North-West Employers Member Development Charter and the various steps to be taken in the process for achieving accreditation.

## Recommendations:

### Member Development Steering Group

- (1) That the Cabinet be requested to submit a recommendation to the Council that approval be given for the Leader of the Council and the Chief Executive signing the Declaration of Commitment to the principles included in the North-West Member Development Charter and its intention to achieve Level 1 Member Development Charter Status, as shown at Appendix 1 to the report.
- (2) That the Member Development Steering Group (MDSG) undertake a self-assessment exercise at its next meeting using the North-West Employers Self-Assessment Framework, identifying what the Council already has in place in supporting Member Development and what it needs to develop it further.
- (3) That a draft Members Learning and Development Needs questionnaire and revised elected member roles and person specifications be submitted to the next Member Development Steering Group meeting for consideration prior to its circulation to all Members of the Council.
- (4) That the results of the Members questionnaire exercise and the self-

# Agenda Item 13

assessment exercise be utilised by Officers in the production of the draft Members Handbook 2023/24, Elected Member Learning and Development Plan 2023/24 and Member Learning and Development Strategy for consideration by the MDSG and approval by full Council on 20 April 2023.

## **Cabinet**

- (1) That the Cabinet note the content of the report.
- (2) That the Council be requested to give approval for the Leader of the Council and the Chief Executive signing the Declaration of Commitment to the principles included in the North-West Member Development Charter and its intention to achieve Level 1 Member Development Charter Status, as shown at Appendix 1 to the report.

## **Council**

- (1) That the Council note the content of the report.
- (2) That approval be given for the Leader of the Council and the Chief Executive signing the Declaration of Commitment to the principles included in the North-West Member Development Charter and its intention to achieve Level 1 Member Development Charter Status, as shown at Appendix 1 to the report.

## **Reasons for the Recommendations:**

The NWMDC will provide an established framework enable the Council to undertake a self-assessment and review good practice in supporting and developing Sefton's elected members to help them fulfil the vital role they play in working with and supporting local communities.

## **Alternative Options Considered and Rejected:** (including any Risk Implications)

To not sign up for and work towards the North-West Member Development Charter would mean that the Council would lose the benefit of an established framework for assessing, reviewing and developing good practice in the development of its Councillors which could mean that they might be less equipped to fulfil their vital role in working with and supporting their local communities.

## **What will it cost and how will it be financed?**

### **(A) Revenue Costs**

None Directly

### **(B) Capital Costs**

None Directly

**Implications of the Proposals:**

<p><b>Resource Implications (Financial, IT, Staffing and Assets):</b>                  There are currently no direct financial implications – the Council is a Member of NW Employers. Staffing would be from Democratic Services with support from other Council Departments (CLC, Strategic Support).</p> <p>The Council will demonstrate that there are designated financial resources to support councillor learning and development that are used in a cost-effective way.</p>								
<p><b>Legal Implications:</b>                  There are no legal implications</p>								
<p><b>Equality Implications:</b>                  The Council’s work towards the Member Development Charter will actively help to promote equality in the Council.</p>								
<p><b>Climate Emergency Implications:</b>                  The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> </table>	Have a positive impact	Yes	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	Yes							
Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							
<p><b>Contribution to the Council’s Core Purpose:</b>                  The Terms of Reference for the Member Development Steering Group to states that ‘the development of a training plan(will be) based on an analysis of Members’ needs and which reflects the needs and priorities of the Council as set out in the 2030 Vision and Council’s Core Purpose’.</p>								
<p><b>Protect the most vulnerable:</b>                  The current Member Development Programme offers a number of courses to help Councillors fulfil their role in protecting the vulnerable in our community – some of these are mandatory courses – i.e. Safeguarding Adults Awareness, Safeguarding Children and Young People, Corporate Parenting and Equality and Diversity Awareness; also non-mandatory courses – Hate Crime Awareness; Human Trafficking and Modern Slavery.</p> <p>Working towards the Member Development Charter (MDC) will enable the Council (Steering Group) to monitor and identify further ways in which Councillors can enhance skills and knowledge to help protect the most vulnerable.</p>								
<p><b>Facilitate confident and resilient communities:</b>                  The current Member development programme helps provide Councillors with the requisite skills and knowledge help them effectively lead and support their local residents to help facilitate confident and resilient local communities</p>								

# Agenda Item 13

Working towards the MDC the Steering Group will monitor and identify further ways in which Councillors can develop in this respect.

**Commission, broker and provide core services:**

A critical role of the Councillors is to make decisions on the Council's Revenue Budget and Capital Programme. The Member Development Programme, currently offers 2 courses on – 'Introduction to Local Government Finance' and 'Treasury Management' to help Members gain an understanding of the financial environment in which the Council operates.

Working towards the MDC will help the Council (Steering Group) to monitor current provision and identify further member development to enhance Members' understanding and knowledge in commissioning, brokering and provision of core services.

**Place – leadership and influencer:**

A crucial role of Councillors is to positively lead and influence change both in their communities and across Sefton and the current Member Development Programme and also courses provided by North-West Employers and the Local Government Association provide guidance and advice to support Councillors in this.

Working towards the MDC will help the Council (Steering Group) monitor and enhance the training and development of Sefton's Councillors as Place leaders and influencers.

**Drivers of change and reform:**

A critical aspect of the work of Councillors is to be drivers of both in their communities and across Sefton and the Member Development Programme and also courses provided by North-West Employers and the Local Government Association provide guidance and advice to support Councillors in this.

Working towards the MDC will help the Council (Steering Group) monitor and enhance the development of Sefton's Councillors as effective drivers of change and reform.



**Facilitate sustainable economic prosperity:**

The current Member Development Programme offers courses on ‘Introduction to Local Government Finance’ and ‘Treasury Management’ providing Councillors with information to help Members when making decisions which help to support sustainable economic prosperity.

In working towards the MDC the Steering Group will monitor existing provision and identify further ways and courses to enhance the development of elected Members in this respect.

**Greater income for social investment:**

The current Member Development Programme offers courses on ‘Introduction to Local Government Finance’ and ‘Treasury Management’ providing the Councillors with increased knowledge and insight when taking decisions relating to Council expenditure and investment.

In working towards the MDC the Steering Group will monitor existing provision and identify further ways and courses to enhance the development of elected Members in contributing to this core purpose.

**Cleaner Greener**

Councillors are able to access an e-learning course on Climate Change via Me-Learning.

In working towards the MDC the Steering Group will consider further ways and courses to help Councillor development in achieving a cleaner greener Sefton.

**What consultations have taken place on the proposals and when?**

**(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services (FD 6991) and the Chief Legal and Democratic Officer (LD 5191) have been consulted and any comments have been incorporated into the report.

**(B) External Consultations**

Initial consultations with North-West Employers have begun and will continue for the foreseeable future in working towards the achievement of the NW Member Development Charter.

**Implementation Date for the Decision**

Immediately following the Council meeting.

<b>Contact Officer:</b>	Ruth Appleby
Telephone Number:	0151 934 2181
Email Address:	<a href="mailto:ruth.appleby@sefton.gov.uk">ruth.appleby@sefton.gov.uk</a>

# Agenda Item 13

## **Appendices:**

**Appendix 1** – North West Charter for Elected Member Development - Declaration of Commitment form.

**Appendix 2** – North West Charter for Elected Member Development – The Process

## **Background Papers**

There are no background papers available for inspection.

## 1.0 Introduction Background

The Council on 21 April 2022 considered a report which reviewed the Member Development Programme 2021-2022 and the proposed Member Development Programme 2022-2023 and gave approval for the establishment of a Member Development Steering Group to comprise representation from the respective political groups.

The Council also endorsed the intention to work towards achievement of the North-West Member Development Charter for Sefton which will be the main focus of the Steering Group.

## 2.0 Benefits of the North West Development Charter (NWMDC)

- 2.1 The core principle underpinning the NWMDC is that at the heart of any Council dedicated to meeting the needs of its community there will also be a commitment to the development of its Councillors.
- 2.2 The NWMDC provides an established framework to enable councils to undertake a self-assessment and review good practice in supporting and developing Councillors to fulfil the vital role they play in working with and supporting local communities.
- 2.3 Signing up for and working towards achievement of NWMDC can lead to the following benefits:

### Impact on Councillors

- The quality of councillor development is improved
- New councillors are better prepared for their roles and responsibilities
- Councillor progression is better enabled
- Helps ensure councillors can operate at their most knowledgeable, skilled and effective
- Increases councillors' competence and confidence
- Helps councillors navigate the ever more complex and demanding role and local government landscape
- Self-care and reflection for councillors through development and growth.

### Impact on All Partners

- Strengthens member-officer relationships
- Helps ensure effective top team political and managerial leadership
- Encourages robust and accountable decision making
- Helps ensure proactive succession planning
- Helps improve councillor diversity
- Enhances democracy and participation

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## 3.0 **Process/Steps to be taken in working toward Level 1 of the North West Member Development Charter**

- 3.1 To start the accreditation process, the Leader and Chief Executive would be required to sign a declaration (shown at Appendix 1 to the report), to demonstrate the Council's commitment to the principles included in the Charter.

This is an important first step as it is intended to promote a healthy discussion on the Council's needs and intention in terms of member development. The Council's signed **Declaration of Commitment** would then be forwarded for signature by the Chair of North-West Employers and returned to the Council.

- 3.2 Using the Charter framework, the Council would build a portfolio to practically demonstrate this commitment and that it has met all the requirements. This would be followed by an external assessment before being awarded the charter. Appendix 2 sets out **The Process** for applying for Level 1 of the Charter.

- 3.3 It is proposed that the MDSG undertake a self-assessment exercise at its next meeting using the NWE Self-Assessment Framework, identifying what the Council already has in place in supporting Member Development and what it needs to develop further in respect of:

1. A clear commitment to councillor development across the whole of the Council
2. Promoting Member learning and development opportunities
3. A Councillor led approach to learning and development
4. A strategy that includes impact measures within a continuous improvement framework

- 3.4 The Member Development Handbook 2023/24 and a Member Learning and Development Plan for 2023/24 will need to be produced by mid-April 2023 and to assist in that process, it is proposed that a questionnaire be sent to all Members of the Council to seek their views and to identify any future learning and development needs. A copy of the draft questionnaire and revised elected member roles and person specifications will be submitted to the next meeting of the MDSG for consideration.

- 3.5 The results of the Members questionnaire exercise and the self-assessment exercise will be utilised by Officers in the production of the draft Member Development Handbook 2023/24, Elected Member Learning and Development Plan 2023/24 and Member Learning and Development Strategy for consideration by the MDSG and approval by full Council on 20 April 2023.

**NORTH WEST CHARTER**  
*for*  
***Elected Member Development  
Declaration***

Council name:

We declare we will:

- Commit to councillor development.
- Promote learning and development opportunities.
- Have a councillor-led approach to developing learning and development.
- Create a strategy that includes impact measures within a continuous improvement framework.

**Signed by Chief Executive:**

**Signed by Leader:**

**Signed by Chair of North West Employers:**

# Agenda Item 13



**North West  
Employers**

**Date:**

# North West Charter for Elected Member Development

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## The Process

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## Chapter Level 1

### Are You Ready?

Before applying for Level 1, reflect on the following questions that link with the criteria, to gauge whether you and the council are ready to begin the process of the Charter assessment.

- Is the council committed to supporting councillor development and can you evidence this?
- Do you have a development strategy that includes impact measures within a continuous improvement framework?
- Do you have a designated group that lead and inform councillor development?
- Do you have a councillor led approach to developing learning and development?
- Do you address the personal development needs of individual councillors with at least half of all councillors being involved in identifying their development needs?
- Do you use this information to help establish your learning and development strategy?
- Do you evaluate all learning together with impact measures and use this to inform improvements in your learning and development strategy?
- Are councillors informed who to contact for information on development opportunities?
- Are you able to show how councillor development is scrutinised?

### Level 1 Process

#### Step 1- Sign the Declaration of Commitment

Authorities need to sign the Declaration of Commitment to the principles included in the Charter; both the Leader of the council and Chief Executive must sign the Declaration. This is an important first step as it is intended to promote a healthy discussion on the council's needs and intention in terms of member development. When you return your signed Declaration, it will be signed by the Chair of North West Employers and returned to you.

To request a Declaration of Commitment, or for a discussion around the principles of the Charter, please contact us [here](#).



## Step 2- Register to the online tool

To request access to the online tool please email [support@nwemployers.org.uk](mailto:support@nwemployers.org.uk). A project for your council will then be set up and you will receive instructions on how to access the tool.

As follows:

- You will receive an email with your password and link
- Go to the link then enter your email address and the password provided
- Once logged on you can change your password by clicking on your name at the top right-hand corner of the screen which will then take you to the user settings screen.

## Step 3- Procedure to access the framework and your assessments

1. Enter your email address and password
2. This will take you to the home page and your Council's projects, Level 1 and Level 1 Review
3. Select Go to assessments to access the level you are working towards
4. This will take you to the 4 stages of the framework, the criteria for each framework is detailed within each stage. Click on the section heading to see each stage in detail
5. To return to the summary of your assessments use the button at the bottom of the page labelled back to home page

## Working through the process

There are four key functions of the tool:

A) **Self-Assessment** – council describe how their organisation meets the standard and upload evidence that link to this, where they can mark themselves against the criteria:

- criteria not met; if they have more evidence to upload
- criteria met; when they deem, the criteria has been met

All evidence is saved automatically, together with any changes or deletions.

B) **Action Planning** – In the description box, further actions can be recorded as reminders. The home page provides an online planning and reporting function using a pie chart. The status describes your self-assessment rating against all criteria, helping to focus on criteria not met and prioritise activity.

C) **Interactive Feedback and Discussion** – is provided through a two-way communication function via the discussion box on the assessment site, to facilitate feedback and questions with the assessment team.

D) **Peer Assessment** – To oversee progress and undertake assessment,

The assessment team from North West Employers will provide support as detailed above, both face to face and remotely via the tool.

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## Step 4 - Complete Pre Assessment and Verification Visit

Once you have met the criteria and uploaded your evidence then contact:

E: support@nwemployers.org.uk

T: 016 1214 7104

Your access will be removed on a temporary basis while we explore the evidence you have uploaded. Once feedback has been given, we shall then support your needs and how best to complete the assessment process on an individual basis. An assessment visit will then be arranged with a councillor from the Executive Board and an officer from North West Employers. The visit will be in part to check that the council meets the standards, but also an opportunity to discover different approaches which can be shared as good practice.

## Step 5 - Outcomes and Completion of Report

Following on from the assessment, the assessment team will write up their report and make a recommendation on the charter award. This recommendation will be ratified by the Executive Board at North West Employers

## Step 6 - The Executive Board Meeting

The Board will either:

- Confirm successful attainment against the standards
- Defer awarding status and suggest a plan of action to meet the Level 1 standard

Once awarded, you will be notified of the outcome and receive a written report and your award.

## How the Assessment Visit Will Run

1. Each visit will include one Councillor from North West Employers Executive Board and an officer from North West Employers
2. The visit will be arranged in advance and will last for approximately half a day. An officer from North West Employers will liaise with the relevant officer from the council to make the arrangements
3. A room and refreshments will be required for the assessment team.
4. During the visit the assessment team will want to speak to:
  - The Leader (or Deputy)
  - The Chief Executive / Chief Officer
  - Leader of the Opposition Group
  - Chair or Portfolio Holder
  - Chair or Councillor of the Training Group

- A Newly Elected Councillor
- Three Randomly Selected Councillors
- Officer/s responsible for Councillor Learning and Development

5. The interviews are timetabled in 30-45-minute slots. The interviews can be conducted individually or in small groups based on your requests

6. Following on from the assessment, the assessment team will write up their report and make a recommendation on the charter award. This recommendation will be ratified by the Executive Board at North West Employers and you will be notified of the outcome and receive a written report and your award

7. If the assessment team or Executive Board feels that some elements of the evidence are incomplete, then the council will be advised and will be given the opportunity to complete the evidence and be assessed again

8. If the council is successful, they will be awarded the Charter

## **What We Will Look for in the Level 1 Assessment**

During the assessment visit, there are some key areas that we shall look for, take examples and draw best practice from:

- Commitment to councillor development demonstrated at all levels across the council
- An appropriate communication process in place to publicise development opportunities
- Councillors actively engage in development available and consider their developing role, its requirements and how to meet them
- Individual's needs are considered and fed into the overall development strategy with at least half of all councillors involved in identifying their development needs
- There are financial resources available to support the development strategy and they are used in a cost-effective way
- Development activities are evaluated and include impact measures with feedback into the overall strategy
- A process in place to scrutinise councillor development opportunities

## **What next?**

Level 1 Charter has a lifespan of three years, after which authorities are able to submit evidence to demonstrate how they have sustained and further developed their commitment to councillor development by undertaking Level 1 Review.

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## Chapter Level 1 Review

**Note:** This links to the criteria from Level 1 and is required to show that there has been a continuous improvement since achieving Level 1

- Is there still clear commitment to continuously improve councillor development, and have continuous improvements been made since Level 1 was awarded?
- Are councillors actively involved in leading and informing on councillor development?
- Have at least three quarters of councillors engaged in identifying their development needs?
- Are councillors clear on the development opportunities available to meet their learning needs and developing role?
- Is there a process in place to measure the impact of learning?
- Have councillors been actively involved in reviewing the strategy?
- Is there a designated group in place that scrutinise councillor development?

## Level 1 Review Process

### Step 1- Re-Sign the Declaration of Commitment

Authorities need to sign the Declaration of Commitment to the principles included in the Charter; both the Leader of the council and Chief Executive must sign the Declaration. This is an important first step as it is intended to promote a healthy discussion on the council's needs and intention in terms of member development. When you return your signed Declaration, it will be signed by the Chair of North West Employers and returned to you.

To request a Declaration of Commitment, or for a discussion around the principles of the Charter, please contact us [here](#).

### Step 2- Register to the online tool

To request access to the online tool please email [support@nwemployers.org.uk](mailto:support@nwemployers.org.uk) A project for your council will then be set up and you will receive instructions on how to access the tool.

As follows:

- You will receive an email with your password and link
- Go to the link and enter your email address and the password provided
- Once logged on you can change your password by clicking on your name at the top right-hand corner of the screen which will then take you to the user settings screen.



## Step 3- Procedure to access the framework and your assessments

1. Enter your email address and password
2. This will take you to the home page and your Council's projects, Level 1 and Level 1 Review
3. Select Go to assessments to access the level you are working towards
4. This will take you to the 4 stages of the framework, the criteria for each framework is detailed within each stage. Click on the section heading to see each stage in detail
5. To return to the summary of your assessments use the button at the bottom of the page labelled back to home page

## Working through the process

There are four key functions of the tool:

A) **Self-Assessment** – council describe how their organisation meets the standard and upload evidence that link to this, where they can mark themselves against the criteria:

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B) **Action Planning** – In the description box, further actions can be recorded as reminders. The home page provides an online planning and reporting function using a pie chart. The status describes your self-assessment rating against all criteria, helping to focus on criteria not met and prioritise activity.

C) **Interactive Feedback and Discussion** – is provided through a two-way communication function via the discussion box on the assessment site, to facilitate feedback and questions with the assessment team.

D) **Peer Assessment** – To oversee progress and undertake assessment,

The assessment team from North West Employers will provide support as detailed above, both face to face and remotely via the tool.

## Step 4 - Complete Pre-Assessment and Verification Visit

Once you have met the criteria and uploaded your evidence then contact:

E: [support@nwemployers.org.uk](mailto:support@nwemployers.org.uk)

T: 016 1214 7104

Your access will be removed on a temporary basis while we explore the evidence you have uploaded. Once feedback has been given, we shall then support your needs and how best to

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complete the assessment process on an individual basis. An assessment visit will then be arranged with a councillor from the Executive Board and an officer from North West Employers. The visit will be in part to check that the council meets the standards, but also an opportunity to discover different approaches which can be shared as good practice.

## **Step 5 - Outcomes and Completion of Report**

Following on from the assessment, the assessment team will write up their report and make a recommendation on the charter award. This recommendation will be ratified by the Executive Board at North West Employers

## **Step 6 - The Executive Board Meeting**

The Board will either:

- Confirm successful attainment against the standards
- Defer awarding status and suggest a plan of action to meet the Level 1 standard

Once awarded, you will be notified of the outcome and receive a written report and your award.

## **How the Assessment Visit Will Run**

1. Each visit will include one Councillor from North West Employers Executive Board and an officer from North West Employers
2. The visit will be arranged in advance and will last for approximately half a day. An officer from North West Employers will liaise with the relevant officer from the council to make the arrangements
3. A room and refreshments will be required for the assessment team.
4. During the visit the assessment team will want to speak to:
  - The Leader (or Deputy)
  - The Chief Executive / Chief Officer
  - Leader of the Opposition Group
  - Chair or Portfolio Holder
  - Chair or Councillor of the Training Group
  - A Newly Elected Councillor
  - Three Randomly Selected Councillors
  - Officer/s responsible for Councillor Learning and Development
5. The interviews are timetabled in 30-45-minute slots. The interviews can be conducted individually or in small groups based on your requests



6. Following on from the assessment, the assessment team will write up their report and make a recommendation on the charter award. This recommendation will be ratified by the Executive Board at North West Employers and you will be notified of the outcome and receive a written report and your award
7. If the assessment team or Executive Board feels that some elements of the evidence are incomplete, then the council will be advised and will be given the opportunity to complete the evidence and be assessed again
8. If the council is successful, they will be awarded the Charter

## **What We Will Look for in the Level 1 Review Assessment**

During the assessment visit, there are some key areas that we shall look for, take examples and draw best practice from:

- Continued commitment to councillor development demonstrated at all levels across the council
- Councillors actively involved in leading and informing on councillor development
- An established councillor development strategy which reflects corporate aims and objectives, that is annually refreshed to reflect the current climate and reviewed by councillors
- Councillors' development needs continue to be considered and fed into the overall development strategy with at least three quarters of councillors engaged in identifying their development needs.
- A clear communication strategy that supports councillor development and activity encourages councillor engagement
- A method of evaluating the impact of learning and development activities that shows continuous improvement
- Development opportunities meet councillors preferred learning methods and learning styles and have been adapted in response to external, national and local drivers e.g. 21st Century Councillor research
- A designated group that scrutinise councillor development.

## What next?

Level 1 Review Charter has a lifespan of three years, after which authorities can renew their application.

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## Charter Level 2 (Application Form)

This Level differs to Level 1 and Level 1 Review, in that it is a more advanced review and in-depth evaluation of a particular issue that addresses a need and shows how the development has impacted on the councillors and the local community.

### Are You Ready?

Before applying for Level 2, reflect on the following questions to gauge whether you and the council are ready to begin the process of Level 2 Charter assessment.

- Does the council have an embedded culture in the organisation that is supportive of councillor development?
- Has the council looked at the level and quality of available evidence before choosing the topic for the application?
- Has the council considered whether it will have sufficient evidence of outcomes available by the assessment date?
- Are other departments, services and partners involved?
- Is there political buy-in from all parties?

### Level 2 Process

#### Step 1- Evidence for Level 1 Review: Self-Assessment

If, at the time of your Level 2 application it has been more than three years since your Level 1 or Level 1 Review, you will be required to undertake a self-assessment using the online tool.

There will be a pre-assessment visit to verify this evidence. This will be a meeting for three councillors and an officer from the council and will take around 1½ hours (preferably councillors who are not directly involved in councillor development or part of the Executive/Cabinet).

If your council was re-accredited for Level 1 or Level 1 Review within the last three years then this self-assessment stage is not necessary, please jump to Step Two.

#### Step 2- Evidence for Level 2: Application Form

Complete the Charter Review Application Form

Does your entry show:

- **Section 1** The impact of councillor development on the work of the council and the community
- **Section 2** That the council is committed to continuous improvement in councillor development?





## Section 1: Provide evidence of impact of councillor development on the work of the council

There are three main sections on the application form:

- **Issue for the council and community:** what was the community issue that you decided to tackle e.g. Corporate Parenting, Asset Based Community Development (ABCD), Meeting Citizens' Expectations, Changes to Austerity, Working with Citizens to Develop New Solutions, Neighbourhood Working, communicating with hard to reach groups using technology and the Transformation Agenda.
- **Councillor learning and development:** what took place and how did this link to the issue? Did the learners' learn what was expected,
- **Overall impact on the community, the councillors and the council:** what changed in the community because of the councillor learning and development? What did the council learn from the whole process?

## Section 2: Show commitment to continuous improvement

The council will also be expected to show their commitment to **continuous improvement** in councillor learning and development.

- Demonstrate progress on the 'continuous improvement' issues identified at the original assessment - evidence from Level 1 or Level 1 Review Award
- Review processes for member development e.g. Member Development Group to review strategy and agree new priorities
- Can clearly articulate where the council wants to improve their practice in the future.

## Step 3- Complete Application Process

For an application form please contact us at [support@nwemployers.org.uk](mailto:support@nwemployers.org.uk)

We will work with you build up your case study and help to ensure that the scope of the project has enough depth and can clearly link the councillor development to the community impact.

An assessment visit will be arranged to verify the evidence provided in the application form. An officer and a councillor from North West Employers will act as assessors. The assessors may ask to interview members of the public or people from outside bodies as well as councillors and staff. Each assessment process will be agreed with the council and will be designed around the specific project.

# Step 4 - Outcomes

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The assessors will write a report that will go to North West Employers Executive Board for approval.

### Step 5- The Executive Board Meeting

The Board can:

- Confirm successful attainment against the original standards
- Defer awarding status and suggest a plan of action to meet the Level 2 standards.

### Support Offered by North West Employers

Throughout your Charter process we are dedicated to providing support and guidance. We offer guidance prior to application to assess 'readiness' for progressing your project to Level 2 Charter Status

If you require any further support or have any ideas that would be useful for the whole region, then please do let Sharon Senior know by emailing [sharons@nwemployers.org.uk](mailto:sharons@nwemployers.org.uk)

### What We Will Look for in the Level 2 Assessment

Charter Level 2 does not have set criteria like Charter Level 1. Level 2 looks at whether the council can demonstrate that the community has benefited from councillor development on a specific area. Each application for Level 2 is different, and therefore the assessment will be tailored in each case. However, there are three areas that the assessors are looking for in Level 2.

#### What we are looking for with the project or example

The application demonstrates that:

- The work done relates to an issue that directly affects the community, and (ideally) is recognised by the community
- Development of councillors has been explicitly targeted to address the councillor development needs identified around the community issue
- Councillors recognise which elements of learning and development were directly related to the issue
- Councillors can identify changes in their skills, knowledge and expertise on the issue before and after member development took place.
- There has been an improvement on the community issues, and there are clear links between the member development done, and the outcomes, which are recognised by councillors themselves.

## What we are looking for with the use of evidence

- Statements and assertions must be backed up by evidence, including references for the sources of evidence
- A range of different types of evidence is provided from a range of different sources e.g. a mix of examples or case studies, statistics, and documentary evidence, including material from councillors, officers, residents, and partners
- Evidence is provided for the situation for the council and the community before the work took place, and afterwards
- All evidence provided stands up to a reasonable challenge from someone not involved in the work.

## What we are looking for in the community and council impacts

- Community and council outcomes have been experienced by the community, and (ideally) are recognised by the community
- Any changes to strategy, policy, procedures and structures have led to a practical difference for the community
- The impacts are advanced enough to have resolved the original issues or can be shown to have achieved significant milestones
- Outcomes described in the application are recognised by a range of stakeholders.



**North West Employers**  
Suite 3.3 ICE Building 3, Exchange Quay,  
Salford  
M5 3ED

[www.nwemployers.org.uk](http://www.nwemployers.org.uk)

**NOTICE OF MOTION**

**TO BE PUT TO THE COUNCIL MEETING ON 19 JANUARY 2023**

Moved by: Councillor Diane Roscoe

Seconded by: Councillor

**Care Experience**

The Independent Review of Children's Social Care headed by Josh McCallister published in May 2022 a final report and recommendations that included:

"Government should make care experience a protected characteristic" **and** "new legislation should be passed which broadens corporate parenting responsibilities across a wider set of public bodies and organisations."

**On Protected Characteristics for Care Experience - (Care Review May 2022)**

"Many care experienced people face discrimination, stigma, and prejudice in their day to day lives. Public perceptions of care experience centre on the idea that children are irredeemably damaged and that can lead to discrimination and assumptions being made.

One young person told the review that a teacher had told them "You're smart - for a kid in care", another young person said "I don't want people to point out that I am in care if I don't want that mentioned. It makes me so cross – that shouldn't happen."

This stigma and discrimination can be explicit, and often comes with assumptions about the likely characteristics of children and adults that have care experience. They can also be implicit and are evidenced in the way care experience is discussed in schools, workplaces, and the media.

At its worst this can lead to care experienced people being refused employment, failing to succeed in education or facing unfair judgements about their ability to parent when they have children and families of their own.

Hearing testimony from care experienced people sharing the discrimination they have experienced, even from a very young age, it is clear that such discrimination can be similar in nature to other groups that have a legally protected characteristic under the Equality Act (2010). So, while there may be ways that society can help reduce stigma and discrimination, including creating greater public consciousness on these issues, just as with other areas of equality, there is a case to go further. Therefore, the government should make care experience a protected characteristic.

Making care experience a protected characteristic would provide greater authority to employers, businesses, public services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced people. It will make the UK the first country in the world to recognise care experienced people in this way. As a measure, it will bolster and pave the way for a number of the recommendations in this chapter."

- Care experienced people face significant barriers that impact them throughout their lives;
- Despite the resilience of many care experienced people, society too often does not take their needs into account;
- Care experienced people often face discrimination and stigma across housing, health, education, relationships employment and in the criminal justice system; and
- Care experienced people often face a postcode lottery of support.

As corporate parents, councillors have a collective responsibility for providing the best possible care and safeguarding for the children who are looked after by us as an authority:

- All corporate parents should commit to acting as mentors, hearing the voices of looked after children and young people and to consider their needs in any aspect of council work;
- Councillors should be champions of our looked after children and challenge the negative attitudes and prejudice that exists in all aspects of society;
- The Public Sector Equality Duty requires public bodies, such as councils, to eliminate unlawful discrimination, harassment, and victimisation of people with protected characteristics.

**This Council therefore resolves:**

1. When making any decisions in relation to our policies or formulating plans, that we recognise that care experienced people are a vulnerable group who face discrimination;
2. We will put the needs of care experienced people at the heart of decision-making through co-production and collaboration;
3. That future decisions, services and policies made and adopted by the Council should be assessed through Equality Impact Assessments to determine the impact of changes on people with care experience, alongside those who formally share a Protected Characteristic;
4. That in the delivery of the Public Sector Equality Duty the Council includes care experience in the publication and review of Equality Objectives and the annual publication of information relating to people who share a Protected Characteristic in services and employment;
5. To treat Care Experience as if it were a Protected Characteristic;
6. To formally call upon all other bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation;
7. For the Council to proactively seek out and listen to the voices of care experienced people when developing new policies based on their views;
8. To continuing to progress the Caring Business Charter; and
9. Our Corporate Parenting Board will oversee the delivery of this commitment.

## SEFTON LABOUR GROUP

### NOTICE OF MOTION

#### TO BE PUT TO THE COUNCIL MEETING ON 19 JANUARY 2023

Moved by: Councillor Jen Corcoran

Seconded by: Councillor Carla Thomas

#### **Housing Benefit Discrimination**

This Council notes that: -

- It is already very difficult to access housing for people on low income/in receipt of benefits due to scarcity of social housing and high rents in the private sector that often exceed local housing allowance. It is on this basis that the Council is being proactive in seeking to help meet the housing needs of local people through the new Council Housing Programme and Sandway Homes. This approach is in parallel with the work being done with other local providers to maximise the amount of affordable housing in the borough. However, the private rented sector plays a critical role in helping to meet our housing needs and will continue to do so in the future.
- Even where people's income (through benefits or otherwise) is sufficient, they also often face 'housing benefit discrimination'.

Council further notes that housing benefit discrimination takes the form of:-

- Overt discrimination

Where properties are listed as 'No DSS' or 'no housing benefit' applicants.

There have been two County Court cases brought against residential lettings agents which have found rejecting tenancy applications because the applicant is in receipt of housing benefit was unlawfully indirectly discriminatory on the grounds of sex and disability.

- Covert discrimination

Indirect ways in which landlords and letting agents effectively exclude applicants on housing benefit, including but not limited to:-

- Insisting on a guarantor or excessive upfront rent payment;
- Imposing affordability checks that automatically fail benefit recipients/those on low income;
- Pointing to exclusionary insurance company/mortgage lender rules;
- Pointing to landlords' 'personal preferences';
- Being stonewalled by agents.

Despite the illegality of housing benefit discrimination in certain situations, research conducted by Cllr Jen Corcoran between October and December 2022 shows that

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over 65% of rental listings in Sefton on OpenRent exclude 'DSS applicants'. This figure rises to 75% in Southport. \*

This Council defends the right to decent housing, as demonstrated by the commitment to social housing, and will work to eliminate housing benefit discrimination from Sefton by asking:-

## **That Officers of the Council:**

- Explore the possibility of making amendments to the Landlord Licensing Scheme to allow for us to revoke a landlord's licence on the basis that they are no longer considered 'fit and proper' on the basis that a court of law has determined that the licence holder has:

*'practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business'*

## **That the Leader of the Council writes to the Secretary of State for Levelling Up, Housing and Communities to request:-**

- An increase in Local Housing Allowance in line with real market rents;
- More powers to tackle housing benefit discrimination, including power to prohibit landlords requiring guarantors/excessive upfront rent from tenants;
- The establishment of a government backed Deposit Guarantee Scheme for private tenants; and
- Additional resources to allow the Council to enforce any new powers in this regard and to: -
  - Establish, promote and resource a system for public to report instances of housing benefit discrimination, and for council officers to investigate and respond; and
  - Record and publish data on issue of housing benefit discrimination.

## **Furthermore, we call on Elected Members to:**

- Publicly endorse ACORN's campaign "Yes to DSS"; and
- Make constituents aware of the community union ACORN and encourage them to join with a view to establishing a Sefton branch.

*\*Open Rent website findings based on available properties to rent within 7km of Sefton, then 7km of Southport as search terms, sorting by accepting DSS tenants.*



**SEFTON LABOUR GROUP**  
**NOTICE OF MOTION**  
**TO BE PUT TO THE COUNCIL MEETING ON 19 JANUARY 2023**

Moved by: Councillor Sean Halsall

Seconded by: Councillor

**Sefton's Workers**

This Council believes,

That workers have been for too long holding up the economy with restrained wages. Workers now should not foot the bill for this governments ineptitude in dealing with Covid and economic problems caused by their own actions/inactions.

Workers being forced to take strike action is always the last thing they want; this shows just how much they have been forced into a corner with the current wave of industrial action across many sectors.

This Council Notes,

Workers both public and private sector not only deserve but need a pay rise, guarantees to terms and conditions long hard fought and won, and to have the ability to negotiate directly with their employers in good faith. This government have decided rather than to settle these disputes, that they'd rather wage a relentless war on this country's various trade unions. This year we have seen bus drivers, railway workers, manufacturing workers all the way through to our ambulance staff and for the first time in 106 years our nurses have felt the need to go on strike. With our firefighters looking like they will be joining the growing number of frustrated workers nationally.

This Council resolves to

- Put on record its support to all workers in their collective struggles.
- Put on record its thanks for the work they do to keep our economy and public services moving and often operating under extreme pressure.
- Write to the relevant Secretaries of State with regard to health workers and transport workers urging them to negotiate fairly with trade unions and end these disputes amicably.
- Recognise the rich history of the trade union movement here in Sefton.

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