



# Doncaster Council

Would you please note that a Labour Group Meeting will be held at 10.00 a.m. in the Mansion House.

## Agenda

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To all Members of the

## COUNCIL

Notice is given that a Meeting of the Council is to be held as follows:

**Venue:** Ballroom, Mansion House, Doncaster

**Date:** Friday, 17th May, 2019

**Time:** 11.00 am

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### BROADCASTING NOTICE

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A handwritten signature in black ink, appearing to read "Jo Miller".

**Jo Miller**  
**Chief Executive**

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Issued on: Thursday, 9 May 2019

**Governance Officer for this meeting**

David Taylor  
01302 736712

**Doncaster Metropolitan Borough Council**  
**[www.doncaster.gov.uk](http://www.doncaster.gov.uk)**

## ITEMS

1. Apologies for Absence.
2. Election of Chair of Council.
3. Election of Vice-Chair of Council.
4. Presentation of badges to the retiring Chair of Council and Consort.
5. Vote of thanks to the retiring Chair of Council and Consort.  
**At the conclusion of item 5 above, the meeting will stand adjourned and reconvene at 2.00pm in the Council Chamber in the Civic Office, Waterdale, Doncaster.**
6. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
7. Declarations of Interest, if any.
8. Minutes of the Council Meeting held on 4th March, 2019. 3 - 20
9. To receive any announcements from the Chair of Council, the Mayor, Members of the Cabinet or the Head of Paid Service.

### **A. Items where the Public and Press may not be excluded.**

#### **For Decision**

10. Notification by the Elected Mayor of the Composition of the Executive and the Elected Mayor's Scheme of Delegations. 21 - 24
11. Council appointed Committees and Sub-Committees Terms of Reference for 2019/20. 25 - 42
12. Local Government and Housing Act 1989 - Review of the allocation of seats on Committees and Sub-Committees. 43 - 58  
**(Notice - Approval of alternative arrangements for appointments to some Committees and Sub-Committees on a non-proportionate basis, is to be considered).**
13. Appointments of Chairs and Vice-Chairs of Committees and Sub-Committees. 59 - 62
14. Diary of Meetings 2019/21. 63 - 92
15. Council Appointments to Outside Bodies 2019/20. 93 - 110
16. Revisions to the Council's Constitution. 111 - 192
17. Member Development Programme 2019/20. 193 - 202

## Annual Council Friday 17<sup>th</sup> May, 2019

### Inauguration of Chair and Vice Chair of Council - Procedure

1. The Annual Council will be in two parts. Part 1, held at the Mansion House, covers the inauguration of the Chair and Vice-Chair of Council (also known as the Civic Mayor and Deputy Civic Mayor when not in the Council Chamber) for the forthcoming municipal year. The election to the positions appears as items 2 and 3 on the agenda. Part 2, to be held in the Council Chamber in the Civic Office, covers the remaining reports and agenda items to be presented to Council.
2. The inauguration will take place in the Ballroom of the Mansion House, commencing at 11.00 a.m. Elected Members and DMBC Officers will be seated in the front two sections of seating. Invited guests and members of the public will be seated to the rear of the Ballroom.
3. There will be reserved seating on the stage for the retiring Chair of Council, Councillor Majid Khan, the retiring Vice-Chair of Council, Councillor Linda Curran, the Civic Chaplain, Canon Reverend David Stevens and the Chief Executive, Jo Miller. The Macebearer will be seated adjacent to the stage.
4. The Governance Officers will be temporarily relocated to the right side of the Ballroom.
5. The Macebearer will lead the Chair and Vice-Chair of Council into the Ballroom together with the Canon Reverend David Stevens and the Chief Executive, who will then be seated on the stage.
6. Chair of Council, Councillor Majid Khan, will invite the Civic Chaplain, Reverend David Stevens to say prayers. He will then formally open the meeting.

### Agenda Item 2

7. Chair of Council, Councillor Majid Khan, will invite nominations for the post of Chair of Council for 2019/2020. Nominations will be seconded and votes taken. In the event of more than one nomination being received, nominations will be voted on in alphabetical order, with a show of hands and the vote will be recorded by Governance Officers.
8. Chair of Council, Councillor Majid Khan, will declare the result and the Macebearer will transfer the Chain of Office to the newly elected Chair of Council. The Chief Executive will invite the new Chair to take the Declaration and sign the register. The Chief Executive will countersign the register. *(Whilst the new Mayor is signing the declaration, Cllr Khan will take the vacant seat at the end of the row)*
9. The newly elected Chair of Council will sit in the Chair vacated by Cllr Khan. Their first duty is to ask for nominations for the Vice-Chair of Council. Nominations will be seconded and votes taken. In the event of more than one nomination being received, nominations will be voted on in alphabetical order, with a show of hands and the vote will be recorded by Governance Officers. The result will be declared and the newly elected Vice-Chair will come forward to the platform to receive the badge of office from the newly elected Chair and take the Vice-Chair's seat. (next to the Chair of Council)

10. In the event of the existing Vice-Chair not being elected to either position, they will temporarily take a seat within the reserved seating for Members for the remainder of Part 1.
11. A short adjournment of ten minutes will be declared while the platform party retire to the Civic Mayor's Parlour for the transfer of ceremonial robes.
12. At this point of the meeting, there will be an opportunity for the local Press to take photographs.

### **Presentations and Vote of Thanks**

13. The Macebearer will lead the new Chair, their consort and Vice-Chair of Council into the Ballroom together with the Canon Reverend David Stevens and the Chief Executive, who will then be seated on the stage.
14. The Chair of Council will invite Councillor Majid Khan, former Chair of Council to the front of the stage for the Chief Executive to present him with his commemorative badge.
15. The newly elected Chair of Council will address the Council.
16. Representatives of Adwick Social Education Centre will present a basket of flowers to the new Chair of Council.
17. Members will have the opportunity to give a Vote of Thanks to Councillor Majid Khan, former Chair of Council. Councillor Khan may wish to respond.
19. The Chair of Council will declare Part 1 of the meeting closed and call for an adjournment until 2.00 p.m. Invited guests will be escorted to the Great Kitchen and offered light refreshments.
20. At 2.00 p.m. the meeting will recommence in the Council Chamber in the Civic Office. The Chair and Vice-Chair of Council will return without the ceremonial robes, accompanied by the Chief Executive and the Civic Party (if attending) to take their seats in the Chamber for Part 2 of the Annual Council Meeting.

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### COUNCIL

MONDAY, 4TH MARCH, 2019

A MEETING of the COUNCIL was held in the COUNCIL CHAMBER, CIVIC OFFICE on MONDAY, 4TH MARCH, 2019, at 2.00 pm.

#### PRESENT:

Chair - Councillor Majid Khan  
Vice-Chair - Councillor Linda Curran  
Mayor - Ros Jones  
Deputy Mayor - Councillor Glyn Jones

Councillors Nick Allen, Duncan Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Joe Blackham, Rachael Blake, Nigel Cannings, Phil Cole, John Cooke, Mick Cooper, Jane Cox, Steve Cox, Susan Durant, Neil Gethin, John Gilliver, Martin Greenhalgh, Pat Haith, John Healy, Rachel Hodson, Charlie Hogarth, Mark Houlbrook, David Hughes, Eva Hughes, Richard A Jones, Kenneth Keegan, Jane Kidd, Tosh McDonald, Chris McGuinness, Sue McGuinness, Bill Mordue, John Mounsey, David Nevett, Jane Nightingale, Ian Pearson, Cynthia Ransome, Tina Reid, Andrea Robinson, Kevin Rodgers, Dave Shaw, Derek Smith, Frank Tyas, Austen White, Sue Wilkinson, Jonathan Wood and Paul Wray.

#### APOLOGIES:

Apologies for absence were received from Councillors Bev Chapman, George Derx, Nuala Fennelly, Sean Gibbons, Nikki McDonald and Andy Pickering.

#### 65 Declarations of Interest, if any

There were no declarations of interest made at the meeting.

#### 66 Minutes of the Council Meeting held on 24th January, 2019

RESOLVED that the minutes of the Council Meeting held on Thursday, 24th January, 2019, a copy of which had been circulated to each Member, be approved as a correct record and signed by the Chair.

#### 67 To receive any announcements from the Chair of Council, the Mayor, Members of the Cabinet or the Head of Paid Service

The Mayor of Doncaster, Ros Jones, made the following announcement:-

"I would like to make Council aware that I have been informed about the Stronger Towns fund and with regard to this, the amount estimated for Yorkshire and the Humber is £197million, which has been announced today. We are not certain of how much funding we will get. Our estimate equates to roughly £12 million for Doncaster if based on a population basis, over 6 years.

We are also not aware whether this is new money or whether it is recycled money. If it is new money, we always welcome that. Homes Bonus monies, that is not new monies, that is top sliced money and we as an Authority have lost £20m, much more than the sums being paid. We will wait to see what comes forward and all the information that comes from that. I need to re-emphasise that according to the Centre for Cities 'Cities Outlook 2019', Northern Cities budgets have faced the biggest cut, with Doncaster ranked the third hardest hit by Austerity in percentage terms. So, any money that comes we want, but more importantly, we don't want it to be just a recycled way of presenting money before us."

Councillor Nigel Ball, Cabinet Member for Public Health, Leisure and Culture, made the following announcement:-

"I would like to share a bit of good news with Full Council regarding our Cycle Track at the Dome, where work is to start from next week. Obviously, that has come to fruition now in terms of spades on the ground. I wanted to make you aware that it is the Cycle Track that is being developed there, which will ensure that Doncaster is recognised as an International and National venue for cycling. It will really put us on the map. Hopefully it will be an inspiration to our people and our communities, and future generations as well. This will build on our reputation as a cycling venue and event holder nationally. It is being funded by British Cycling through Sport England. I just wanted to make full Council aware what is taking place this week in terms of hitting the ground running. I think it is something from our perspective, that we should be proud of."

68 Questions from the public in accordance with Council Procedure Rule 13

There were no questions from the public received for this meeting.

69 Revenue Budget 2019/20 to 2020/21

Prior to Council's consideration of the report, the Chair of Council, Councillor Majid Khan, reminded Members of the legal requirement to include in the minutes, details of how each Elected Member has voted on decisions relating to the budget and level of Council Tax. Therefore, items 7, 8, 9, 10 and 11 would all be subject to a recorded vote and voting preferences would be documented in the minutes of this meeting.

The Monitoring Officer, Scott Fawcus, made reference to the Public Sector Equality Duty within the Revenue Budget report and the Housing Revenue Account Budget (HRA), and reminded Members that Equality issues were fundamental to the exercise of the functions of all Public Authorities. He stated that it was inevitable that the implementation of some of the budget proposals would have a significant impact on services, service users and individuals and groups, particularly those persons with protected characteristics within the meaning of the Equality Act 2010, which are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, marriage and civil partnerships.

The Monitoring Officer outlined that within the various budget reports, the financial challenges faced by all Councils were large and that it was difficult to make savings on the scale required without any impact on services and residents, and there would inevitably be some impact on particular groups, including those with protected characteristics as defined by the Equality Act.

Members noted that the Council was not legally obligated to reject savings with negative impacts on any particular groups, but must consider carefully and with rigour, the impact of its proposals on the Public Sector Equality Duty and take a reasonable and proportionate view about the overall impact on particular groups, and seek to mitigate negative impacts where possible. In this context, the Council's proposals for achieving savings were considered to be reasonable overall, and took adequate account of the duties set out under the Equality Act.

The Monitoring Officer informed Members that Appendix K of the Budget report, listed those budget proposals which would require the production of Due Regard Statements and which would require further decision making prior to implementation. In relation to the HRA Budget, Appendix C detailed the comprehensive Due Regard Statement.

In relation to the HRA Budget, the Monitoring Officer outlined that Appendix C of the report detailed the comprehensive Due Regard Statement and that when considering this report, Members should consider the contents of that Due Regard Statement and their obligations under the Equality Act, 2010.

Subsequently, the Mayor of Doncaster, Ros Jones, presented the report to Council, which sought approval of the Revenue Budget proposals for 2019/20 to 2020/21.

The Mayor wished to inform colleagues that there had been no let-up by the Conservative Government; their continuing cuts to Council Budgets had left the Local Authority with another significant budget gap that the Council has had to meet, with a further £13m gap predicted for 2020/21. In referring to a comment made by Theresa May stating that 'austerity was over', the Mayor held the view that austerity was not over as far as Local Government was concerned.

The Mayor made reference to an earlier comment regarding Centre for Cities, 'Cities Outlook 2019', which had stated that Northern Cities budgets had faced the biggest cuts with Doncaster ranked the third hardest hit by austerity in percentage terms, seeing a 31% reduction in funding amounting to £469 per person in Doncaster.

The Mayor pointed out that this Budget, which she first announced in January 2019, delivered another prudent financial plan for 2019/20, which was aligned to the Doncaster Growing Together strategy approved by Council, and focused on protecting and improving front line services, and investing in Doncaster's future.

The Mayor stated that, as everyone was aware, the Council continued to face a difficult financial challenge as there had been no let-up by the Conservative Government. She remained extremely disappointed that the Government had not taken the opportunity to deal with the national funding problems facing Local Authorities, particularly with regard to Adult Social Care; 64% of Doncaster Council expenditure for 2019/20, would be on Adults and Children's Services which supported the most vulnerable in society.

The Mayor explained that unfortunately, Government policy on Local Authority funding meant that Council Tax rises were assumed in order to sustain vital services. The Government's answer, which was to underfund vital services and yet increase the financial burden on local taxpayers, was wrong, as it placed strain on to those who could least afford it, through a regressive tax system that benefited wealthy areas over places like Doncaster and South Yorkshire.

Members were informed that the budget also included an increase in Council Tax of 2.99% in 2019/20 and a further 2% increase through the Government's Social Care "Precept" which contributed towards the pressures in Adults Social Care which would generate £5.3m to help meet the Budget gap. Therefore, the overall increase equated to an additional 82p per week for Band A and £1.23 per week for Band D.

The Mayor stressed that Doncaster would continue to have one of the lowest Council Taxes for Councils of its size in the country; the Council was seventh lowest in 2018/19 and the lowest in South Yorkshire. Through hard work and the use of one-off funding, the proposals set out the plan to balance the books for 2019/20, but within this, it was clear that the focus on finance was never ending. The use of one-off reserves was not a sustainable solution and that Government grant cuts, rising demand for services and an increase in costs, all contributed to an overall funding gap of a further £13m for 2020/21. By 2021, this would take the total Budget gap the Council has had to bridge to £272 million, since Government austerity measures started in 2010/11.

The Mayor emphasised that the Council had done all it could to protect jobs, but this Budget outlined potential reductions of 76 posts over the two years, but the Council would aim to delete vacant posts, then ask for volunteers, with compulsory redundancies being the last course of action.

In light of the economic challenges the Council continued to face, the Mayor stated that it did not get any easier to prepare a Budget which invested in the future, protected the most vulnerable and maintained the services that mattered most to residents.

The Mayor thanked all of the staff, partners and colleagues who continued to help the Council to deliver its successes, in often difficult circumstances. This budget continued the Council's prudent and effective, but ambitious approach to delivering services and supporting the Borough. She was grateful to Members from Overview and Scrutiny for their contribution to the Budget process and she understood that there were no proposed amendments to the budget from colleagues in the Chamber.

The Mayor stated that these Budget proposals continued to deliver the Council's priorities and the priorities of this Labour Administration to:-

- Increase jobs, apprenticeships, inward investment and grow the Borough's economy, including more well paid, high skilled jobs for local people;
- Deliver more new homes that met the needs of everyone;
- Developing the Borough's Town Centres and the arts, culture and leisure offer;
- Increase physical activity, including through cycling, to improve population health and well-being;
- Raise education standards, bringing the Borough's School and business communities together, to provide our young people more opportunities to flourish; and



- Deliver vital services for children and vulnerable residents, joining up health and social care, focusing on prevention and support, and transforming Adult Services, and support and work with its communities to help keep them clean, green and safe.

The Mayor concluded by stating that Doncaster had made great progress in recent years, but the Council could and would do more. However, the Council must look to the future and there was plenty to look forward to in 2019, including:-

- The return of the Tour de Yorkshire and welcoming of the UCI World Championships to Doncaster;
- Work continuing on the Library and Museum;
- More house building across the Borough, including new Council housing;
- The progression of our Railway Station 'City Gateway' and Quality Streets Schemes; and
- Work commencing on the new University Technical College, Cinema & Restaurants in the Civic and Cultural Quarter

Following the presentation of the Revenue Budget for 2019/20 to 2020/21 proposals, Members were afforded the opportunity to comment on the report.

In accordance with Council Procedure Rule 21.4, a recorded vote was taken on the recommendations contained within the report, which was declared as follows:-

#### For - 43

The Chair of Council, Councillor Majid Khan, the Vice-Chair of Council, Councillor Linda Curran, the Mayor of Doncaster, Ros Jones, the Deputy Mayor, Councillor Glyn Jones, and Councillors Duncan Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Joe Blackham, Rachael Blake, Nigel Cannings, Phil Cole, John Cooke, Mick Cooper, Susan Durant, Neil Gethin, John Gilliver, Pat Haith, John Healy, Rachel Hodson, Charlie Hogarth, Mark Houlbrook, David Hughes, Eva Hughes, Ken Keegan, Jane Kidd, Tosh McDonald, Chris McGuinness, Sue McGuinness, Bill Mordue, John Mounsey, David Nevett, Jane Nightingale, Ian Pearson, Tina Reid, Andrea Robinson, Kevin Rodgers, Dave Shaw, Derek Smith, Frank Tyas, Austen White, Sue Wilkinson and Paul Wray.

#### Against - 7

Councillors Nick Allen, Jane Cox, Steve Cox, Martin Greenhalgh, R. Allan Jones, Cynthia Ransome and Jonathan Wood.

#### Abstain - 0

On being put to the meeting, the recommendations contained within the report were declared CARRIED.

RESOLVED that the Revenue Budget proposals for 2019/20 to 2020/21, as set out in the report, be approved including:-

- (1) the Revenue Budget proposals for 2019/20, as detailed at Appendix B (pressures £21.6m) and Appendix C (savings £18.2m) of the report;
- (2) Council Tax increasing by 4.99% to £1,351.43 for a Band D property (£900.95 for a Band A) for 2019/20. This includes:-
  - (i) 2.99% Council Tax increase equating to an increase of £38.49 for Band D per annum, 74p per week (£25.66 for Band A per annum, 49p per week);
  - (ii) 2.00% Government's Social Care "precept" equating to an increase of £25.74 for Band D per annum, 49p per week (£17.16 for Band A per annum, 33p per week).
- (3) the 2019/20 Grants to Third Sector Organisations, as detailed in paragraph 26 and Appendix F of the report;
- (4) the fees and charges proposed for 2019/20, as detailed in Appendix G of the report;
- (5) the Medium Term Financial Forecast including all proposals in this report, as detailed in Appendix D of the report;
- (6) a gross Revenue Expenditure Budget of £495.2m and a net Revenue Expenditure Budget of £213.6m, as detailed in Appendix D of the report; and
- (7) the Council's Statutory Section 151 Officer's positive assurance statements be noted, as detailed in paragraphs 34 and 40 of the report.

## 70 Capital Strategy and Capital Budget 2019/20 to 2022/23

The Council considered a report presented by the Mayor of Doncaster, Ros Jones, which outlined the Capital Strategy and Capital Budget proposals for the next four years, 2019/20 to 2022/23.

The Mayor stated that despite the Government's Revenue Budgets cuts, it was vital that the Council continued to invest in Doncaster's future for the benefit of its residents, and to stimulate economic growth and job creation. She was therefore pleased to introduce the Capital Budget proposals which would see an estimated £323m of investment across the Borough over the period 2019/20 to 2022/23, which would continue to stimulate growth and prosperity, with £135m spend planned for 2019/20. The investment would further improve education, housing, infrastructure, retail, leisure and culture, as well as attracting investors and visitors to the Borough. In particular, residents would see significant progress on a number of important projects to revitalise the Borough's Town Centres and drive forward the Borough's economy.

Members were informed that with regard to Highways, an estimated £4.9m of Local Transport Plan Capital funded works would be programmed for highway, bridge and street lighting maintenance schemes in 2019/20. In addition, it was anticipated that around 15,000 square metres of permanent patching repairs would be undertaken in 2019/20, in support of pothole repairs, pothole prevention measures and routine maintenance.

In respect of the Urban Centre Masterplan, this year residents and businesses would see significant progress on a number of schemes, including:-

- An improved gateway into the Town Centre at the Railway Station, making major improvements to the area for Railway Station users, and encouraging visitors and new investment to Doncaster; and
- Construction of the new Central Library, Museum and Art Gallery would continue and works would commence on the Doncaster University Technical College, furthering the development of the Civic and Cultural Quarter with both sites expected to be open in 2020.

The Mayor reported that in terms of Major Transport and Economic Development Schemes, the Council would continue its success in using major transport and economic development schemes to deliver new jobs, economic growth and housing which included:-

- £12.7m earmarked for the DN7 Unity Hatfield Link Road which was expected to deliver over 3,000 homes, 395,000m<sup>2</sup> of commercial floor space and a local centre, with new retail and educational facilities over a 30 year timeframe; and
- The £10.3m A630 Westmoor Link would unlock housing and employment sites by introducing new infrastructure improvements, including high capacity junctions and widening a narrow railway bridge.

The Mayor added that where the private sector had been unable to deliver on its own, the Council was stepping in to help bring new economic development schemes to fruition. At Lakeside, the Council development of Herten Triangle would deliver new leisure facilities with a number of restaurant, cafe and drive through units, and, as well as creating jobs for local people, the project was expected to generate £500,000 per year in rent, and around £300,000 per year of new business rates, helping to offset the impact of Conservative Government cuts.

In relation to Housing, the Mayor highlighted that the Capital Programme was not limited to major economic development schemes. In 2019/20, 102 new Council owned affordable units would be delivered through the Council's Affordable Housing building programme. Further funding totalling £20.6m had been earmarked for new build developments, estimated to deliver in the region of 180 additional units.

Existing Council Housing stock would be improved, with £12.3m allocated in 2019/20 for improving and maintaining existing Council homes. A further £0.5m would be spent on high-rise fire safety improvements, taking the total investment up to £5.8m into fire suppressant and sprinkler installations following the Grenfell Fire tragedy. Furthermore, £1.8m would be invested in energy efficiency works on hard to treat properties, to help reduce fuel poverty and improve the lives of Council tenants.

The Mayor reported that with regard to children and young people, overall fifteen Schools were estimated to have a range of improvements works completed in 2019/20; £1.5m would also be invested through Doncaster Children's Services Trust for the construction and acquisition of accommodation for care leavers, to help save money and cater for care leavers within the Borough.

The Mayor concluded by stating that she was sure that colleagues would agree that this was an excellent and exciting Capital Programme, which invested in the Borough for the benefit of residents, both now and in the future. The Council strived to access as many different pots of funding as possible to deliver a range of projects for the good of Doncaster and its residents.

Members of Council were then afforded the opportunity to comment on the report.

In accordance with Council Procedure Rule 21.4, a recorded vote was taken on the recommendations contained within the report, which was declared as follows:-

For - 43

The Chair of Council, Councillor Majid Khan, the Vice-Chair of Council, Councillor Linda Curran, the Mayor of Doncaster, Ros Jones, the Deputy Mayor, Councillor Glyn Jones, and Councillors Duncan Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Joe Blackham, Rachael Blake, Nigel Cannings, Phil Cole, John Cooke, Mick Cooper, Susan Durant, Neil Gethin, John Gilliver, Pat Haith, John Healy, Rachel Hodson, Charlie Hogarth, Mark Houlbrook, David Hughes, Eva Hughes, Ken Keegan, Jane Kidd, Tosh McDonald, Chris McGuinness, Sue McGuinness, Bill Mordue, John Mounsey, David Nevett, Jane Nightingale, Ian Pearson, Tina Reid, Andrea Robinson, Kevin Rodgers, Dave Shaw, Derek Smith, Frank Tyas, Austen White, Sue Wilkinson and Paul Wray.

Against - 7

Councillors Nick Allen, Jane Cox, Steve Cox, Martin Greenhalgh, R. Allan Jones, Cynthia Ransome and Jonathan Wood.

Abstain - 0

On being put to the meeting, the recommendations contained within the report were declared CARRIED.

RESOLVED that

- (1) the Capital Strategy, as detailed at paragraphs 37 to 72 of the report, be approved;
- (2) flexible use of Capital Receipts Strategy, as detailed at paragraphs 32 to 36 of the report, be approved;
- (3) the Capital Programme Budget for 2019/20 to 2022/23, as detailed at Paragraphs 12 to 31 of the report, be approved; and

- (4) Directors, in consultation with the Portfolio Holder, take responsibility for agreeing any significant changes to the Schools Condition Programme and the Local Transport Plan funding and that they be agreed in consultation with the relevant Portfolio Holder.

## 71 Housing Revenue Account Budget 2019/20

The Council considered a report, presented by the Deputy Mayor, Councillor Glyn Jones, Cabinet Member for Housing and Equalities, which set out the Mayor's proposals for the Housing Revenue Account (HRA) Budget for the 2019/20 financial year and the medium term financial forecast for the next three years.

The Deputy Mayor reported that it was proposed that housing rents would be decreased by 1% in 2019/20 which was a statutory change that was included within the Welfare Reform and Work Act 2016, and 2019/20 was the final year where there would be a 1% rent reduction. The decrease made a small weekly difference for tenants, but every little helped in the current economic climate. He pointed out that the average rent in Doncaster would be the lowest of all South Yorkshire Councils at £69.40 per week, and that it was also proposed that there would be inflationary increases in the charges for garages, enclosed gardens and district heating.

The Deputy Mayor reported that the HRA continued to fund almost £30m of investment into the Council stock each year over the next four years; the main areas of investment were energy efficiency improvements, including replacement boilers and other thermal efficiency works for hard to treat, non-traditional properties and external works such as new roofs, including fascias, gutters and soffits. In addition, the Council House New Build Programme would be completed, which had already been approved, which included properties in Edlington, Balby, Conisbrough and Wheatley. The Deputy Mayor explained that changes to the borrowing rules for the HRA and additional match funding that the Council had identified, provided a real opportunity to accelerate the Council's New Build Programme in future years, and following the completion of the Housing Needs Survey, the Council would be approving an ambitious and exciting medium term plan for future New Build Council Housing.

The Deputy Mayor added that this year, 2019 marked 100 years since the ambitious 1919 Housing Act, known as the Addison Act, which promised subsidies from the UK Government to help finance the construction of the very first social housing in the Country. He commented that the Council was proud of its Council housing; it met the Doncaster Decency Standard and was provided at very affordable rent levels. This Budget would ensure that the standard of all properties was maintained, many would receive further improvements, the day to day services which tenants received would be excellent and that the Council would deliver additional new build Council housing.

To conclude, the Deputy Mayor sought Council's approval of the HRA Budget and rent decrease proposals.

Following the presentation of the Housing Revenue Account Budget 2019/20 proposals, Members were afforded the opportunity to comment on the report.

In accordance with Council Procedure Rule 21.4, a recorded vote was taken on the recommendations contained within the report, which was declared as follows:-

For - 47

The Chair of Council, Councillor Majid Khan, the Vice-Chair of Council, Councillor Linda Curran, the Mayor of Doncaster, Ros Jones, the Deputy Mayor, Councillor Glyn Jones, and Councillors Nick Allen, Duncan Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Joe Blackham, Rachael Blake, Nigel Cannings, Phil Cole, Mick Cooper, Jane Cox, Steve Cox, Susan Durant, Neil Gethin, John Gilliver, Martin Greenhalgh, Pat Haith, John Healy, Rachel Hodson, Charlie Hogarth, Mark Houlbrook, David Hughes, Eva Hughes, Ken Keegan, Jane Kidd, Tosh McDonald, Chris McGuinness, Sue McGuinness, Bill Mordue, John Mounsey, David Nevett, Jane Nightingale, Ian Pearson, Cynthia Ransome, Tina Reid, Andrea Robinson, Kevin Rodgers, Dave Shaw, Derek Smith, Frank Tyas, Austen White, Sue Wilkinson and Paul Wray.

Against - 1

Councillor R. Allan Jones.

Abstain - 0

On being put to the meeting, the recommendations contained within the report were declared CARRIED.

RESOLVED that the Housing Revenue Account (HRA) Budget proposals, as detailed in the report, be approved including:-

- (1) rents be reduced from 1st April 2019, by 1.0%, as detailed in paragraphs 7 to 10 in the report, in line with Government policy; this will result in an average weekly rent decrease of £0.70, resulting in an average rent of approximately £69.40 per week. Rents will be charged every week of the year;
- (2) the Budget proposals for the HRA for 2019/20, contained in Appendix A to the report; these proposals set a balanced budget for the HRA and maintain a reserve of £4.0m; and
- (3) fees and charges, as detailed in paragraph 13 of the report.

72 Treasury Management Strategy Statement 2019/20 to 2022/23

Mayor Ros Jones introduced the Treasury Management Strategy Statement for 2019/20 to 2022/23, which provided details of the Strategy for the management of the Council's finances and provided a framework for the operation of the Treasury Management Strategy function with the Council.

The Mayor stated that the Council must ensure that the Authority had access to money to pay its bills, and it was vital that Council managed its finances effectively, in the best interests of local residents. She explained that the Treasury Management Strategy set out how the Council would optimise its cash flow and secure the most effective arrangements to support its long term funding needs over the next four years.

The Mayor reported that investment interest rates remained low, but forecast interest rates were due to rise over the term of the Strategy. However, despite current volatility, the general consensus was that any issues would be slow and steady. In terms of borrowing, this continued to be taken to support the Capital Programme and refinance matured loans, but this would be taken over the short term and at very low rates, which was less than 1.5% to keep interest costs as low as possible. Further borrowing would be needed to help fund the Capital Programme, which would be taken when needed, and at the most advantageous interest rates achievable.

Overall, the Mayor believed that the Strategy was a sensible, prudent and appropriate approach to managing the Council's financing requirements.

Members were then afforded the opportunity to comment on the report.

In accordance with Council Procedure Rule 21.4, a recorded vote was taken on the recommendations contained within the report, which was declared as follows:-

For - 46

The Chair of Council, Councillor Majid Khan, the Vice-Chair of Council, Councillor Linda Curran, the Mayor of Doncaster, Ros Jones, the Deputy Mayor, Councillor Glyn Jones, and Councillors Nick Allen, Duncan Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Joe Blackham, Rachael Blake, Nigel Cannings, Phil Cole, Mick Cooper, Jane Cox, Steve Cox, Susan Durant, Neil Gethin, John Gilliver, Martin Greenhalgh, Pat Haith, John Healy, Rachel Hodson, Charlie Hogarth, Mark Houlbrook, David Hughes, Eva Hughes, Ken Keegan, Jane Kidd, Tosh McDonald, Chris McGuinness, Sue McGuinness, Bill Mordue, John Mounsey, David Nevett, Jane Nightingale, Ian Pearson, Cynthia Ransome, Tina Reid, Andrea Robinson, Kevin Rodgers, Derek Smith, Frank Tyas, Austen White, Sue Wilkinson and Paul Wray.

Against - 2

Councillors R. Allan Jones and Jonathan Wood.

Abstain - 0

On being put to the meeting, the recommendations contained within the report were declared CARRIED.

RESOLVED that

- (1) the Treasury Management Strategy Statement 2019/20 to 2022/23 and the Prudential Indicators included, be approved; and
- (2) the Minimum Revenue Provision Policy, as detailed in paragraphs 26 to 27 and in Appendix B of the report, be approved.

73 Council Tax Setting and Statutory Resolutions 2019/20

The Council considered a report, introduced by the Mayor of Doncaster, Ros Jones, which set out how the Council Tax was calculated and made recommendations regarding Doncaster Council's Council Tax requirement for 2019/20.

It was proposed that Doncaster Council's element of the Band D Council Tax charge be increased by 4.99% for 2019/20 to £1,351.43. The proposals included an increase in the core Council Tax of 2.99%, as set out in the 2019/20 Revenue Budget report and an increase in the Adult Social Care precept of 2%.

The Mayor reported that just under 88% of domestic properties in Doncaster fell into Bands A, B and C with 59% falling in Band A. The proposals equated to a charge of £900.95 for a Band A property, which was an increase of £0.82 per week.

The report included an increase in Council Taxes of the Joint Authorities (South Yorkshire Police and South Yorkshire Fire), which represented an overall increase of 5.91% for Doncaster residents.

Following the presentation of the report, Members were afforded the opportunity to comment on the report.

Councillor Neil Gethin made reference to previous assurances given that the Hillsborough tragedy would be funded by Central Government and sought further clarification from the Mayor of Doncaster, Ros Jones, whether this has had a direct impact on the increase in the Council Tax precept for Policing being levied on the residents of Doncaster by the Police and Crime Commissioner. Councillor Gethin also asked the Mayor to provide further information about the current review of Policing in South Yorkshire and the role undertaken by PSCOs.

In response, the Mayor stated that she was unable to confirm what level of funding had been provided by Central Government and therefore undertook to provide a written response in respect of both issues raised by Councillor Gethin.

In accordance with Council Procedure Rule 21.4, a recorded vote was taken on the recommendations contained within the report, which was declared as follows:-

#### For - 42

The Chair of Council, Councillor Majid Khan, the Vice-Chair of Council, Councillor Linda Curran, the Mayor of Doncaster, Ros Jones, the Deputy Mayor, Councillor Glyn Jones, and Councillors Duncan Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Joe Blackham, Rachael Blake, Nigel Cannings, Phil Cole, Mick Cooper, Susan Durant, Neil Gethin, John Gilliver, Pat Haith, John Healy, Rachel Hodson, Charlie Hogarth, Mark Houlbrook, David Hughes, Eva Hughes, Ken Keegan, Jane Kidd, Tosh McDonald, Chris McGuinness, Sue McGuinness, Bill Mordue, John Mounsey, David Nevett, Jane Nightingale, Ian Pearson, Tina Reid, Andrea Robinson, Kevin Rodgers, Dave Shaw, Derek Smith, Frank Tyas, Austen White, Sue Wilkinson and Paul Wray.

#### Against - 7

Councillors Nick Allen, Jane Cox, Steve Cox, Martin Greenhalgh, R. Allan Jones, Cynthia Ransome and Jonathan Wood.

#### Abstain - 0

On being put to the meeting, the recommendation contained within the report was declared CARRIED.



RESOLVED that the Council approve a Band D Council Tax for 2019/20 of £1,351.43 for Doncaster Council services and pass the appropriate Statutory Resolutions, as set out and recommended at Appendix B of the report, which incorporate the Council Taxes of the Joint Authorities and which, taken together with Doncaster's 4.99% increase, represent a 5.91% increase from the 2018/19 Council Tax for Doncaster residents.

#### 74 Corporate Plan 2019/20

The Council considered a report, presented by Mayor Ros Jones, which sought approval of an updated Corporate Plan for 2019/20, which provided a clear direction for the work of the Council for the next year.

The Mayor stated that the Council had continued to modernise, integrate services and deliver significant budget savings. This had been combined with broader place shaping work.

The Mayor highlighted some of the Council's achievements over the past year, which included:-

- The completion of the Phase 2 of the Great Yorkshire Way;
- Record levels of investment, house building and employment;
- Agreement for a new University Technical College; and
- Events like the Tour de Yorkshire and Museum of the Moon

Members were informed that the updated Plan was framed around the same 5 themes as the current Plan:-

- The 4 Doncaster Growing Together priority themes; and
- The cross-cutting 'Connected Council' theme.

The Mayor explained that this sharpened the focus on inclusive growth and the 'Areas for Action' for the 'Working' theme which had been updated to reflect the new Inclusive Growth Strategy.

The Mayor stressed that the Council faced further budgetary challenges and that the updated Plan highlighted a number of 'must do' imperatives across all themes, including:-

- Community level work to harness local strengths;
- Early intervention and prevention; and
- Targeting services to the residents and communities that needed them most

The Mayor stated that she was grateful to Overview and Scrutiny for considering the updated Plan and providing feedback and support.

Despite budget challenges and Brexit uncertainty, the Mayor was looking forward to:-

- The University Technical College which strengthened Doncaster's case to become a University City;

- The re-opening of the Wool Market in March 2019;
- 'Doncaster Creates 2020-22' and the proposed investment at High Melton;
- The start of the DN7/Unity Link at Junction 5 of the M18;
- The Council's continued push for a Train Station at the Airport; and
- The 'Tour de Yorkshire' returning and the hosting of the Cycling World championships

To conclude, the Mayor reported that the Council would continue to work with its partners to improve the Borough as a place to live, work, invest and visit.

Members were afforded the opportunity to comment on the report.

RESOLVED that updated 2019/20 Corporate Plan, be approved.

## 75 Questions by Elected Members in accordance with Council Procedure Rules 15.2 and 15.3

### A. Questions on Notice

No questions on Notice from Elected Members had been received for this meeting.

### B. Questions Without Notice

In accordance with Council Procedure Rule 15.2, the Chair of Council sought questions from Elected Members during question time.

#### A. Questions to the Mayor of Doncaster, Ros Jones

Q. Councillor Dave Shaw asked the following question:-

"Jeremy Corbyn backed recent Climate Change strikes involving our young people. He tweeted 'Climate change is the greatest threat that we all face, but it is the school kids of today whose futures are most on the line. They are right to feel let down by the generation before them and it's inspiring to see them making their voice heard'. Conversely, Theresa May condemned them saying they were wasting lesson time and increasing Teachers' workloads. If Doncaster School children take part in the global day of action on 15th March, will you be inspired like Jeremy Corbyn, or scathing like Theresa May?"

A. The Mayor of Doncaster gave the following response:-

"I am inspired that our young people are concerned about Air Quality and the present and the future. Therefore, I believe that we really should support our young people moving forward. However, I would urge them to take a day of action on a weekend rather than during the week, so that they do not lose out on their education. I know that there are rules whether children attend school or not, but isn't it great that are young people are actually concerned about their futures and concerned about

the present day as well. We support their intentions because it is right and proper and is great to see, however, I would urge them to undertake this day of action on weekends and not disrupt their schooling.”

B. Questions to the Deputy Mayor, Councillor Glyn Jones, Cabinet Member for Housing and Equalities

There were no questions put to the Deputy Mayor, Councillor Glyn Jones, Cabinet Member for Housing and Equalities.

C. Questions to Councillor Nigel Ball, Cabinet Member for Public Health, Leisure and Culture

There were no questions put to Councillor Nigel Ball, Cabinet Member for Public Health, Leisure and Culture.

D. Questions to Councillor Joe Blackham, Cabinet Member for Highways, Street Scene and Trading Services

There were no questions put to Councillor Joe Blackham, Cabinet Member for Highways, Street Scene and Trading Services.

E. Questions to Councillor Rachael Blake, Cabinet Member for Adult Social Care

There were no questions put to Councillor Rachael Blake, Cabinet Member for Adult Social Care.

F. Questions to Councillor Nuala Fennelly, Cabinet Member for Children, Young People and Schools

In the absence of Councillor Nuala Fennelly, Cabinet Member for Children, Young People and Schools, the Chair of Council informed Members that any questions for Councillor Fennelly should be submitted in writing to the Executive Office after the meeting and a response would be provided accordingly.

G. Questions to Councillor Chris McGuinness, Cabinet Member for Communities, Voluntary Sector and the Environment

There were no questions put to Councillor Chris McGuinness, Cabinet Member for Communities, Voluntary Sector and the Environment.

H. Questions to Councillor Bill Mordue, Cabinet Member for Business, Skills and Economic Development

There were no questions put to Councillor Bill Mordue, Cabinet Member for Business, Skills and Economic Development.

I. Questions to Councillor Jane Nightingale, Cabinet Member for Customer and Corporate Services

There were no questions put to Councillor Jane Nightingale, Cabinet Member for Customer and Corporate Services.

J. Questions to Councillor Austen White, Chair of the Audit Committee

There were no questions put to Councillor Austen White, Chair of the Audit Committee.

K. Questions to Councillor Phil Cole, Chair of the Elections and Democratic Structures Committee

There were no questions put to Councillor Phil Cole, Chair of the Elections and Democratic Structures Committee.

L. Questions to Councillor Rachael Blake, Chair of the Health and Wellbeing Board

There were no questions put to Councillor Rachael Blake, Chair of the Health and Wellbeing Board.

M. Questions to Councillor Kevin Rodgers, Chair of the Overview and Scrutiny Management Committee

There were no questions put to Councillor Kevin Rodgers, Chair of the Overview and Scrutiny Management Committee

76 Annual Report on Executive Decisions taken under Special Urgency Provisions

The Council considered a report which informed Members of Key Decisions taken under Special Urgency Provisions, which had been taken by the Executive between the period 5th March, 2018 and 22nd February, 2019. The ability to take decisions under Special Urgency was provided for within legislation and reflected in the Access to Information Procedure Rules, as set out in the Council's Constitution.

The report informed Council that one decision had been taken under Special Urgency provisions during the period:-

- Proposed acquisition of land at Waterfront, Doncaster

The decision was taken by Councillor Joe Blackham, Cabinet Member for Highways, Street Scene and Trading Services, in consultation with Councillor Paul Wray, Chair of the Regeneration and Housing Overview and Scrutiny Panel. A copy of the Decision Record was circulated to all Members of the Council on 6th June, 2018.

RESOLVED that the action taken in accordance with Special Urgency provisions of the Access to Information Procedure Rules, be noted.

77 To receive the minutes of the following Joint Authorities

RESOLVED that the minutes of the following Joint Authorities be noted:-

- A. Sheffield City Region Combined Authority held on 28th January, 2019.
- B. Sheffield City Region Local Enterprise Partnership Board held on 14th January, 2019.
- C. South Yorkshire Fire and Rescue Authority held on 14th January, 2019.
- D. South Yorkshire Pensions Authority Local Pension Board held on 17th January, 2019.
- E. South Yorkshire Pensions Authority held on 17th January, 2019.
- F. South Yorkshire Police and Crime Panel held on 3rd December, 2018.
- G. Team Doncaster Strategic Partnership held on 27th November, 2018.

CHAIR:\_\_\_\_\_

DATE:\_\_\_\_\_

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## Doncaster Council

### Report

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Date: 17th May, 2019

To the Chair and Members of the COUNCIL

#### **NOTIFICATION BY THE ELECTED MAYOR OF THE COMPOSITION OF THE EXECUTIVE AND THE ELECTED MAYOR'S SCHEME OF DELEGATIONS**

##### **EXECUTIVE SUMMARY**

1. To receive an oral report from the Mayor of Doncaster, Ros Jones, on the composition and constitution of the Executive and the names of Councillors chosen to be Members of the Executive.

##### **RECOMMENDATION**

2. To note the Mayor's oral report to Council on the composition of the Executive.

##### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

3. Citizens will be aware of who has been given responsibility for taking decisions. As a general rule, policy formulation and review decisions are taken by Elected Members and operational implementation decisions are taken by Officers.

##### **BACKGROUND**

4. Legislation provides for an Elected Mayor to put in place arrangements for the discharge of Executive functions. The Executive Procedure Rules within the Constitution require the Elected Mayor at the Annual Council Meeting, to inform Council of the composition of the Executive for the year ahead and to provide a broad outline of the Scheme of Delegations for the discharge of Executive functions.
5. The Scheme of Delegations sets out who is responsible for discharging Executive functions, areas of portfolio responsibility and includes decision making powers delegated to Cabinet Members (if any) and Officers. Work in preparing a new Scheme of Delegations for Executive functions is currently ongoing. Upon completion, the revised Scheme will be circulated to all Members of the Council for their information.

## **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

6. Failure to report this information would be in breach of the Council's Constitution.

## **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

7. This report has no direct impact on the Council's Key Outcomes, but the existence of a Scheme of Delegations for the discharge of Executive functions, will contribute to effective decision-making.

## **RISKS AND ASSUMPTIONS**

8. There are no identified risks or assumptions relevant to this report.

## **LEGAL IMPLICATIONS [Officer Initials SRF Date 11.04.19]**

9. The proposals set out in this report are consistent with the requirements of the Council's Constitution.

## **FINANCIAL IMPLICATIONS [Officer Initials VJB Date 18.04.19]**

10. The Members' Allowances Scheme makes provision for Special Responsibility Allowances to be paid to the Mayor and Cabinet Members.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials RH Date 15.04.19]**

11. There are no HR implications associated with the contents of this report.

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 12.04.19]**

12. There are no technology implications in relation to this report.

## **HEALTH IMPLICATIONS [Officer Initials RS Date 12.04.19]**

13. There are no direct health implications from this report. However, the way the responsibilities outlined in this scheme of delegation are delivered will have a significant impact on improving the health of Doncaster people and reducing health inequalities. Further advice can be provided by the Director of Public Health if required.

## **EQUALITY IMPLICATIONS [Officer Initials DMT Date 10.04.19]**

14. There are no specific equality implications arising from this report.

## **CONSULTATION**

15. Should the Elected Mayor wish to make changes to the Scheme of Delegations for Executive functions, the Mayor will notify the Chief Executive by serving notice of the changes. The changes in delegation will take effect upon the Chief Executive being notified. A report notifying these changes would be reported to the next available Council Meeting.



**BACKGROUND PAPERS:**

Council Constitution

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**Jo Miller**  
**Chief Executive**

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## Doncaster Council

### Report

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Date: 17th May, 2019

To the Chair and Members of the COUNCIL

#### **COUNCIL APPOINTED COMMITTEES' AND SUB-COMMITTEES' TERMS OF REFERENCE FOR 2019/20**

##### **EXECUTIVE SUMMARY**

1. This report seeks Council's agreement to proposed revisions to the Terms of Reference of a number of Council appointed Committees` for the reasons set out in the report.

##### **RECOMMENDATIONS**

2. The Council is requested to:-
  - (i) agree to the proposed revisions to the Terms of Reference set out at Appendix A as detailed in paragraphs 8-10 of this report;
  - (ii) note the existing Terms of Reference for all other Committees and Sub-Committees, as set out within Part 3 of the Constitution remain unchanged; and
  - (iii) note that the Constitution will be updated to reflect any revisions to the Terms of Reference agreed at this meeting.

##### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

3. The Council is committed to maintaining the highest standards of Governance, and the proposed Terms of Reference allow for the proper discharge of its functions by a Committee or Sub-Committee ensuring openness and transparency in terms of the Council's decision-making processes. This ensures this obligation is met.

## BACKGROUND

4. At the Annual Council meeting each year, Terms of Reference for Committees and Sub-Committees appointed by Full Council are approved.
5. The current Terms of Reference of Committees and Sub-Committees of Council are set out within Part 3 of the Council's Constitution, which can be accessed on the Council's website.

<http://www.doncaster.gov.uk/services/the-council-democracy/council-constitution>

6. The Elected Mayor has responsibility for the discharge of Executive functions and will determine how these are exercised.
7. In light of operational experience during the current year and as a consequence of legislative requirements, the following revisions are proposed to the Terms of Reference of Committees, set out at Appendix A to the report. Proposed deletions are crossed through whilst additions are shown in ***bold italics***. Details for these suggested changes are shown below:-

### **a) Chief Officers Appointments Committee, Chief Officers Investigatory Sub-Committee and Chief Officers Appeals Committee**

8. These Committees all have minor typographical changes with the amendment of the title of Chief Finance Officer to Chief Financial Officer. These changes do not reflect the remit of the Committee and are consistent across the rest of the Constitution in terms of this title following changes to the Financial Procedure Rules.

A further change relates to the Terms of Reference of the Chief Officers Appointments Committee with regard to the appointments panel, and has been amended to state that it will now have up to five Members, which provides greater flexibility when arranging meetings.

### **b) Audit Committee**

9. In 2018, CIPFA (Chartered Institute of Public Finance and Accountancy) issued a publication, Audit Committees; Practical Guidance for Local Authorities and Police. This publication contained a model set of Terms of Reference for an Audit Committee. These model terms have been reflected in the changes proposed to the existing terms of reference. Most changes generally reflect terminology changes following auditing standards revisions. The new terms proposed still reflect local requirements e.g. to discharge the role of the Standards Sub-Committee.

### **c) Doncaster Health and Wellbeing Board**

10. The rationale for the change is to increase the transparency and openness of two key health and care planning groups. This is in response to questions from the public at both Full Council and the Health and Wellbeing Board. Currently the minutes for the Joint Commissioning Management Board (JCMB) are published on the Health and Wellbeing Board's Website. This

revision will give members of the public the opportunity to ask questions related to the JCMB and the Integrated Care Partnership Board in a meeting held in public.

## **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

11. Council can accept, reject or accept in part, the proposals set out in this report. It is recommended that all the proposals are accepted.

## **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

12.

|  | <b>Outcomes</b>  | <b>Implications</b>  |
|--|--|--|
|  | <b>Connected Council:</b> <ul style="list-style-type: none"><li>• A modern, efficient and flexible workforce</li><li>• Modern, accessible customer interactions</li><li>• Operating within our resources and delivering value for money</li><li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li><li>• Building community resilience and self-reliance by connecting community assets and strengths</li><li>• Working with our partners and residents to provide effective leadership and governance</li></ul> | The Council is committed to maintaining the highest standards of Governance and robust Terms of Reference allow for the proper discharge of the Council's functions, ensuring openness and transparency. |

## **RISKS AND ASSUMPTIONS**

13. There are no identified risks associated with this report.

## **LEGAL IMPLICATIONS [Officer Initials SF 17/04/19]**

14. Sections 101 and 102 of the Local Government Act 1972 empower the Council to arrange for the discharge of any of its functions by a Committee or Sub-Committee.

## **FINANCIAL IMPLICATIONS [Officer Initials VB 17/04/19]**

15. There are no Financial Implications associated with this report.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials RH 15/04/19]**

16. There are no HR implications associated with the contents of this report.

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW 12/04/19]**

17. There are no technology implications in relation to this report.

## **HEALTH IMPLICATIONS [Officer Initials RS 12/04/19]**

18. There are no direct health implications from this report. However, the individual Committees all contribute to improving the health and wellbeing of Doncaster people and reducing health inequalities. The revisions to the Terms of Reference should support this.

## **EQUALITY IMPLICATIONS [Officer Initials SM 12/04/19]**

19. There are no specific equality implications associated with this report.

## **CONSULTATION**

20. Relevant lead Officers for each Committee/Sub-Committee have been invited to submit any proposed revisions to Committee and Sub-Committee Terms of Reference, the details of which are set out within paragraph 8-10 of this report, to ensure that the Terms of Reference are robust and fit for purpose.

## **BACKGROUND PAPERS**

21. None

## **REPORT AUTHOR & CONTRIBUTORS**

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**Assistant Director of Legal and Democratic Services and Monitoring Officer**

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### **CHIEF OFFICERS' APPOINTMENTS COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To exercise the Full Council's functions under Part 3 and the Employment Procedure Rules of this Constitution in respect of appointment of Chief Officers of Chief Executive (Head of Paid Service), Directors, Monitoring Officer and Chief ~~Finance~~ **Financial** Officer (Section 151 Officer).
2. To establish an appointment panel comprising **up to** five members of the Chief Officers' Appointments Committee, that will include two members of the Cabinet nominated by the Mayor for each Chief Officer post to be appointed to. Full Council approval is required for the appointment of the three Relevant Officers – Chief Executive (Head of Paid Service), Monitoring Officer and Chief ~~Finance~~ **Financial** Officer (Section 151 Officer).
3. To compromise any claims or agree terms for the settlement of any dispute involving Chief Officers (of Chief Executive (Head of Paid Service), Directors, Monitoring Officer and Chief ~~Finance~~ **Financial** Officer (Section 151 Officer).

### **CHIEF OFFICERS INVESTIGATORY SUB-COMMITTEE**

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972 and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015; including the appointment of such relevant independent persons.

#### **DELEGATED MATTERS:-**

In relation to the Chief Executive (Head of Paid Service), Monitoring Officer and Chief ~~Finance~~ **Financial** Officer (Section 151 Officer).

- i. To discharge the functions of the Panel as defined by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- ii. To consider any allegations made against the Chief Executive (Head of Paid Service), Monitoring Officer or Chief ~~Finance~~ **Financial** Officer (Section 151 Officer) and decide if further investigation is required, to undertake suspension and take disciplinary action short of dismissal.
- iii. To carry out an investigation and determine if a question of discipline exists which requires disciplinary action to be taken.

- iv. To make recommendations to Full Council for approval of any proposed dismissal before notice is given to the Chief Executive (Head of Paid Service), Monitoring Officer or Chief ~~Finance~~ **Financial** Officer (Section 151 Officer).

### **CHIEF OFFICERS' APPEALS COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. To hear appeals against decisions of the Chief Officers' Appointments Committee.
2. To hear appeals against any action short of dismissal taken by the Investigatory Sub-Committee against the Chief Executive (Head of Paid Service), Chief ~~Finance~~ **Financial** Officer (Section 151 Officer) and Monitoring Officer.
3. To hear appeals against decisions to dismiss or action short of dismissal taken by the Chief Executive.

## **AUDIT COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

### **Statement of Purpose**

- 1. Our Audit Committee is a key component of Doncaster Council's Corporate Governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.**
- 2. The purpose of our Audit Committee is to provide independent assurance to the Members on the adequacy of the risk management framework and the internal control environment. It provides an independent review of Doncaster Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.**

### **FOR RECOMMENDATION TO COUNCIL:-**

- (a) The adoption or revision of the Members' Code of Conduct.

**DELEGATED MATTERS:-** (the Committee may recommend any matter to Full Council when it considers it expedient to do so, after taking advice from the Head of Paid Service)

1. Audit Activity

### **INTERNAL AUDIT**

- I. To approve the Internal Audit Charter.**
- II. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.**
- III. To approve significant interim changes to the risk-based internal audit plan and resource requirements.**
- IV. To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.**
- V. To consider any impairments to independence or objectivity arising from additional roles and responsibilities outside of**

***internal auditing of the Head of Internal Audit. To approve and periodically review safeguards to limit such impairments.***

~~I. To consider the Head of Internal Audit's annual report and other regular reports on internal audit activity.~~

**VI. *To consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services where used. These will include:***

- a) Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work.***
- b) Regular reports on the results of the Quality Assurance Improvement Programme (QAIP).***
- c) Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and Local Government Advisory Note (LGAN), considering whether the non-compliance is significant enough that it must be included in the Annual Governance Statement (AGS).***

**VII. *To consider the Head of Internal Audit's annual report:***

- a) The statement on the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.***
- b) The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the Committee in reviewing the AGS.***

~~II. VIII. To consider summaries of specific internal audit reports as requested.~~

~~III. To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.~~

**IX. *To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or where there are concerns about progress with the implementation of agreed actions.***

~~IV. To have the right to call any officers or agencies of the Council as required to offer explanation on progress in the implementation of audit recommendations or to update on matters presented to the Audit Committee.~~

**X. To contribute to the QAIP and in particular, the external quality assessment of internal audit that takes place at least once every five years.**

**XI. To provide free and unfettered access to the Audit Committee Chair for the Head of Internal Audit, including the opportunity for a private meeting with the Committee.**

#### **EXTERNAL AUDIT**

**XII. To support the independence of external audit through consideration of the External Auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments (PSAA) or the authority's auditor panel as appropriate.**

~~V. To consider arrangements for cooperation between internal audit, external audit and other review agencies.~~

**XIII. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.**

~~VI. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance and to monitor the implementation of external audit recommendations.~~

**XIV. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.**

~~VII.~~**XV. To consider specific reports as agreed with the external auditor.**

~~VIII.~~**XVI. To comment on the scope and depth of external audit work and to ensure it gives value for money.**

~~IX.~~**XVII. To liaise with the Officers of the Council regarding Public Sector Appointments Ltd and the appointment of the Council's external auditor.**

~~X. To commission work from internal and external audit as resources allow.~~

**XVIII. To commission work from internal and external audit.**

~~XI. To, as required, meet privately separately with the external auditor and the Head of Internal Audit.~~

~~XII.~~ **XIV.** To receive training on matters related to the Audit Committee's responsibilities.

## 2. Regulatory Framework

**I. To review and where appropriate make recommendations to Council on proposed revisions to the Council's Constitution and other policies and procedures in relation to Corporate Governance issues.**

~~I.II.~~ To review any issue referred to it by the Chief Executive or a Director or any council body as the Chair considers appropriate within the general Terms of Reference of the Audit Committee.

~~II. To monitor the effective management of risk management and corporate governance in the council particularly in so far as they relate to the adequacy of the internal control environment, effective management of risks, the Local Code of Corporate Governance and the annual governance statement and production of the financial accounts.~~

**III. To monitor the effective development and operation of risk management in the Council.**

**IV. To monitor progress in addressing risk-related issues reported to the Committee.**

~~III. To monitor the Council's antifraud, bribery and corruption policy and strategy.~~

**V. To monitor counter-fraud strategy, actions and resources.**

**VI. To review the assessment of fraud risks and potential harm to the Council from fraud, bribery and corruption.**

~~IV. To oversee the production of and approve the Council's Annual Governance Statement.~~

**VII. To review the Annual Governance Statement (AGS) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.**

~~V. To consider the council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.~~

- VIII. To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.**
- IX. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.**
- X. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.**
- XI. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.**
- XII. To review the governance and assurance arrangements for significant partnerships or collaborations.**
- ~~VI.~~ **XIII.** To report and make recommendations to the Executive or Council on major issues within the remit of the Committee.
- ~~VII.~~ **XIV.** To have rights of access to other Committees of the Council and to strategic functions as it deems necessary.
- ~~VIII.~~ **XV.** To maintain oversight of any major issues arising from Police or other enquiries into the conduct of the Council in order to minimise disruption to other branches of the Authority.
- ~~X.~~ **XVI.** To receive periodic reports from appropriate Directors on probity and corporate governance issues not specifically referred to elsewhere within the Committee's Terms of Reference.
- ~~XI.~~ **XVII.** To review the Council's policy under the Regulation of Investigatory Powers Act 2000 annually and to monitor compliance with the policy on a twice yearly basis.

#### Accounts

- I. To review the annual statement of accounts. Specifically, to consider whether appropriate whether accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.**
- II. To approve the audited annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.**

- III. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

### Ethical Governance

- I. To promote and maintain high standards of conduct by Members and Officers.
- II. To grant dispensations to Councillors and Co-opted Members from requirements relating to interests set out in the Members Code of Conduct, where not delegated to the Monitoring Officer.
- III. To hear appeals against decisions of the Monitoring Officer not to grant a dispensation.
- IV. To monitor and review the Council's Whistleblower's policy.
- V. To monitor and review protocols for standards of behaviour for Members and Officers.
- VI. To monitor and review protocols for Members and Officers on relationships and dealings with outside organisations and individuals.
- VII. To monitor and review Member and Officer procedures relating to gifts and hospitality and disclosable pecuniary interests and other interests.
- VIII. To monitor and oversee the response by the Council to complaints to the Ombudsman.
- IX. To deal with complaints of alleged Member misconduct referred to the Monitoring Officer under Section 28(6) of the Localism Act 2011.
- X. To arrange for the exercise of all the above functions in relation to Parish Councils wholly or mainly in its area and to the members of those Parish Councils.

## **HEARINGS SUB-COMMITTEE**

### **TERMS OF REFERENCE**

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

- 1. To consider complaints referred to it by the Monitoring Officer in consultation with the Independent Person in accordance with Section 28 of the Localism Act 2011.
- 2. To hear appeals against decisions of the Monitoring Officer not to grant a dispensation



## **DONCASTER HEALTH AND WELLBEING BOARD**

### **1. Purpose**

- 1.1** The purpose of the Board is to improve the health and wellbeing for the residents of the Doncaster Metropolitan Borough and to reduce inequalities in outcomes. The Health and Social Care Act assigns specific new functions to the Health and Wellbeing Board including leading on the Joint Strategic Needs Assessment (JSNA) together with leading on the development of a Joint Health and Wellbeing Strategy (JHWS).

The Health and Wellbeing Board will not be a commissioning body. The accountability for commissioning decisions will remain with the commissioners.

### **2. Aims**

- 2.1** The primary aim of the Board is to promote integration and partnership working between the local authority, NHS and other local services and improve the local democratic accountability of health.

### **3 Role and Functions**

- 3.1** In accordance with the requirements of the Health and Social Care Act 2012, the Doncaster Health and Wellbeing Board is a formally constituted Committee of the Council in accordance with the requirements of the Local Government Act 1972, as amended.

#### **For recommendation to Council.**

Adoption of the Health and Wellbeing Strategy.

### **3.2 Key Responsibilities**

- Provide strategic leadership to promote health and wellbeing in and ensure that statutory duties are complied with;
- Assess the needs of the local population by leading the development of and monitoring the impact of the JSNA;
- To oversee the development of and monitoring the implementation of a joint Health and Wellbeing Strategy ensuring that issues highlighted in the strategy are taken forward by commissioners;
- To involve third parties and have regard to the NHS England mandate and statutory guidance in the preparation of the JSNA and JHWS.

- Promote integrated working and partnership working between health and social care, through joined up commissioning plans.
- Work effectively with and through partnership bodies, with clear lines of accountability and communication, including the Local Safeguarding Boards;
- Build effective relationships with supra-local structures e.g. NHS England, Public Health England;
- Take a strategic approach and promote integration across health and adult social care, children's services, including safeguarding and the wider determinants of health;
- Building partnership for service changes and priorities.

### **3.3 Duties**

In discharging the role above, the specific duties of the Health and Wellbeing Board are as follows:

- Ensure joint arrangements are in place to agree priority areas for investment to support health and social care.
- Focus on driving up whole system quality and ensure that opportunities for gains in both productivity and efficiency that are available across the local economy are maximised.
- Make recommendations on the use of freedoms and flexibilities to deliver the core purpose of the board e.g. pooled budgets, joint commissioning, place based budgets;
- Ensure that Commissioning Plans produced by all parties are joined up and that in relation to productivity and efficiency there is a high level of transparency between the NHS and Local Authority.
- Ensure that Commissioning Plans are consistent and in accordance with the Health and Wellbeing Strategy.
- Conduct an open and equal dialogue with NHS England highlighting views on the relationship and effectiveness of national decision-making to the needs of the local population as defined in the Health and Wellbeing Strategy.
- Review how well commissioning plans have contributed to the delivery of the Health and Wellbeing Strategy.
- Consider the contributions that the Clinical Commissioning Group, the Council and other Partners have made to the successful delivery of the

Joint Health and Wellbeing Strategy when conducting its annual performance assessment of the CCG.

- Produce and maintain a Pharmaceutical Needs Assessment.
- To agree and monitor the delivery of the Better Care Fund and make recommendations on the financial strategy to deliver the Better Care Fund to the relevant statutory bodies.
- ***Receive the minutes from both the Joint Commissioning Management Board and the Integrated Care Partnership Board.***

#### **4. Arrangements for the Conduct of Business**

##### **4.1 Conduct of Meetings**

Meetings are to be conducted in accordance with the Council's Procedure Rules.

##### **4.2 Chair of the Board**

The Chair will be either the Cabinet Member with responsibility for Adult Social Care or the Cabinet Member whose portfolio includes Public Health.

##### **4.3 Quorum**

The quorum will be no less than four members of the Board.

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## Doncaster Council

### Report

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**Date: 17th May, 2019**

**To the Chair and Members of the  
COUNCIL**

### **LOCAL GOVERNMENT AND HOUSING ACT 1989 - REVIEW OF THE ALLOCATION OF SEATS ON COMMITTEES AND SUB-COMMITTEES**

#### **EXECUTIVE SUMMARY**

1. At its Annual Meeting, the Council is required to:-
  - (1) allocate seats on Committees of the Council having regard to political balance in accordance with the provisions of the Local Government and Housing Act 1989; and
  - (2) make appointments and co-options to other Committees and Sub-Committees of the Council.
2. Members are asked to note that this report sets out the position on the proportional allocation of seats on the basis of the number of Elected Members in each Political Group. This report does not account for any further changes in the composition of Political Groups that may occur prior to this meeting of Council or any changes to the size of Committees that are detailed in this report. If there are further changes, it will be necessary to defer consideration of this report pending a recalculation of seat allocations.

#### **RECOMMENDATIONS**

3. That the Council:-
  - (1) resolves before any adjustments are determined, that seats on Committees and Sub-Committees are allocated, as set out in the Table at paragraph 25 of the report;
  - (2) determines the necessary adjustments that the Labour Group lose 1 seat on 2 different Committees/Sub-Committees;

- (3) as a consequence of the loss of the 2 seats at (2) above, allocate the 2 seats to the Independent Members, Councillors Nigel Cannings and John Cooke;
- (4) determines the appointment of Members to Committees and Sub-Committees in accordance with the wishes of Political Groups;
- (5) notes that in appointing members to the Audit Committee, in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance, any Member appointed to Cabinet should not be a member of the Audit Committee;
- (6) notes the requirement to include at least one Executive Member on the Chief Officers Appointments Committee;
- (7) determines the appointment of Members as substitutes in respect of the following Committees and Sub-Committees, in accordance with the wishes of Political Groups:-
  - (a) Chief Officers Appointments Committee
  - (b) Chief Officers Appeals Committee
  - (c) Employee Relations Disputes Resolutions Committee
- (8) for the reasons set out at paragraph 8(iii) of the report, agree that the rules of proportionality do not apply to the Licensing Committee;
- (9) subject to (8) above, appoint Members to sit on the Licensing Committee (14 Members);
- (10) determines the appointment of Members to the following:-
  - (a) Parish Councils' Joint Consultative Committee (6 non-executive Members on a political proportionate basis (5 Labour Group Members and 1 Conservative Group Member); and
  - (b) Member Development Working Group (Cabinet Member with responsibility for Member Training and Development and 1 Member from each Political Group).
- (11) endorse the membership of the Health & Wellbeing Board, as detailed at paragraphs 52 and 53 of the report;
- (12) endorse the appointments of John Hoare as the Church of England representative and Bernadette Nesbit as the Roman Catholic representative on the Children and Young People's Overview and Scrutiny Panel and on the Overview and Scrutiny Management Committee (OSMC) where this is considering issues relating to education matters;
- (13) any appointments to the 2 outstanding Overview and Scrutiny Parent Governor Representatives vacancies be determined by OSMC during the course of the year;

- (14) agrees that future appointments made during the course of the year to any of the Overview and Scrutiny Co-opted Member vacancies, be determined by the OSMC;
- (15) determines the appointment of workforce representatives as non-voting invitees onto the OSMC and the Standing Panels, as detailed at paragraph 45 of the report;
- (16) agree that the OSMC appoint as necessary, any further non-voting invitees to its membership or the membership of the Standing Panels during the course of the year, should it deem necessary; and
- (17) agree that future reviews on the proportional allocation of seats on Committees and Sub-Committees, be limited to the Annual Meeting and if appropriate, a mid-point in the year.

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

- 4. The Council is committed to maintaining the highest standards of governance. By appointing to Committees in line with recommendations within this report, the Council satisfies its legal requirements for appointments to Committees.

## **BACKGROUND**

- 5. The Authority has a statutory duty to review the allocation of seats on Committees. (This is explained in more detail in the Legal Implications of the report, paragraphs 11 to 18 refer). Since the Annual Meeting in May, 2018, a By-Election was held on 14th June, 2018 following a casual vacancy that had arisen in the Town Ward, which resulted in Councillor Tosh McDonald being elected to the vacant seat.
- 6. Subsequently, the political composition of the Council is as follows:-

| <b>Political Group</b> | <b>Members</b> |
|------------------------|----------------|
| Labour                 | 44             |
| Conservatives          | 7              |
| Mexborough First       | 3              |
| Independent Members    | 2              |

- 7. The allocation of seats on Council Committees outlined in this report, represents the best proportional “fit” in accordance with the provisions of the Local Government and Housing Act 1989. Proportionality can be disapplied and alternative arrangements put in place by Council unanimously agreeing to such a variation. The allocation of seats on Committees and Sub-Committees must be in accordance with the principles set out in the legal implications below. In summary, representation on Committees and Sub-Committees must, so far as possible, be proportional to the number of Members any group has on the Council as a whole.

8. All Political Groups have been notified of their allocations across all Committees, as described in this report, which represents the best proportional fit and were asked to express their wishes as to which Member(s) sits on which Committees. This information will be provided to Members prior to the meeting. The report also assumes that:-

- (i) Proportionality being applied to the Committees/Sub-Committees shown in the table below based on the membership indicated:-

| <b>Committee/Sub-Committee</b>                   | <b>Size</b> |
|--|-------------|
|  |             |
| Planning Committee                               | 11          |
| Elections & Democratic Structures Committee      | 11          |
| Chief Officer Appointments Committee             | 11          |
| Awards, Grants and Transport (Appeals) Committee | 7           |
| Audit Committee                                  | 5           |
| Chief Officer Appeals Committee                  | 5           |
| Employee Relations Disputes Resolution Committee | 5           |
| Chief Officers Investigatory Sub-Committee       | 5           |
| <b>Total</b>                                     | <b>60</b>   |

- (ii) Proportionality will not apply to the OSMC or the four Overview & Scrutiny Standing Panels in order to maximise cross-party representation;
- (iii) The Licensing Committee, set up under the Licensing Act 2003, need not be politically proportionate. However, in seeking nominations from Group Leaders onto these 14 seats, these have been sought in proportion to the overall composition on the Council. The appointment of Licensing Sub-Committees to conduct hearings under Section 10 of the Licensing Act 2003, is a statutory function reserved by the Act to the statutory Licensing Committee. Accordingly, it is a matter for the Licensing Committee to appoint these Sub-Committees and to schedule any required meetings; and
- (iv) Proportionality does not apply to the Health and Wellbeing Board in accordance with legislative requirements.
9. The Elected Mayor has reviewed her appointments to the Cabinet for the discharge of Executive functions which is contained elsewhere on today's agenda. In accordance with the provisions set out in the Local Government Act 2000, the Cabinet is not a Committee of the Council; it can comprise of single party representation and therefore, is not subject to the rules on the proportional allocation of seats. Members appointed to sit on the Executive (Cabinet), cannot also be appointed to Overview and Scrutiny Management Committee or any of the Scrutiny Panels.
10. In accordance with CIPFA guidance, the Audit Committee should not include Executive Members. Therefore, it is recommended that any Member who is appointed to Cabinet, should not be a member of the Audit Committee.



## LEGAL IMPLICATIONS

11. Sections 15, 16 and 17 of the Local Government and Housing Act 1989, set out the duties of the Local Authority and the allocation of seats to Political Groups on Committees to ensure political balance.
12. The cumulative effect of these duties is to require “proportionality” across the formal activities of the Authority, representing the overall political composition of the Authority so that there can, for example, be no one party Committees so far as they are constituted as formal Committees or Sub-Committees of the Council.
13. Section 15 provides for the Council to review the representation of different Political Groups on Committees and Sub-Committees when:-
  - (a) the Authority holds an Annual Meeting; and
  - (b) as soon as practicable after the Members of the Authority divide into different Political Groups.
14. The duty to make a determination as to political representation on Committees arises as soon as practicable after a review, according to the overriding principles that:-
  - (a) all the seats on a Committee are not allocated to the same Political Group;
  - (b) the majority of the seats on a Committee go to the Political Group which has a majority on the Full Council;
  - (c) subject to the above two principles, that the number of seats on the Committees of the Authority allocated to each Political Group bears the same proportion to the total of all the seats on the Committees of that Authority as is borne by the number of Members of that group to the Membership of the Authority; and
  - (d) subject to (a) - (c) above, that the number of the seats on the Committee which are allocated to each Political Group bears the same proportion to the number of all the seats on that Committee as is borne by the number of Members of that group to the Membership of the Authority.
15. Section 16 provides that once the Council has carried out its review and determined the allocation of seats further to the principles by which it is bound listed above, the Council has a duty to exercise its powers to make appointments to Committees as to give effect to such wishes about who is to be appointed to the seats on that Committee which are allocated to a particular Political Group as are expressed by that Political Group.
16. Section 16(2A) requires that where appointments fail to be made to seats on a Committee to which Section 15 applies otherwise than in accordance with a determination under that Section, it shall be the duty of the Council to exercise its power to make appointments so as to secure that the persons appointed to those seats are not Members of any Political Group.

17. Exceptions to these requirements of political balance may be made where arrangements are approved by the Council without any Member of the Council or a Committee voting against them.
18. The Licensing Committee is a dual function Committee. It is constituted under Section 101 of the Local Government Act 1972, to undertake various licensing functions and also under the Licensing Act, 2003, to exercise all the functions of the Licensing Authority.

## **ALLOCATION OF SEATS**

19. In general, seats are allocated by calculating the seat entitlement of each Political Group as a proportion of seats available to groups on a particular Committee subject to:-
  - (i) the majority party must have a majority on each Committee.
  - (ii) retaining proportionality across the total number of seats allocated to each group across all Committees.

## **ALLOCATION OF SEATS ON COMMITTEES**

20. The total number of seats allocated to each particular Political Group on all Committees, must be in the same proportion as is borne by the number of Members of that Group on the Council. This means that out of a total of 60 seats, 58 seats are allocated to the Political Groups on the following proportional basis:-

|                  |      |      |       |
|------------------|------|------|-------|
| Labour           | - 47 | i.e. | 44/56 |
| Conservatives    | - 8  | i.e. | 7/56  |
| Mexborough First | - 3  | i.e. | 3/56  |

21. This completes the allocation of seats to Political Groups. The remaining 2 seats are allocated to the 2 Members of the Council who are Independent Members who are not affiliated to any of the Political Groups registered with the Council for the purposes of political proportionality under the provisions of the 1989 Act. i.e. Councillors Nigel Cannings and John Cooke.

## **PROPORTIONAL ALLOCATION OF SEATS**

22. The seat entitlement of Political Groups on Committees and Sub-Committees of 11, 7 and 5, is calculated by dividing the number of seats available on the Committee between the Groups in the same proportion as the number of seats a Group has on the Council, e.g. on a Committee of 11 for the Labour Group  $44 \div 56 \times 11 = 8.64$  seats. The table below shows the allocation for all Groups on the Council:-

|                  | 5    | 7    | 11   |
|------------------|------|------|------|
| Labour           | 3.93 | 5.50 | 8.64 |
| Conservatives    | 0.63 | 0.88 | 1.38 |
| Mexborough First | 0.27 | 0.38 | 0.59 |

23. A Political Group's seat allocation can then be calculated as follows. By way of example, set out below is how seats are initially allocated on a Committee of 11 seats before adjustments.

Firstly, consider 'whole' seat entitlement.

|               |   |
|---------------|---|
| Labour        | 8 |
| Conservatives | 1 |

This completes the whole seat allocation to Political Groups.

24. Secondly, the remaining 2 seats are allocated to the remaining Groups with the best proportional fit, indicated by the remaining "part" figure i.e. 1 seat to the Labour Group (0.64 entitlement) and 1 seat to Mexborough First (0.59 entitlement). The same method is applied to the remaining Committees which have 11 seats, the Awards, Grants and Transport (Appeals) Committee which has 7 seats and the remaining Committees and Sub-Committees which have 5 seats each. This completes the allocation of seats to Political Groups.

## **PROPOSED SEAT ALLOCATIONS**

25. Group Leaders have been advised of their respective seat allocations on Committee and Sub-Committee sizes to reflect a best proportionate fit,

|   | <b>LABOUR</b>              | <b>CONSERVATIVES</b>       | <b>MEXBOROUGH FIRST</b>    |  |
|---|----------------------------|----------------------------|----------------------------|--|
| <b>COMMITTEE</b>                          | <b>Seats<br/>Allocated</b> | <b>Seats<br/>Allocated</b> | <b>Seats<br/>Allocated</b> | <b>Total No. of Seats<br/>on Committee</b> |
|   |                            |                            |                            |  |
| PLANNING                                  | <b>9</b>                   | <b>1</b>                   | <b>1</b>                   | <b>11</b>                                  |
| ELECTIONS & DEMOCRATIC<br>STRUCTURES      | <b>9</b>                   | <b>1</b>                   | <b>1</b>                   | <b>11</b>                                  |
| CHIEF OFFICERS APPOINTMENTS               | <b>9</b>                   | <b>1</b>                   | <b>1</b>                   | <b>11</b>                                  |
| AWARDS, GRANTS & TRANSPORT<br>(APPEALS)   | <b>6</b>                   | <b>1</b>                   | <b>0</b>                   | <b>7</b>                                   |
| AUDIT                                     | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| CHIEF OFFICERS APPEALS                    | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| EMPLOYEE RELATIONS DISPUTES<br>RESOLUTION | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| CHIEF OFFICERS INVESTIGATORY<br>SUB       | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| <b>TOTAL ALLOCATED</b>                    | <b>49</b>                  | <b>8</b>                   | <b>3</b>                   | <b>60</b>                                  |
| <b>Required Seat Allocation</b>           | <b>47</b>                  | <b>8</b>                   | <b>3</b>                   | <b>58</b>                                  |
| <b>Adjustments Required</b>               | <b>-2</b>                  | <b>0</b>                   | <b>0</b>                   | <b>-2</b>                                  |

26. It can be seen that this initial allocation to provide proportionality on individual Committees and Sub-Committees, results in the Labour Group being over represented by 2 seats.
27. The Labour Group would receive 49 seats in total when it is only entitled to 47 seats.
28. Adjustments are therefore required and the Council must decide:-
  - (i) to remove 1 Labour Group seat on 2 different Committees/Sub-Committees; and
  - (ii) following the adjustments chosen under (i) above, determine the allocation of the 2 seats to the 2 Independent Members; 1 to Councillor Nigel Cannings and 1 to Councillor John Cooke.
29. The Labour Group has been asked to express a view on which Committees it would prefer to have reduced representation to assist the Council in determining where adjustments should be made. The Council may (but is not compelled to) take these representations into account when determining final seat allocation. Members are reminded that Executive (Cabinet) Members cannot sit on Overview and Scrutiny Committees.
30. These allocations give effect so far as reasonably practicable to the requirements of the Act. It remains open to Members to agree a different allocation, but only if no Member votes against such proposals. If such agreement cannot be reached, the Council has no alternative but to act in accordance with the principles set out in paragraph 14 of this report.

## **APPOINTMENT OF MEMBERS TO COMMITTEES**

31. Following determination of the allocation of seats to Political Groups, Council must appoint named Members to each Committee. Political Groups have been asked to indicate their wishes as to which Members are appointed to which Committee/Sub-Committee. A composite nominations list will be circulated to Members prior to the meeting.
32. The Council must appoint Members to Committees and Sub-Committees in accordance with the wishes of Political Groups and may take into account (but is not compelled to follow) the wishes of any Independent Members. (In the context of Doncaster, this means any Member not in a registered Political Group). For a Political Group to be recognised for the purpose of seat allocation, the Group must have a minimum of 2 Members.

### **Chief Officers Appointments Committee**

33. The Council is required to appoint at least one Executive Member to sit on Chief Officers Appointments Committee.

## **Planning and Licensing Committees**

34. The Planning and Licensing Committees discharge important regulatory functions. Ongoing training is provided to those Members who sit on these Committees so that they are fully aware of their obligations and legislative changes and developments, to be able to perform their respective roles and responsibilities. Induction training is mandatory for all Members appointed to serve on these Committees and once undertaken, is valid for the current four year term of office (up to May, 2021). Members who have not attended the training, are not permitted to take part in these meetings.

## **Audit Committee**

35. In addition to appointing 5 Elected Members to the Audit Committee, the Committee has appointed one non-voting co-opted Member with a financial background to this Committee; this is in line with CIPFA best practice. The Committee also has two further non-voting co-opted Members (David Harle and Monica Clarke) who can be called upon as and when required, to attend as members of the Hearings Sub-Committee, to hear Code of Conduct complaints against Councillors.

## **Overview and Scrutiny**

36. A brief overview of the remit of each Overview and Scrutiny body is detailed below:-
  - **Overview and Scrutiny Management Committee** - to agree and co-ordinate the work programmes of the four Standing Panels. To consider issues around the Connected Council theme, regularly consider performance and budget, and undertake pre-decision Scrutiny of Council and partnership issues.
  - **Children and Young People's Panel** - to consider issues relating to improved outcomes for Children and Young People; Key focus on Doncaster Learning, accessing high quality education, improving skills and Doncaster Caring, children's social care delivered by the Doncaster Children's Trust.
  - **Regeneration and Housing Panel** - to consider issues relating to skills and enterprise, inward investment, economic development, strategic transport included within the Doncaster Working theme and housing issues considered under the Doncaster Living theme.
  - **Communities and Environment Panel** - to consider neighbourhood issues, street scene and highways, community safety as well as environmental issues included within the Doncaster Living theme.

- **Health and Adult Social Care Panel** - to consider issues that fall within the remit of Public Health, Adult Social Care and wider health issues included within the Doncaster Caring theme.

## **Meeting Arrangements**

37. The membership of each Standing Panel is 9 Elected Members. However, there are also additional workforce representatives and Co-opted Members on the Panels, as detailed below at paragraphs 44 and 45.
38. To maximise cross-party representation, political proportionality to the scrutiny function is disapplied. If proportionality was applied to OSMC and the Scrutiny Panels, the total number of seats available to each Group and the Independent Members, Councillors Nigel Cannings and John Cooke, would be as follows:-

|                  |    |
|------------------|----|
| Labour           | 35 |
| Conservatives    | 6  |
| Mexborough First | 2  |
| Independent      | 1  |

39. Disapplying proportionality on Overview and Scrutiny provides an opportunity for a greater number of seats to be offered to those Members who are not in the Majority Group. This supports good governance principles by providing an opportunity for wider Member engagement and cross party participation. This also provides a wider pool of Members with an interest or expertise to participate in and help strengthen Overview and Scrutiny arrangements.
40. The Vice-Chairs of the Standing Panels may substitute for Panel Chairs where they are unable to attend OSMC. Council is asked to note that when appointing to OSMC/Overview and Scrutiny Panels, that in accordance with Overview and Scrutiny Procedure Rule 3b, not all Chairs and Vice-Chairs are to be drawn from the same Political Group.
41. In terms of fulfilling its statutory Health Scrutiny function, this is undertaken by the Health and Adult Social Care Panel and the statutory scrutiny functions around Crime and Disorder, will be undertaken by the Communities and Environment Panel.

## **Overview and Scrutiny Invitees and Co-opted Members**

42. In accordance with Rule 2 of the Overview and Scrutiny Procedure Rules, the Scrutiny body which has Education within its remit, will have the following co-optees on its Membership:-

- At least one Church of England Diocese representative;
  - At least one Roman Catholic Diocese representative; and
  - Between 2 and 5 (currently 3) Parent Governor representatives within its Membership who are entitled to vote on issues relating to education.
43. Parent Governor Representatives (England) Regulations 2001 state that Local Authorities shall appoint at least 2, but no more than 5 Parent Governor representatives to Overview and Scrutiny Committees from Local Authority maintained Schools. The Council currently looks to appoint to 2 vacancies, but unfortunately no interest has been received in recent years, despite promotion and advertisement of the remaining posts. This may also be due to the reduced number of Local Authority maintained schools. If there is interest shown, the Council agreed in 2017 that OSMC can appoint to the positions. The number of faith representatives (one Church of England and one Roman Catholic) appointed to the Scrutiny Committee with Education within its remit (the Schools, Children and Young People Panel) remains.
44. Our current arrangements allow for one representative from the Church of England and one from the Roman Catholic faith nominated by the Hallam Diocese. John Hoare has been nominated to represent the Church of England Diocese and Bernadette Nesbit has been nominated as the Roman Catholic nomination. Under the current structure, Council is asked to note that the co-optees may be invited to attend both meetings of the Children and Young People's Panel, and also OSMC where it considers issues relating to education. These co-opted Members have full voting rights on issues relating to education. They can contribute to debate and discussions around other children's issues but may not vote.
45. All Panels currently have a workforce representative who serve as an invitee, but do not have voting rights. Their purpose is to ensure workforce issues are represented during discussion. They are not appointed to represent their own views, association or individual members. The workforce representative nominations are as follows:-
- Overview and Scrutiny Management Committee - Paul O'Brien
  - Children and Young People - Jim Board
  - Communities and Environment - Bob Ellis
  - Regeneration and Housing - Mark Whitehouse
  - Health and Adult Social Care - Jim Board
46. Members are asked to note that if an invitee cannot attend, there are no arrangements to allow substitute members to attend.



47. Other non-voting invitees may be invited/appointed to the membership on a standing or ad-hoc basis, if it is believed they will enhance the process of Overview and Scrutiny. Council is asked to confirm that any additional appointments of standing invitees to OSMC or the Panels, be made by OSMC.
48. Council is also asked to note that in accordance with Overview and Scrutiny Procedure Rules, invitees will not be given access to confidential or exempt information as of right. Where the issue relates to the work of the Committee or Panel on which they serve, the Committee or Panel will need to agree the extent to which it would wish to allow its invitees to access this information prior to its consideration.

### **Appointment of Chairs and Vice-Chairs of Committees**

49. Council is reminded that it agreed at its meeting of 3rd March, 2015, that Members should not take up the role of Chair of a Committee unless they have attended Chairs training. Training on Effective Chairing has been arranged early in this Municipal year to provide an opportunity for prospective Chairs to undertake this training. Once this has been undertaken, it will be valid for four years.

## **OTHER COMMITTEE APPOINTMENTS TO DISCHARGE COUNCIL FUNCTIONS**

### **Member Development Working Group (MDWG)**

50. The Member Development Working Group is an advisory body established to support Officers in the development and delivery of Member learning and development. Membership of this Group consists of 1 Member from each Political Group and the Cabinet Member responsible for Member Development. The Terms of Reference for the MDWG are as follows:-
  1. To identify learning and development needs for Members and Co-opted Members in the execution of their Council duties.
  2. To provide advice on the development of a Member Development Strategy and Annual Programme of Learning and Development activities.
  3. To suggest proposals for future actions and/or activities relating to Member development and learning.
  4. To act as Member Development Champions, encouraging greater attendance and participation in learning, and development activities.

### **Parish Councils' Joint Consultative Committee (PCJCC)**

51. The PCJCC is a non-decision making body whose membership includes 8 DMBC Elected Members. Current arrangements provide for the Council to appoint 6 non-Executive Members and for the Mayor to appoint 2 Executive Members. Political Groups have been asked to submit their nominations and these will be circulated to all Members prior to the meeting.

### **Health and Wellbeing Board**

52. Under the Health and Social Care Act 2012, the Health and Wellbeing Board was established as a Statutory Committee of the Council from 1st April, 2013. The core membership of the Board is set out in statute and shown below in italics:-

- *Director of Learning and Opportunities; Children and Young People (DCS)*
- *Director of Adults, Health and Wellbeing (DASS)*
- *Director of Public Health*
- *Chair of Healthwatch Doncaster*
- *Chair of Doncaster Clinical Commissioning Group*
- *Portfolio Holder with responsibility for Public Health*
- *Portfolio Holder with responsibility for Children's Services*

53. In addition to the above Council has agreed to the following Members:-

- Majority Opposition Group representative
- Chief Executive of Rotherham, Doncaster and South Humber NHS Foundation Trust (RDaSH)
- Chief Executive of Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust (DBTHFT)
- Head of Co-Commissioning, NHS England (Yorkshire & Humber)
- Chief Officer, Doncaster Clinical Commissioning Group
- Doncaster District Commander, South Yorkshire Police
- Chief Executive, St Leger Homes
- Chief Executive of Doncaster Children's Services Trust
- Portfolio Holder with responsibility for Adult Social Care
- South Yorkshire Fire and Rescue
- Director of Regeneration and Environment
- Chief Executive, Primary Care Doncaster
- Assistant Director darts, Doncaster Community Arts (Health and Social Care Forum representative)

## **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

54. The Council has a statutory duty to review the allocation of seats to Political Groups at its Annual Meeting in accordance with the provisions of Sections 15, 16 and 17 of the Local Government and Housing Act, 1989. Therefore, no other options are considered appropriate.

## **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

55. Ensuring the membership of the Council's Committee's is in place to effectively discharge its responsibilities will ensure that the Council is able to contribute to the delivery of all of the Council's Key Priorities. In particular, these arrangements will assist the Council in working with our partners to provide strong leadership and governance.

## **RISKS AND ASSUMPTIONS**

56. There are no risks identified or assumptions relevant to this report.

## **FINANCIAL IMPLICATIONS [Officer Initials AT Date 07.05.19]**

57. There are no specific financial implications associated with this report. There are no new positions being proposed and so the existing Members Ward Office budget is expected to be sufficient.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials RH Date 02.05.19]**

58. There are no HR implications associated with the contents of this report.

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 30.4.19]**

59. There are no specific technology implications in relation to this report. Governance and Members Services will be responsible for updating the changes in the modern.gov system, when agreed.

## **HEALTH IMPLICATIONS [Officer Initials RS Date 30.04.19]**

60. There are no direct health implications from this report. However, the individual Committees all contribute to improving the health and wellbeing of Doncaster people and reducing health inequalities. Committee members can seek further advice from the Director of Public Health if required.

## **EQUALITY IMPLICATIONS [Officer Initials DMT Date 29.04.19]**

61. There are no specific equality implications arising from this report.

## **CONSULTATION**

62. Consultation has taken place with the Mayor, Group Leaders and Independent Members in respect of this report.

## **BACKGROUND PAPERS:**

Report to Council - 18th May, 2018 - Local Government & Housing Act 1989 - Review of Allocation of Seats on Committees & Sub-Committees.

## **REPORT AUTHOR**

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## **CONTRIBUTOR**

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**Jo Miller**  
**Chief Executive**



## Doncaster Council

### Report

---

**Date: 17th May, 2019**

**To the Chair and Members of the COUNCIL**

### **APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES AND SUB-COMMITTEES**

#### **EXECUTIVE SUMMARY**

1. This report seeks nominations for the appointment of Members to serve as Chairs and Vice-Chairs on Committees and Sub-Committees, as attached at Appendix A to the report.

#### **RECOMMENDATIONS**

2. That the Council determines the appointment of Chairs and Vice-Chairs of Committees and Sub-Committees of the Council, listed at Appendix A to the report.

#### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

3. The Council has a legal requirement to appoint a Chair to all of its Committees. By appointing Chairs and Vice-Chairs to Committees and Panels, the Council satisfies this requirement and citizens will know who Chair's these meetings.

#### **BACKGROUND**

4. At the Annual Meeting of Council, appointments are made to the positions of Chair and Vice-Chair of Committees and Sub-Committees of the Council, including Overview and Scrutiny Panels, for the ensuing Municipal Year. A number of these positions attract a special responsibility allowance detailed in the Member Allowance Scheme, as set out within Part 6 of the Council's Constitution.
5. It should be noted that in line with best practice, Council has previously endorsed the principle that the Health and Wellbeing Board should be Chaired by the Portfolio Holder responsible for Adult Social Care or the Portfolio Holder responsible for Public Health. This is reflected in the table at Appendix A.

6. Members are also asked to note that in accordance with Rule 3 of the Overview and Scrutiny Procedure Rules, as detailed in the Constitution, Council should ensure that not all Chairs and Vice-Chairs are drawn from the same political party. This is in line with current best practice which seeks to ensure that Members outside the majority group, have an opportunity to help shape and influence the strategic Overview and Scrutiny agenda.

#### **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

7. The appointment of Chairs and Vice-Chairs to Committees and Sub-Committees of the Council, is a statutory requirement. Therefore, no other options are considered relevant or appropriate.

#### **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

8. This report has no direct impact on the Council's Key Outcomes.

#### **RISKS AND ASSUMPTIONS**

9. There are no identified risks or assumptions relevant to this report.

#### **LEGAL IMPLICATIONS [Officer Initials SRF Date 11.04.19]**

10. There are no specific legal implications associated with this report.

#### **FINANCIAL IMPLICATIONS [Officer Initials VJB Date 18.04.19]**

11. The Members' Allowances Scheme makes provision for Special Responsibility Allowances to be paid to some Chair and Vice-Chair positions on Committees and Sub-Committees.

#### **HUMAN RESOURCES IMPLICATIONS [Officer Initials RH Date 15.04.19]**

12. There are no HR implications associated with the contents of this report.

#### **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 12.04.19]**

13. There are no specific technology implications in relation to this report. Governance and Members Services will be responsible for updating the changes in the modern.gov system, when agreed.

#### **HEALTH IMPLICATIONS [Officer Initials RS Date 12.04.19]**

14. There are no direct health implications from this report. However, the individual Committees all contribute to improving the health and wellbeing of Doncaster people and reducing health inequalities. Committee members can seek further advice from the Director of Public Health if required.

#### **EQUALITY IMPLICATIONS [Officer Initials DMT Date 10.04.19]**

15. There are no specific equality implications arising from this report.

## **CONSULTATION**

16. Consultation has taken place with Group Leaders in respect of the proportional allocation of seats and the appointment of Chairs and Vice-Chairs on Committees and Sub-Committees, prior to this meeting taking place.

## **BACKGROUND PAPERS**

Council Constitution.

## **REPORT AUTHOR**

David M. Taylor, Senior Governance Officer  
Tel: 01302 736712 Email: david.taylor@doncaster.gov.uk

**Jo Miller**  
**Chief Executive**

**APPOINTMENT OF CHAIRS & VICE-CHAIRS**

|  | <b><u>CHAIR</u></b><br><b>(Nomination Required)</b>  | <b><u>VICE-CHAIR</u></b><br><b>(Nomination Required)</b>             |
|--|--|--|
| Overview & Scrutiny Management Committee             |  |  |
| Communities & Environment Overview & Scrutiny Panel  |  |  |
| Regeneration & Housing Overview & Scrutiny Panel     |  |  |
| Children & Young People's Overview & Scrutiny Panel  |  |  |
| Health & Adult Social Care Overview & Scrutiny Panel |  |  |
| Planning Committee                                   |  |  |
| Elections & Democratic Structures Committee          |  |  |
| Chief Officers' Appointments Committee               |  |  |
| Awards, Grants & Transport (Appeals) Committee       |  |  |
| Chief Officer Appeals Committee                      |  |  |
| Audit Committee                                      |  |  |
| Employee Relations Disputes Resolution Committee     |  |  |
| Chief Officers Investigatory Sub-Committee           |  |  |
| Licensing Committee                                  |  |  |
| Health & Wellbeing Board                             | Portfolio Holder responsible for Adult Social Care or the Portfolio Holder responsible for Public Health | To be appointed at the first meeting of the Health & Wellbeing Board |





## Doncaster Council

### Report

---

**Date: 17th May, 2019**

**To the Chair and Members of the  
COUNCIL**

#### **DIARY OF MEETINGS – 2019/21**

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to approve a schedule of meetings for the 2019/20 and 2020/21 Municipal Years, attached at Appendix A.

#### **RECOMMENDATION**

2. Council is asked to:-
  - (i) approve the proposed Diary of Meetings for the 2019/20 and 2020/21 Municipal Years, attached at Appendix A; and
  - (ii) note the schedule of Cabinet meetings determined by the Mayor of Doncaster.

#### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

3. Approving an advanced calendar of meetings for the Municipal Year and publishing the Forward Plan of key decisions provides an opportunity for citizens of the Borough to engage in the democratic process; where provided for in the Council's Constitution, questions can be asked at Council meetings and its Committees.

#### **BACKGROUND**

4. At its meeting on 24th January, 2019, the Council considered a report outlining a proposed Diary of Meetings for the 2019/20 and 2020/21 Municipal Years, upon which comments were sought.

### **Issues to note**

5. As last year, the frequency of Council meetings has been retained at six with evening meetings starting at 6.00pm being held in the months of July and September.
6. In order to comply with the statutory timescale for agreeing the Council Budget and setting the Council Tax, this issue will be determined at the Council meeting in March each Municipal Year.
7. Meetings have been kept to a minimum during peak holiday periods in late July/August and over the Christmas period.
8. A schedule of Cabinet Meetings approved by the Mayor of Doncaster, has been incorporated in the Diary of Meetings.
9. The dates for Overview and Scrutiny Management Committee meetings have been diarised to ensure that they synchronise with the budget setting process and coincide with the publication of the quarterly Performance and Improvement reports, in order to be considered in a timely manner.
10. This report now presents a final version of the Diary of Meetings for 2019/20 and 2020/21 Municipal Years.

### **Variations to the Schedule of Meetings submitted to Council on 24th January, 2019**

#### **Overview and Scrutiny**

11. To allow for Member commitments, meetings of the Children and Young People Overview and Scrutiny Panel initially scheduled on a Tuesday, have been rescheduled to be held on a Thursday. Further minor revisions to some Panel meeting dates have also been undertaken.

#### **Member Training**

12. Dates for some Member Training sessions have been programmed during the Municipal Year.

#### **The E-Diary**

13. The Diary of Meetings can be accessed via the Council's website [www.doncaster.gov.uk](http://www.doncaster.gov.uk). This helps raise awareness of public meetings and may encourage members of the public to attend. To reduce possible clashes of Member commitments, Officers are asked to check the diary of meetings before organising Member events not shown in the diary. When additional meetings are organised, the diary is updated to maintain an accurate list of known Member commitments from a DMBC perspective.

## **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

14. Members are requested to either approve or amend the proposed Diary of Meetings for the 2019/20 and 2020/21 Municipal Years.

## **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

15. This report has no direct impact on the Council's Key Outcomes.

## **RISKS AND ASSUMPTIONS**

16. There are no identified risks associated with this report.

## **LEGAL IMPLICATIONS [Officer Initials SRF Date 11.04.19]**

17. There are no specific legal implications associated with this report.

## **FINANCIAL IMPLICATIONS [Officer Initials VJB Date 18.04.19]**

18. There are no specific financial implications associated with this report.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials RH Date 12.04.19]**

19. There are no HR implications associated with the contents of this report.

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 12.04.19]**

20. There are no specific technology implications in relation to this report. Governance and Members Services will be responsible for updating the changes in the modern.gov system, when agreed.

## **HEALTH IMPLICATIONS [Officer Initials RS Date 12.04.19]**

21. There are no direct health implications from this report. However, the individual meetings themselves will need to consider the health implications of any further reports. Report authors can seek further advice from the Director of Public Health if required.

## **EQUALITY IMPLICATIONS [Officer Initials DMT Date 10.04.19]**

22. There are no specific equality implications arising from this report.

## **CONSULTATION**

23. The report is being presented to Full Council to allow the Mayor of Doncaster, other Political Group Leaders and Elected Members, to be consulted on the provisional Diary of Meetings for the 2019/20 and 2020/21 Municipal Years.

## **REPORT AUTHOR AND CONTACT OFFICER**

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## **BACKGROUND PAPERS**

Report to Council on 24th January, 2019 (Proposed Diary of Meetings 2019/21)

**Jo Miller**  
**Chief Executive**

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 6th May, 2019           | 13th May, 2019  | 20th May, 2019                          | 27th May, 2019   |
|---|---|-------------------------|---|---|--|
| M<br>O<br>N<br>D<br>A<br>Y                |   | <b>BANK<br/>HOLIDAY</b> | 5.30 pm Labour Group Meeting<br>AGM (Parts 1 & 2)   |   | <b>BANK<br/>HOLIDAY</b>  |
|   |   | 7th May, 2019           | 14th May, 2019  | 21st May, 2019                          | 28th May, 2019   |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |   | 10.00 am Cabinet        |   | 10.00 am Cabinet                        | 10.00 am Chairing Skills Training<br>12 Noon Planning Training<br>2.00 pm Planning Committee |
|   | 1st May, 2019   | 8th May, 2019           | 15th May, 2019  | 22nd May, 2019                          | 29th May, 2019   |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | 2.00 pm Extraordinary Elections<br>& Democratic Structures<br>Committee<br><br>5.00 pm Deadline for Questions &<br>Statements for Cabinet |                         | 4.00 pm Corporate Parenting<br>Board  | 11.00 am Planning Induction<br>Training |  |
|   | 2nd May, 2019   | 9th May, 2019           | 16th May, 2019  | 23rd May, 2019                          | 30th May, 2019   |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      |   |                         | 5.00 pm Deadline for Questions<br>& Statements for Cabinet  |   | 5.00 pm Deadline for<br>Questions & Statements for<br>Cabinet                                |
|   | 3rd May, 2019   | 10th May, 2019          | 17th May, 2019  | 24th May, 2019                          | 31st May, 2019   |
| F<br>R<br>I<br>D<br>A<br>Y                |   |                         | 10.00 am Group Meetings<br>(Mansion House)<br><br>11.00 am ANNUAL COUNCIL<br>MEETING – Mansion House<br>(Reconvene @ 2.00pm, Civic<br>Office) | 9.30 am Planning Committee<br>Visits    |  |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 3rd June, 2019   | 10th June, 2019   | 17th June, 2019  | 24th June, 2019  |
|---|--|---|--|--|
| M<br>O<br>N<br>D<br>A<br>Y                |  |   | 1.00 pm Health & Adult Social Care Overview & Scrutiny Panel (Work Planning)   |  |
|   | 4th June, 2019   | 11th June, 2019   | 18th June, 2019  | 25th June, 2019  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet   | 10.00 am Regeneration & Housing Overview & Scrutiny Panel (Work Planning)                       | 10.00 am Cabinet   | 12 Noon Planning Training<br>2.00 pm Planning Committee  |
|   | 5th June, 2019   | 12th June, 2019   | 19th June, 2019  | 26th June, 2019  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | 10.00 am Communities & Environment Overview & Scrutiny Panel (Work Planning)<br><br>1.00 pm Overview & Scrutiny Management Committee (Work Planning) | 10.00 am Audit Induction Training   | 10.00 am Audit Committee   | 4.30 pm Standing Advisory Council for Religious Education  |
|   | 6th June, 2019   | 13th June, 2019   | 20th June, 2019  | 27th June, 2019  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      |  | 9.30 am Health & Wellbeing Board<br><br>5.00 pm Deadline for Questions & Statements for Cabinet | 10.00 am Licensing Committee<br>11.00 am Licensing Induction Training<br>2.00 pm Children & Young People Overview & Scrutiny Panel (Work Planning) | 10.00 am Overview & Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions & Statements for Cabinet |
|   | 7th June, 2019   | 14th June, 2019   | 21st June, 2019  | 28th June, 2019  |
| F<br>R<br>I<br>D<br>A<br>Y                |  |   | 9.30 am Planning Committee Visits  |  |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 1st July, 2019  | 8th July, 2019   | 15th July, 2019   | 22nd July, 2019   | 29th July, 2019 |
|---|---|--|---|---|-----------------|
| M<br>O<br>N<br>D<br>A<br>Y                |   |  | 5.30 pm Labour Group Meeting  |   |                 |
|   | 2nd July, 2019  | 9th July, 2019   | 16th July, 2019   | 23rd July, 2019   | 30th July, 2019 |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet  | 10.00 am Elections & Democratic Structures Committee<br><br>12 Noon Deadline for Questions & Motions to Council  | 10.00 am Cabinet  | 12 Noon Planning Training<br><br>2.00 pm Planning Committee |                 |
|   | 3rd July, 2019  | 10th July, 2019  | 17th July, 2019   | 24th July, 2019   | 31st July, 2019 |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   | 1.30 pm Parish Councils' Joint Consultative Committee  | 10.00 am Communities & Environment Overview & Scrutiny Panel<br><br>4.00 pm Corporate Parenting Board | 10.00 am Audit Committee                                    |                 |
|   | 4th July, 2019  | 11th July, 2019  | 18th July, 2019   | 25th July, 2019   |                 |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel | 10.00 am Overview & Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions & Statements for Cabinet | 5.00 pm Group Meetings<br><br>6.00 pm COUNCIL   |   |                 |
|   | 5th July, 2019  | 12th July, 2019  | 19th July, 2019   | 26th July, 2019   |                 |
| F<br>R<br>I<br>D<br>A<br>Y                |   |  | 9.30 am Planning Committee Visits   |   |                 |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 5th August, 2019 | 12th August, 2019                                  | 19th August, 2019   | 26th August, 2019                                  |
|---|---|------------------|--|---|--|
| M<br>O<br>N<br>D<br>A<br>Y                |   |                  |  |   | <b>BANK<br/>HOLIDAY</b>                            |
|   |   | 6th August, 2019 | 13th August, 2019                                  | 20th August, 2019   | 27th August, 2019                                  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |   | 10.00 am Cabinet |  | 10.00 am Cabinet<br>12 Noon Planning Training<br>2.00 pm Planning Committee |  |
|   |   | 7th August, 2019 | 14th August, 2019                                  | 21st August, 2019   | 28th August, 2019                                  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   |                  |  |   |  |
|   | 1st August, 2019  | 8th August, 2019 | 15th August, 2019                                  | 22nd August, 2019   | 29th August, 2019                                  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 1.00 pm Children & Young<br>People Overview & Scrutiny<br>Panel<br><br>5.00 pm Deadline for Questions<br>& Statements for Cabinet |                  | 5.00 pm Deadline for<br>Questions & Statements for |   | 5.00 pm Deadline for<br>Questions & Statements for |
|   | 2nd August, 2019  | 9th August, 2019 | 16th August, 2019                                  | 23rd August, 2019   | 30th August, 2019                                  |
| F<br>R<br>I<br>D<br>A<br>Y                |   |                  | 9.30 am Planning Committee<br>Visits               |   |  |



# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 2nd September, 2019   | 9th September, 2019  | 16th September, 2019  | 23rd September, 2019  | 30th September, 2019 |
|---|---|--|---|---|----------------------|
| M<br>O<br>N<br>D<br>A<br>Y                |   |  | 9.30 am Planning Committee Visits<br><br>5.30 pm Labour Group Meeting               |   |                      |
|   | 3rd September, 2019   | 10th September, 2019   | 17th September, 2019  | 24th September, 2019  |                      |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet<br><br>10.00 am Awards, Grants & Transport (Appeals) Committee                   | 12 Noon Deadline for Questions & Motions to Council  | 10.00 am Cabinet<br><br>12 Noon Planning Training<br><br>2.00 pm Planning Committee |   |                      |
|   | 4th September, 2019   | 11th September, 2019   | 18th September, 2019  | 25th September, 2019  |                      |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | 4.00 pm Corporate Parenting Board   |  |   |   |                      |
|   | 5th September, 2019   | 12th September, 2019   | 19th September, 2019  | 26th September, 2019  |                      |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 9.30 am Health & Wellbeing Board<br><br>1.00 pm Children & Young People Overview & Scrutiny Panel | 10.00 am Overview & Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions & Statements for Cabinet | 5.00 pm Group Meetings<br><br>6.00 pm COUNCIL                                       | 10.00 am Licensing Committee<br><br>1.00 pm Health & Adult Social Care Overview & Scrutiny Panel<br><br>5.00 pm Deadline for Questions & Statements for Cabinet |                      |
|   | 6th September, 2019   | 13th September, 2019   | 20th September, 2019  | 27th September, 2019  |                      |
| F<br>R<br>I<br>D<br>A<br>Y                |   |  |   |   |                      |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 7th October, 2019                                       | 14th October, 2019  | 21st October, 2019       | 28th October, 2019                                      |
|---|---|---|---|--------------------------|---|
| M<br>O<br>N<br>D<br>A<br>Y                |   |   |   |                          |   |
|   | 1st October, 2019                                 | 8th October, 2019                                       | 15th October, 2019  | 22nd October, 2019       | 29th October, 2019                                      |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet                                  | 10.00 am Awards, Grants & Transport (Appeals) Committee | 10.00 am Cabinet<br>12 Noon Planning Training<br>2.00 pm Planning Committee |                          |   |
|   | 2nd October, 2019                                 | 9th October, 2019                                       | 16th October, 2019  | 23rd October, 2019       | 30th October, 2019                                      |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   |   | 10.00 am Regeneration & Housing Overview & Scrutiny Panel                   |                          |   |
|   | 3rd October, 2019                                 | 10th October, 2019                                      | 17th October, 2019  | 24th October, 2019       | 31st October, 2019                                      |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Overview & Scrutiny Management Committee | 5.00 pm Deadline for Questions & Statements for Cabinet |   | 10.00 am Audit Committee | 5.00 pm Deadline for Questions & Statements for Cabinet |
|   | 4th October, 2019                                 | 11th October, 2019                                      | 18th October, 2019  | 25th October, 2019       |   |
| F<br>R<br>I<br>D<br>A<br>Y                |   | 9.30 am Planning Committee Visits                       |   |                          |   |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |  | 4th November, 2019  | 11th November, 2019  | 18th November, 2019                           | 25th November, 2019  |
|---|--|---|--|---|--|
| M<br>O<br>N<br>D<br>A<br>Y                |  |   |  | 5.30 pm Labour Group Meeting                  |  |
|   |  | 5th November, 2019  | 12th November, 2019  | 19th November, 2019                           | 26th November, 2019  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |  | 10.00 am Cabinet  | 12 Noon Deadline for Questions & Motions to Council<br><br>12 Noon Planning Training<br><br>2.00 pm Planning Committee | 10.00 am Cabinet                              | 10.00 am Elections & Democratic Structures Committee   |
|   |  | 6th November, 2019  | 13th November, 2019  | 20th November, 2019                           | 27th November, 2019  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |  | 4.30 pm Standing Advisory Council for Religious Education                                 | 1.30 pm Parish Councils' Joint Consultative Committee  | 4.00 pm Corporate Parenting Board             |  |
|   |  | 7th November, 2019  | 14th November, 2019  | 21st November, 2019                           | 28th November, 2019  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      |  | 9.30 am Health & Wellbeing Board<br><br>10.00 am Overview & Scrutiny Management Committee | 5.00 pm Deadline for Questions & Statements for Cabinet  | 1.00 pm Group Meetings<br><br>2.00 pm COUNCIL | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel<br><br>5.00 pm Deadline for Questions & Statements for Cabinet |
|   |  | 1st November, 2019  | 8th November, 2019   | 15th November, 2019                           | 22nd November, 2019  |
| F<br>R<br>I<br>D<br>A<br>Y                |  |   | 9.30 am Planning Committee Visits  |   |  |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 2nd December, 2019   | 9th December, 2019   | 16th December, 2019          | 23rd December, 2019     | 30th December, 2019 |
|---|--|--|------------------------------|-------------------------|---------------------|
| M<br>O<br>N<br>D<br>A<br>Y                |  |  |                              |                         |                     |
|   | 3rd December, 2019   | 10th December, 2019  | 17th December, 2019          | 24th December, 2019     | 31st December, 2019 |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet   | 12 Noon Planning Training<br>2.00 pm Planning Committee  | 10.00 am Cabinet             |                         |                     |
|   | 4th December, 2019   | 11th December, 2019  | 18th December, 2019          | 25th December, 2019     |                     |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |  |  |                              | <b>BANK<br/>HOLIDAY</b> |                     |
|   | 5th December, 2019   | 12th December, 2019  | 19th December, 2019          | 26th December, 2019     |                     |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 1.00 pm Children & Young People<br>Overview & Scrutiny Panel | 10.00 am Overview & Scrutiny<br>Management Committee<br><br>5.00 pm Deadline for Questions &<br>Statements for Cabinet | 10.00 am Licensing Committee | <b>BANK<br/>HOLIDAY</b> |                     |
|   | 6th December, 2019   | 13th December, 2019  | 20th December, 2019          | 27th December, 2019     |                     |
| F<br>R<br>I<br>D<br>A<br>Y                | 9.30 am Planning Committee Visits                            |  |                              |                         |                     |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |                                   | 6th January, 2020                                       | 13th January, 2020   | 20th January, 2020  | 27th January, 2020   |
|---|-----------------------------------|---|--|---|--|
| M<br>O<br>N<br>D<br>A<br>Y                |                                   |   |  | 5.30 pm Labour Group Meeting  |  |
|   |                                   | 7th January, 2020                                       | 14th January, 2020   | 21st January, 2020  | 28th January, 2020   |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |                                   | 12 Noon Planning Training<br>2.00 pm Planning Committee | 10.00 am Cabinet<br>12 Noon Deadline for Questions & Motions for Council | 10.00 am Awards, Grants & Transport (Appeals) Committee   | 10.00 am Cabinet   |
|   | 1st January, 2020                 | 8th January, 2020                                       | 15th January, 2020   | 22nd January, 2020  | 29th January, 2020   |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | <b>BANK HOLIDAY</b>               |   | 4.00 pm Corporate Parenting Board  | 10.00 am Overview & Scrutiny Management Committee   |  |
|   | 2nd January, 2020                 | 9th January, 2020                                       | 16th January, 2020   | 23rd January, 2020  | 30th January, 2020   |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      |                                   | 5.00 pm Deadline for Questions & Statements for Cabinet | 9.30 am Health & Wellbeing Board   | 1.00pm Group Meetings<br>2.00 pm COUNCIL<br>5.00 pm Deadline for Questions & Statements for Cabinet | 10.00 am Audit Committee<br>1.00 pm Health & Adult Social Care Overview & Scrutiny Panel |
|   | 3rd January, 2020                 | 10th January, 2020                                      | 17th January, 2020   | 24th January, 2020  | 31st January, 2020   |
| F<br>R<br>I<br>D<br>A<br>Y                | 9.30 am Planning Committee Visits |   |  |   | 9.30 am Planning Committee Visits  |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 3rd February, 2020   | 10th February, 2020   | 17th February, 2020                                     | 24th February, 2020  |
|---|--|---|---|--|
| M<br>O<br>N<br>D<br>A<br>Y                |  |   |   |  |
|   | 4th February, 2020   | 11th February, 2020   | 18th February, 2020                                     | 25th February, 2020  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 12 Noon Planning Training<br>2.00 pm Planning Committee  | 10.00 am Cabinet  |   | 10.00 am Cabinet<br>10.00 am Awards, Grants & Transport (Appeals) Committee<br>12 Noon Deadline for Questions & Motions to Council |
|   | 5th February, 2020   | 12th February, 2020   | 19th February, 2020                                     | 26th February, 2020  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |  | 10.00 am Communities & Environment Crime & Disorder Overview & Scrutiny Panel |   |  |
|   | 6th February, 2020   | 13th February, 2020   | 20th February, 2020                                     | 27th February, 2020  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Overview & Scrutiny Management Committee<br>5.00 pm Deadline for Questions & Statements for Cabinet |   | 5.00 pm Deadline for Questions & Statements for Cabinet | 10.00 am Overview & Scrutiny Management Committee  |
|   | 7th February, 2020   | 14th February, 2020   | 21st February, 2020                                     | 28th February, 2020  |
| F<br>R<br>I<br>D<br>A<br>Y                |  |   |   | 9.30 am Planning Committee Visits  |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 2nd March, 2020   | 9th March, 2020   | 16th March, 2020  | 23rd March, 2020  | 30th March, 2020  |
|---|---|---|---|---|---|
| M<br>O<br>N<br>D<br>A<br>Y                | 5.30 pm Labour Group Meeting  |   |   |   |   |
|   | 3rd March, 2020   | 10th March, 2020  | 17th March, 2020  | 24th March, 2020  | 31st March, 2020  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 12 Noon Planning Training<br>2.00 pm Planning Committee   | 10.00 am Cabinet  | 10.00 am Elections & Democratic Structures Committee  | 10.00 am Cabinet  | 12 Noon Planning Training<br>2.00 pm Planning Committee |
|   | 4th March, 2020   | 11th March, 2020  | 18th March, 2020  | 25th March, 2020  |   |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | 10.00 am Regeneration & Housing Overview & Scrutiny Panel   | 1.30 pm Parish Councils' Joint Consultative Committee   | 4.00 pm Corporate Parenting Board   | 4.30 pm Standing Advisory Council for Religious Education |   |
|   | 5th March, 2020   | 12th March, 2020  | 19th March, 2020  | 26th March, 2020  |   |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 1.00 pm Group Meetings<br>2.00 pm COUNCIL (Budget setting & Council Tax)<br>5.00 pm Deadline for Questions & Statements for Cabinet | 9.30 am Health & Wellbeing Board<br>1.00 pm Children and Young People Overview and Scrutiny Panel | 10.00 am Licensing Committee<br>1.00 pm Health & Adult Social Care Overview & Scrutiny Panel<br>5.00 pm Deadline for Questions & Statements for Cabinet | 10.00 am Overview & Scrutiny Management Committee         |   |
|   | 6th March, 2020   | 13th March, 2020  | 20th March, 2020  | 27th March, 2020  |   |
| F<br>R<br>I<br>D<br>A<br>Y                |   |   |   | 9.30 am Planning Committee Visits                         |   |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |  | 6th April, 2020         | 13th April, 2020  | 20th April, 2020                     | 27th April, 2020  |
|---|--|-------------------------|---|--------------------------------------|---|
| M<br>O<br>N<br>D<br>A<br>Y                |  |                         | <b>BANK<br/>HOLIDAY</b>                                       |                                      |   |
|   |  | 7th April, 2020         | 14th April, 2020  | 21st April, 2020                     | 28th April, 2020  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |  | 10.00 am Cabinet        |   | 10.00 am Cabinet                     | 12 Noon Planning Training<br>2.00 pm Planning Committee       |
|   | 1st April, 2020  | 8th April, 2020         | 15th April, 2020  | 22nd April, 2020                     | 29th April, 2020  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |  |                         |   |                                      | 5.00 pm Deadline for<br>Questions & Statements for<br>Cabinet |
|   | 2nd April, 2020  | 9th April, 2020         | 16th April, 2020  | 23rd April, 2020                     | 30th April, 2020  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Audit Committee<br><br>5.00 pm Deadline for Questions<br>& Statements for Cabinet |                         | 5.00 pm Deadline for<br>Questions & Statements for<br>Cabinet |                                      |   |
|   | 3rd April, 2020  | 10th April, 2020        | 17th April, 2020  | 24th April, 2020                     |   |
| F<br>R<br>I<br>D<br>A<br>Y                |  | <b>BANK<br/>HOLIDAY</b> |   | 9.30 am Planning Committee<br>Visits |   |



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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |               | 4th May, 2020       | 11th May, 2020   | 18th May, 2020  | 25th May, 2020  |
|---|---------------|---------------------|--|---|---|
| M<br>O<br>N<br>D<br>A<br>Y                |               | <b>BANK HOLIDAY</b> | 5.30 pm Labour Group Meeting<br>AGM (Parts 1 & 2)  |   | <b>BANK HOLIDAY</b>                                     |
|   |               | 5th May, 2020       | 12th May, 2020   | 19th May, 2020  | 26th May, 2020  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |               | 10.00 am Cabinet    |  | 10.00 am Cabinet  | 12 Noon Planning Training<br>2.00 pm Planning Committee |
|   |               | 6th May, 2020       | 13th May, 2020   | 20th May, 2020  | 27th May, 2020  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |               |                     | 4.00 pm Corporate Parenting Board  |   |   |
|   |               | 7th May, 2020       | 14th May, 2020   | 21st May, 2020  | 28th May, 2020  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      |               |                     | 5.00 pm Deadline for Questions & Statements for Cabinet  | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel (Work Planning) | 5.00 pm Deadline for Questions & Statements for Cabinet |
|   | 1st May, 2020 | 8th May, 2020       | 15th May, 2020   | 22nd May, 2020  | 29th May, 2020  |
| F<br>R<br>I<br>D<br>A<br>Y                |               |                     | 10.00 am Group Meetings (Mansion House)<br><br>11.00 am ANNUAL COUNCIL MEETING - Mansion House (Reconvene @ 2.00 pm, Civic Office) | 9.30 am Planning Committee Visits   |   |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 1st June, 2020   | 8th June, 2020   | 15th June, 2020                           | 22nd June, 2020  | 29th June, 2020   |
|---|--|--|---|--|---|
| M<br>O<br>N<br>D<br>A<br>Y                |  |  |   |  |   |
|   | 2nd June, 2020   | 9th June, 2020   | 16th June, 2020                           | 23rd June, 2020  | 30th June, 2020   |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet   | 10.00 am Children & Young People Overview & Scrutiny Panel (Work Planning)         | 10.00 am Cabinet                          | 12 Noon Planning Training<br>2.00 pm Planning Committee  | 10.00 am Cabinet<br>12 Noon Deadline for Questions & Motions to Council |
|   | 3rd June, 2020   | 10th June, 2020  | 17th June, 2020                           | 24th June, 2020  |   |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | 10.00 am Communities & Environment Overview & Scrutiny Panel (Work Planning) | 10.00 am Regeneration & Housing Overview & Scrutiny Panel (Work Planning)          | 10.00 am Audit Committee                  |  |   |
|   | 4th June, 2020   | 11th June, 2020  | 18th June, 2020                           | 25th June, 2020  |   |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 Overview and Scrutiny Management Committee (Work Planning)             | 9.30 am Health & Wellbeing Board<br><br>5.00 pm Deadline for Questions for Cabinet | 10.00 am Licensing Committee              | 10.00 am Overview and Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions to Cabinet |   |
|   | 5th June, 2020   | 12th June, 2020  | 19th June, 2020                           | 26th June, 2020  |   |
| F<br>R<br>I<br>D<br>A<br>Y                |  |  | 9.30 am Planning Committee<br>Site Visits |  |   |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 6th July, 2020   | 13th July, 2020                                   | 20th July, 2020  | 27th July, 2020  |
|---|---|--|---|--|--|
| M<br>O<br>N<br>D<br>A<br>Y                |   | 5.30 pm Labour Group Meeting   |   |  |  |
|   |   | 7th July, 2020   | 14th July, 2020                                   | 21st July, 2020  | 28th July, 2020  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |   | 10.00 am Elections & Democratic Structures Committee                                   | 10.00 am Cabinet                                  | 12 Noon Planning Training<br>2.00 pm Planning Committee  | 10.00 am Cabinet   |
|   | 1st July, 2020  | 8th July, 2020   | 15th July, 2020                                   | 22nd July, 2020  | 29th July, 2020  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y | 4.30 pm Standing Advisory Council for Religious Education     | 1.30 pm Parish Councils Joint Consultative Committee                                   | 4.00 pm Corporate Parenting Board                 |  | 10.00 am Communities & Environment Overview & Scrutiny Committee |
|   | 2nd July, 2020  | 9th July, 2020   | 16th July, 2020                                   | 23rd July, 2020  | 30th July, 2020  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel | 5.00 pm Deadline for Questions to Cabinet<br>5.00 pm Group Meetings<br>6.00 pm COUNCIL | 10.00 am Overview & Scrutiny Management Committee | 10.00 am Audit Committee<br>2.00 pm Children & Young People Overview & Scrutiny Panel<br>5.00 pm Deadline for Questions to Cabinet |  |
|   | 3rd July, 2020  | 10th July, 2020  | 17th July, 2020                                   | 24th July, 2020  | 31st July, 2020  |
| F<br>R<br>I<br>D<br>A<br>Y                |   |  | 9.30 am Planning Committee<br>Site Visits         |  |  |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 3rd August, 2020                             | 10th August, 2020                         | 17th August, 2020                                       | 24th August, 2020                            | 31st August, 2020       |
|---|--|---|---|--|-------------------------|
| M<br>O<br>N<br>D<br>A<br>Y                |  |   |   |  | <b>BANK<br/>HOLIDAY</b> |
|   | 4th August, 2020                             | 11th August, 2020                         | 18th August, 2020                                       | 25th August, 2020                            |                         |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |  | 10.00 am Cabinet                          | 12 Noon Planning Training<br>2.00 pm Planning Committee |  |                         |
|   | 5th August, 2020                             | 12th August, 2020                         | 19th August, 2020                                       | 26th August, 2020                            |                         |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |  |   |   | 5.00 pm Deadline for Questions<br>to Cabinet |                         |
|   | 6th August, 2020                             | 13th August, 2020                         | 20th August, 2020                                       | 27th August, 2020                            |                         |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 5.00 pm Deadline for<br>Questions to Cabinet |   |   |  |                         |
|   | 7th August, 2020                             | 14th August, 2020                         | 21st August, 2020                                       | 28th August, 2020                            |                         |
| F<br>R<br>I<br>D<br>A<br>Y                |  | 9.30 am Planning Committee<br>Site Visits |   |  |                         |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 7th September, 2020  | 14th September, 2020   | 21st September, 2020   | 28th September, 2020 |
|---|---|--|--|--|----------------------|
| M<br>O<br>N<br>D<br>A<br>Y                |   |  | 9.30 am Planning Site Visits   | 5.30 pm Labour Group Meeting   |                      |
|   | 1st September, 2020   | 8th September, 2020  | 15th September, 2020   | 22nd September, 2020   | 29th September, 2020 |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet<br><br>10.00 am Awards, Grants & Transport (Appeals) Committee |  | 10.00 am Cabinet<br><br>12 Noon Deadline for Questions and Motions to Council<br><br>12 Noon Planning Training<br><br>2.00 pm Planning Committee |  | 10.00 am Cabinet     |
|   | 2nd September, 2020   | 9th September, 2020  | 16th September, 2020   | 23rd September, 2020   | 30th September, 2020 |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   | 4.00 pm Corporate Parenting Board  |  |  |                      |
|   | 3rd September, 2020   | 10th September, 2020   | 17th September, 2020   | 24th September, 2020   |                      |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 9.30 am Health & Wellbeing Board  | 10.00 am Overview & Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions to Cabinet | 10.00 am Licensing Committee   | 10.00 am Children & Young People Overview & Scrutiny Panel<br><br>5.00 pm Deadline for Questions to Cabinet<br><br>5.00 pm Group Meetings<br><br>6.00 pm COUNCIL |                      |
|   | 4th September, 2020   | 11th September, 2020   | 18th September, 2020   | 25th September, 2020   |                      |
| F<br>R<br>I<br>D<br>A<br>Y                |   |  |  |  |                      |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 5th October, 2020  | 12th October, 2020  | 19th October, 2020       | 26th October, 2020                        |
|---|---|--|---|--------------------------|---|
| M<br>O<br>N<br>D<br>A<br>Y                |   |  |   |                          |   |
|   |   | 6th October, 2020  | 13th October, 2020  | 20th October, 2020       | 27th October, 2020                        |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |   | 10.00 am Awards, Grants & Transport (Appeals) Committee  | 10.00 am Cabinet<br>12 Noon Planning Training<br>2.00 pm Planning Committee |                          |   |
|   |   | 7th October, 2020  | 14th October, 2020  | 21st October, 2020       | 28th October, 2020                        |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   |  | 10.00 am Regeneration & Housing Overview & Scrutiny Panel                   |                          |   |
|   |   | 1st October, 2020  | 8th October, 2020   | 15th October, 2020       | 22nd October, 2020                        |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel | 10.00 am Overview & Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions to Cabinet |   | 10.00 am Audit Committee | 5.00 pm Deadline for Questions to Cabinet |
|   |   | 2nd October, 2020  | 9th October, 2020   | 16th October, 2020       | 23rd October, 2020                        |
| F<br>R<br>I<br>D<br>A<br>Y                |   |  | 9.30 am Planning Committee Visits   |                          |   |

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## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 2nd November, 2020                                | 9th November, 2020  | 16th November, 2020                                  | 23rd November, 2020  | 30th November, 2020 |
|---|---|---|--|--|---------------------|
| M<br>O<br>N<br>D<br>A<br>Y                |   |   | 5.30 pm Labour Group Meeting                         |  |                     |
|   | 3rd November, 2020                                | 10th November, 2020   | 17th November, 2020                                  | 24th November, 2020  |                     |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet                                  | 12 Noon Deadline for Motions & Questions for Council<br><br>12 Noon Planning Training<br><br>2.00 pm Planning Committee | 10.00 am Cabinet                                     | 10.00 am Elections & Democratic Structures Committee   |                     |
|   | 4th November, 2020                                | 11th November, 2020   | 18th November, 2020                                  | 25th November, 2020  |                     |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   | 4.30 pm Standing Advisory Council for Religious Education   | 1.30 pm Parish Councils Joint Consultative Committee | 4.00 pm Corporate Parenting Board  |                     |
|   | 5th November, 2020                                | 12th November, 2020   | 19th November, 2020                                  | 26th November, 2020  |                     |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Overview & Scrutiny Management Committee | 9.30 am Health & Wellbeing Board<br><br>5.00 pm Deadline for Questions to Cabinet                                       | 1.00 pm Group Meetings<br><br>2.00 pm COUNCIL        | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel<br><br>5.00 pm Deadline for Questions to Cabinet |                     |
|   | 6th November, 2020                                | 13th November, 2020   | 20th November, 2020                                  | 27th November, 2020  |                     |
| F<br>R<br>I<br>D<br>A<br>Y                | 9.30 am Planning Committee Visits                 |   |  |  |                     |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |  | 7th December, 2020   | 14th December, 2020 | 21st December, 2020     | 28th December, 2020     |
|---|--|--|---------------------|-------------------------|-------------------------|
| M<br>O<br>N<br>D<br>A<br>Y                |  |  |                     |                         | <b>BANK<br/>HOLIDAY</b> |
|   | 1st December, 2020                                   | 8th December, 2020   | 15th December, 2020 | 22nd December, 2020     | 29th December, 2020     |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Cabinet                                     | 12 Noon Planning Training<br>2.00 pm Planning Committee  | 10.00 am Cabinet    |                         |                         |
|   | 2nd December, 2020                                   | 9th December, 2020   | 16th December, 2020 | 23rd December, 2020     | 30th December, 2020     |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |  |  |                     |                         |                         |
|   | 3rd December, 2020                                   | 10th December, 2020  | 17th December, 2020 | 24th December, 2020     | 31st December, 2020     |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Overview & Scrutiny<br>Management Committee | 10.00 am Licensing Committee<br>1.00 pm Children & Young People<br>Overview & Scrutiny Panel<br>5.00 pm Deadline for Questions to<br>Cabinet |                     |                         |                         |
|   | 4th December, 2020                                   | 11th December, 2020  | 18th December, 2020 | 25th December, 2020     |                         |
| F<br>R<br>I<br>D<br>A<br>Y                | 9.30 am Planning Committee<br>Visits                 |  |                     | <b>BANK<br/>HOLIDAY</b> |                         |



# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |                     | 4th January, 2021                                       | 11th January, 2021  | 18th January, 2021  | 25th January, 2021  |
|---|---------------------|---|---|---|---|
| M<br>O<br>N<br>D<br>A<br>Y                |                     | 9.30 am Planning Committee<br>Site Visits               |   | 5.30 pm Labour Group Meeting  |   |
|   |                     | 5th January, 2021                                       | 12th January, 2021  | 19th January, 2021  | 26th January, 2021  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |                     | 12 Noon Planning Training<br>2.00 pm Planning Committee | 10.00 am Cabinet<br>12 Noon Deadline for Questions & Motions to Council | 10.00 am Awards, Grants & Transport Appeals Committee   | 10.00 am Cabinet  |
|   |                     | 6th January, 2021                                       | 13th January, 2021  | 20th January, 2021  | 27th January, 2021  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |                     |   | 4.00 pm Corporate Parenting Board                                       | 10.00 am Overview & Scrutiny Management Committee   | 10.00 am Audit Committee                                      |
|   |                     | 7th January, 2021                                       | 14th January, 2021  | 21st January, 2021  | 28th January, 2021  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      |                     | 5.00 pm Deadline for Questions & Statements to Cabinet  | 9.30 am Health & Wellbeing Board  | 1.00 pm Group Meetings<br>2.00 pm COUNCIL<br>5.00 pm Deadline for Questions & Statements to Cabinet | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel |
|   | 1st January, 2021   | 8th January, 2021                                       | 15th January, 2021  | 22nd January, 2021  | 29th January, 2021  |
| F<br>R<br>I<br>D<br>A<br>Y                | <b>BANK HOLIDAY</b> |   |   |   | 9.30 am Planning Committee Visits                             |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 1st February, 2021  | 8th February, 2021  | 15th February, 2021                                    | 22nd February, 2021  |
|---|---|---|--|--|
| M<br>O<br>N<br>D<br>A<br>Y                |   |   |  |  |
|   | 2nd February, 2021  | 9th February, 2021  | 16th February, 2021                                    | 23rd February, 2021  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 10.00 am Elections & Democratic Structures Committee<br><br>12 Noon Planning Training<br><br>2.00 pm Planning Committee | 10.00 am Cabinet  |  | 10.00 am Cabinet<br><br>10.00 am Awards, Grants & Transport Appeals Committee<br><br>12 Noon Deadline for Questions and Motions to Council |
|   | 3rd February, 2021  | 10th February, 2021   | 17th February, 2021                                    | 24th February, 2021  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   | 10.00 am Communities & Environment Crime and Disorder Overview & Scrutiny Panel |  |  |
|   | 4th February, 2021  | 11th February, 2021   | 18th February, 2021                                    | 25th February, 2021  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Overview & Scrutiny Management Committee<br><br>5.00 pm Deadline for Questions & Statements to Cabinet         |   | 5.00 pm Deadline for Questions & Statements to Cabinet | 10.00 am Overview and Scrutiny Management Committee<br><br>4.30 pm Standing Advisory Council for Religious Education                       |
|   | 5th February, 2021  | 12th February, 2021   | 19th February, 2021                                    | 26th February, 2021  |
| F<br>R<br>I<br>D<br>A<br>Y                |   |   |  | 9.30 am Planning Committee Visits  |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   | 1st March, 2021   | 8th March, 2021   | 15th March, 2021  | 22nd March, 2021  | 29th March, 2021  |
|---|---|---|---|---|---|
| M<br>O<br>N<br>D<br>A<br>Y                | 5.30 pm Labour Group Meeting  |   |   |   |   |
|   | 2nd March, 2021   | 9th March, 2021   | 16th March, 2021  | 23rd March, 2021  | 30th March, 2021  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           | 12 Noon Planning Training<br>2.00pm Planning Committee  | 10.00 am Cabinet  |   | 10.00 am Cabinet  | 12 Noon Planning Training<br>2.00 pm Planning Committee |
|   | 3rd March, 2021   | 10th March, 2021  | 17th March, 2021  | 24th March, 2021  | 31st March, 2021  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   | 10.00 am Regeneration & Housing Overview & Scrutiny Panel | 4.00 pm Corporate Parenting Board   | 1.30 pm Parish Councils Joint Consultative Committee          |   |
|   | 4th March, 2021   | 11th March, 2021  | 18th March, 2021  | 25th March, 2021  |   |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 1.00 pm Group Meetings<br>2.00 pm COUNCIL (Budget Setting & Council Tax)<br>5.00pm Deadline for Questions & Statements to Cabinet | 9.30 am Health & Wellbeing Board                          | 10.00 am Licensing Committee<br>1.00 pm Children & Young People Overview & Scrutiny Panel<br>5.00 pm Deadline for Questions & Statements to Cabinet | 10.00 am Health & Adult Social Care Overview & Scrutiny Panel |   |
|   | 5th March, 2021   | 12th March, 2021  | 19th March, 2021  | 26th March, 2021  |   |
| F<br>R<br>I<br>D<br>A<br>Y                |   |   |   | 9.30 am Planning Committee Visits                             |   |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|   |   | 5th April, 2021  | 12th April, 2021         | 19th April, 2021                                       | 26th April, 2021  |
|---|---|--|--------------------------|--|---|
| M<br>O<br>N<br>D<br>A<br>Y                |   | <b>BANK<br/>HOLIDAY</b>                                |                          |  |   |
|   |   | 6th April, 2021  | 13th April, 2021         | 20th April, 2021                                       | 27th April, 2021  |
| T<br>U<br>E<br>S<br>D<br>A<br>Y           |   |  | 10.00 am Cabinet         |  | 10.00 am Cabinet<br>12 Noon Planning Training<br>2.00 pm Planning Committee |
|   |   | 7th April, 2021  | 14th April, 2021         | 21st April, 2021                                       | 28th April, 2021  |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y |   |  |                          |  |   |
|   |   | 1st April, 2021  | 8th April, 2021          | 15th April, 2021                                       | 22nd April, 2021  |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y      | 10.00 am Overview & Scrutiny Management Committee |  | 10.00 am Audit Committee | 5.00 pm Deadline for Questions & Statements to Cabinet |   |
|   |   | 5.00 pm Deadline for Questions & Statements to Cabinet |                          |  |   |
|   |   | 2nd April, 2021  | 9th April, 2021          | 16th April, 2021                                       | 23rd April, 2021  |
| F<br>R<br>I<br>D<br>A<br>Y                | <b>BANK<br/>HOLIDAY</b>                           |  |                          | 9.30 am Planning Committee Visits                      |   |

# APPENDIX A

## Schedule of Meetings 1st May, 2019 to 31st May, 2021

(Shaded area denotes School Holidays)

|  | 3rd May, 2021  | 10th May, 2021 | 17th May, 2021   | 24th May, 2021  | 31st May, 2021          |
|--|--|----------------|--|---|-------------------------|
| M<br>O<br>N<br>D<br>A<br>Y                     | <b>BANK<br/>HOLIDAY</b>                                |                | 5.30 pm Labour Group Meeting<br>AGM (Parts 1 & 2)  |   | <b>BANK<br/>HOLIDAY</b> |
| T<br>U<br>E<br>S<br>D<br>A<br>Y                | 4th May, 2021  | 11th May, 2021 | 18th May, 2021   | 25th May, 2021  |                         |
|  |  |                |  | 10.00 am Cabinet  |                         |
| W<br>E<br>D<br>N<br>E<br>S<br>D<br>A<br>Y      | 5th May, 2021  | 12th May, 2021 | 19th May, 2021   | 26th May, 2021  |                         |
|  |  |                |  | 4.00 pm Corporate Parenting Board   |                         |
| T<br>H<br>U<br>R<br>S<br>D<br>A<br>Y           | 6th May, 2021  | 13th May, 2021 | 20th May, 2021   | 27th May, 2021  |                         |
|  | <b>MAYORAL,<br/>BOROUGH &amp;<br/>PARISH ELECTIONS</b> |                | 5.00 pm Deadline for Questions &<br>Statements to Cabinet  | 10.00 am Health & Adult Social<br>Care Overview & Scrutiny Panel<br>(Work Planning) |                         |
| P<br>A<br>G<br>E<br>9<br>1<br>5<br>M<br>A<br>Y | 7th May, 2021  | 14th May, 2021 | 21st May, 2021   | 28th May, 2021  |                         |
|  |  |                | 10.00 am Group Meetings<br>(Mansion House)<br><br>11.00 am Annual Council Meeting<br>- Mansion House (Reconvene @<br>2.00pm, Civic Office) | 9.30 am Planning Committee Visits   |                         |

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## Doncaster Council

### Report

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17th May, 2019

**To the Chair and Members of the COUNCIL**

### **COUNCIL APPOINTMENTS TO OUTSIDE BODIES 2019/20**

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to determine the appointment of representatives to the schedule of Outside Bodies which are deemed Council appointments for the 2019/20 Municipal Year.

#### **RECOMMENDATION**

2. The Council is asked to determine the appointments to Outside Bodies as set out in Appendix A to the report.

#### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

3. In addition to being appointed to Committees and Panels within the Council, Councillors are also appointed to external bodies such as charitable bodies, local partnerships and other organisations. This can be either as representatives of the Council, as trustees or directors in their own right. The Council also has representatives on bodies such as the South Yorkshire Fire and Rescue Authority, South Yorkshire Pensions Authority and the Police and Crime Panel. Such appointments help to ensure that the Council's views are represented to local and national groups and, where the representative has voting rights, that the Council is involved in any decisions that may affect the people of the Borough.

#### **BACKGROUND**

4. Appendix A to this report details the outside bodies where appointments are required to be made at this meeting. The schedule in the Appendix also includes a small number of outside bodies where no appointment is required this year e.g. where an appointment has previously been made on the basis of a 4 year term of office. However, Members may wish to consider whether any of these should be reviewed.
5. Work is carried out each year to ensure that all details held on file in respect of each outside body and the capacity in which the appointee will serve, are correct and up-to-date as this information can change regularly. Incorporated within Appendix A are details of each outside body, term of office, capacity in which the appointee(s) will serve and any other relevant details. This is based on information provided by each of the outside bodies. Unless otherwise specified, the term of office for outside bodies runs from the date of appointment (this is

usually Annual Council) until the appointment is reviewed at the next Annual Council meeting. Where it is not possible to review appointments at Annual Council, current appointments will roll forward until such time as they can be reviewed; this is to ensure that the Council retains representation on these bodies. Where vacancies arise in-year or cannot be made at Annual Council e.g. an appointee is no longer eligible to represent the Council or resigns, the Council will look to fill these positions as soon as is reasonably practical.

6. Detailed below are any notable changes to the schedule of Outside Bodies that have occurred since last year's appointments were made:-

#### Citizens Advice Doncaster Borough

As reported at the Council's AGM last year, following a restructuring exercise carried out in 2018, the former Mexborough and North East Doncaster Citizens Advice Bureaux have been merged to form a new Borough-wide body known as Citizens Advice Doncaster Borough. Doncaster Council has now been invited to appoint one voting representative and one substitute to sit on the Trustee Board of the new Citizens Advice body. This organisation has therefore been added to the schedule of appointments detailed in Appendix A to this report.

#### East Doncaster Development Trust

In light of communications received from the East Doncaster Development Trust advising that DMBC representation is no longer required, this body has been deleted from the schedule of appointments.

#### Sheffield City Region (SCR) Mayoral Combined Authority (MCA) – Thematic Boards

In 2018, SCR undertook a review of the SCR governance structure. This resulted in a revised structure being agreed by the MCA and Local Enterprise Partnership (LEP) Boards, featuring 5 new Thematic Boards which came into operation from 1 April 2019.

The purpose of the Thematic Boards is to provide adequate experienced leadership capacity to review projects and make investment decisions. These Boards bring together the public and private leadership of the MCA and LEP to drive the delivery of the SCR's programme of activity, ensuring that the focus remains on the outcomes being delivered. The Thematic Boards therefore enable the MCA and LEP Boards to operate strategically rather than merely as investment boards.

The five Thematic Boards are accountable to the MCA and LEP and each one has a defined portfolio with distinct responsibilities for Business Growth, Housing, Infrastructure, Skills and Employment and Transport. The Transport Board also provides direction for and oversees the performance of the South Yorkshire Passenger Transport Executive (SYLTE).

The members of each Thematic Board (with the exception of the Transport Board) include:

- Two Leaders from the MCA (one from a constituent Local Authority and one from a non-constituent Local Authority);



- A nominated representative for each of the remaining seven Local Authorities;

South Yorkshire Leaders have each been invited by the SCR Mayor to take up the Chair's position on one of the new Thematic Boards. SY Chief Executives will also each sit on a Board in an advisory capacity only.

The Transport Board membership structure reflects the statutory responsibilities of the SCR Mayor. Membership of the Transport Board includes:

- The SCR Mayor (Chair);
- A Leader from the MCA of a constituent local authority (Deputy Chair);
- A nominated representative for each of the remaining three constituent local authorities on the MCA Board;

Accordingly, these 5 new Thematic Boards have been added to the schedule of Council appointments detailed in Appendix A.

#### Sheffield City Region Local Enterprise Partnership (LEP)

As a result of a recent change to the Terms of Reference of the LEP in relation to public sector member substitutes, there is now provision for Local Authority Leaders to nominate a substitute to represent them at LEP meetings. The entry relating to the Sheffield City Region LEP detailed in Appendix A has therefore been amended to reflect this.

### **South Yorkshire Joint Authorities**

7. Appointments to the Joint Authorities are made annually and are subject to the rules of "political proportionality" provided by the Local Government and Housing Act 1989. Seat allocations on these bodies are determined by calculating political proportionality across South Yorkshire.
8. At the time of this report's publication, confirmation was still awaited from the Joint Authorities Governance Unit at Barnsley as to any changes in the proportional entitlement to seats for Doncaster Council's Political Groups on each Joint Authority as a result of the local elections held in Barnsley and Sheffield on 2<sup>nd</sup> May 2019. Any changes to the allocation of seats on these bodies will therefore be reported to Members in time for consideration at the Council Meeting.

### **OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION**

9. The option to appoint to the Outside Bodies detailed within the appendix seeks to ensure the Council's views are represented to local and national groups and, where the representative has voting rights, to be involved in any decisions that may affect the people of the Borough.
10. The option not to appoint to the list of Outside Bodies would mean a loss of opportunity for the Council in lobbying, decision making, representing the Council's views and influencing future policy.

## **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

11. This report has no direct impact on the Council's Key Outcomes. Indirectly, clear responsibility and effective Constitutional provisions for making appointments to Outside Bodies contributes towards the Council's 'Connected Council' outcome 'Working with our partners and residents to provide effective leadership and governance', thus demonstrating that effective governance arrangements are in place.

## **RISKS & ASSUMPTIONS**

12. Appointees to outside bodies will need to act strategically and ensure issues of significance are effectively reported back to the Authority where appropriate.
13. In recent years, the Council has reviewed the Governance of the Council's arrangements and relationship with outside bodies and partnerships. One of the key elements of this work has been to ensure that representatives appointed to Outside Bodies are clear of their roles and responsibilities. A particular risk exists where representatives may act beyond their powers or potentially commit the Council to unauthorised actions or expenditure. To mitigate this risk, training is provided for all individuals appointed to outside bodies to raise awareness and provide clarity and understanding of their roles. A partnership officer has also been identified for each group to support the appointed members. In addition, the Council may also provide indemnity insurance for individuals against personal liability, provided they act reasonably, and where this is not provided by the relevant partner organisation. As agreed at the 2017 Annual Council, the partnership officer for each outside body and partnership will produce an annual report back to an appropriate part of the Council detailing the work carried out during the previous year and the work programme for the upcoming year.

## **LEGAL IMPLICATIONS [Officer Initials SF Date 17/04/19]**

14. Members of the Council are appointed in different capacities. The bodies range from incorporated bodies to Associations, Schemes and Statutory Bodies. The nature of the organisation and its constitution and nature of the appointment will affect any personal liabilities of the appointed representatives.
15. Representatives may be appointed to a body either with voting rights or as observers. The nature of appointment will be specified in the Articles/Constitution of the organisation. In some cases, the appointment may be as Directors or Trustees in which case the representative will be obliged to act in the interests of the charity or company and will be personally liable in the event of any breach of their duties. Where representatives are appointed to Outside Bodies as Directors or Trustees or where they are expected to carry out a management function for the Outside Body, they should seek legal advice as to their duties and responsibilities and any personal liability which may accrue.
16. The rules of political proportionality are set out in Sections 15 and 16 of the Local Government and Housing Act, 1989 (as amended). The SYFRA and the SYPA are Joint Authorities to which the duties under Sections 15 and 16 apply for so long as the Council appoints 3 or more seats on the Joint Authorities. In simplistic terms, the political group that holds the majority of seats on the Council has the majority of seats on a committee appointed to by Council.

17. The Local Government (Committees and Political Groups) Regulations 1990, provides the mechanism by which to implement this requirement.

#### **FINANCIAL IMPLICATIONS [VJB Date 18/04/2019]**

18. Approval of the recommendations does not have additional cost implications for the Authority. Representatives appointed to the Joint Authorities receive an allowance for undertaking their duties which is paid either by the relevant Joint Authority or by Doncaster Council. Where Members' allowances are paid by Doncaster Council, these are funded by a budget within the overall Member Services budget.

#### **HUMAN RESOURCES IMPLICATIONS [Officer Initials RH Date 15.04.19 ]**

19. There are no specific HR implications related to the content of this report.

#### **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 12/4/19 ]**

20. There are no specific technology implications arising from this report.

#### **HEALTH IMPLICATIONS [Officer Initials RS Date 12/04/2019]**

21. There are no specific health implications arising from this report. However, the outside bodies themselves have the potential to improve health and reduce health inequalities. Individuals appointed to the outside bodies should be aware of this and can seek guidance from the public health team about how to maximise these opportunities and minimise any risks to the health of Doncaster residents.

#### **EQUALITY IMPLICATIONS [Officer Initials JG Date 17/04/19]**

22. There are no specific equality implications associated with this report.

#### **CONSULTATION**

23. Consultation has taken place with Group Leaders in respect of the appointment of Members onto Outside Bodies, prior to the Council meeting taking place.

#### **BACKGROUND PAPERS**

Report to Council – 18th May 2018: Council Appointments to Outside Bodies – 2018/19.

#### **REPORT AUTHOR AND CONTRIBUTORS**

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**Director of Corporate Resources**

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## OUTSIDE BODIES FOR APPOINTMENT 2019/20 (COUNCIL APPOINTMENTS)

\*Denotes where individual current appointment goes beyond 2019/20

| Organisation                      | Notes   | No of Reps | 2018/19 Representatives  | 2019/20 Nominations |
|-----------------------------------|---|------------|--|---------------------|
| Adwick Charities                  | *4 Year Term of Office (term ends in 2021)<br><br>Trustees with voting rights<br>Ward Members for area  | 3          | Cllr J. Mounsey*<br>Cllr R. Hodson*<br>Cllr D. Hughes*<br><br>*See notes.                              |                     |
| Bentley with Arksey Doles Charity | *4 Year Term of Office (term ends in 2021)<br><br>Trustees with voting rights<br>Ward Members for area  | 4          | Cllr B. Mordue*<br>Mrs D. Hutchinson *<br>Cllr C. Hogarth*<br>Cllr. J. Nightingale*<br><br>*See notes. |                     |
| Cantley Poor's Land Trust         | *4 Year Term of Office (term ends in 2021)<br><br>Trustee – role requires regular attendance at monthly meetings and visits to clients (people skills desirable).<br><br>Knowledge of Cantley, Bessacarr & Branton is helpful as this is the area covered by the Trust. | 2          | Cllr M. Khan*<br>Mrs S. Rogerson*<br><br>*See notes.   |                     |

| Organisation                                    | Notes  | No of<br>Reps | 2018/19<br>Representatives          | 2019/20<br>Nominations |
|---|--|---------------|-------------------------------------|------------------------|
| Citizens Advice Doncaster Borough               | 1 Year Term of Office<br>Voting Member<br>Knowledge of, and interest in, Citizens Advice service is desirable. | 1<br>+ 1 sub  | N/A                                 |                        |
| Cooke Almshouse Charity                         | *4 Year Term of Office (term ends in 2021)<br><br>Trustee with voting rights<br>No specific requirements       | 1             | Cllr C. Hogarth*<br><br>*See notes. |                        |
| Dementia Partnership                            | Relevant Cabinet Member attends because of their Portfolio responsibilities.                                   | 1             | Cllr N. Ball                        |                        |
| Doncaster and District Deaf Society             | 1 Year Term of Office<br>Advisory/Observer<br>No specific requirements   | 2             | Cllr J. Kidd<br>Cllr D. Nevett      |                        |
| Doncaster Safeguarding Adults Partnership Board | Relevant Cabinet Member attends because of their Portfolio responsibilities.                                   | 1             | Cllr R. Blake                       |                        |
| Doncaster Safeguarding Children's Board         | Relevant Cabinet Member attends because of their Portfolio responsibilities.                                   | 1             | Cllr N. Fennelly                    |                        |
| Doncaster Schools' Forum                        | Relevant Cabinet Member attends as an observer because of their Portfolio responsibilities.                    | 1             | Cllr N. Fennelly                    |                        |

| <b>Organisation</b>  | <b>Notes</b>  | <b>No of<br/>Reps</b> | <b>2018/19<br/>Representatives</b>   | <b>2019/20<br/>Nominations</b> |
|--|---|-----------------------|--|--------------------------------|
| Humberhead Levels Partnership (Executive Board)                          | Open-ended Term of Office   | 1                     | Melissa Massarella<br>(DMBC Officer)   |                                |
| Health and Social Care Joint Commissioning Management Board              | <p>The JCMB plays a vital role in the development, implementation and oversight of joint commissioning arrangements between the NHS Doncaster Clinical Commissioning Group and Doncaster Council.</p> <p>Chaired alternately by the Council's Chief Executive and the Chief Officer of the Doncaster CCG.</p> <p>The JCMB is responsible to DMBC Cabinet and DCCG Governing Body.</p> | 7<br>+ 1 sub          | Cllr R. Blake<br>Cllr N. Ball (Sub)<br>Jo Miller<br>Damian Allen<br>Steve Mawson<br>Rupert Suckling<br>Leanne Hornsby<br>Denise Bann |                                |
| Industrial Communities Alliance<br>(formerly The Alliance)               | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>Knowledge of regeneration is desirable</p>  | 2                     | Cllr C. Hogarth<br>Cllr B. Mordue  |                                |
| Joint Health Overview & Scrutiny Committee - Yorkshire & Humber Councils | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>Representative should be a Scrutiny Member (not a Member of the Executive) – preferably the Chair or Vice-Chair of DMBC's Health Scrutiny Panel.</p>  | 1                     | Cllr A. Robinson   |                                |

| Organisation  | Notes   | No of Reps              | 2018/19 Representatives  | 2019/20 Nominations |
|---|---|-------------------------|--|---------------------|
| Joint Health Overview & Scrutiny Committee - Commissioners Working Together | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>Representative and sub should be a Scrutiny Member (not a Member of the Executive) – preferably the Chair and Vice-Chair of DMBC's Health Scrutiny Panel.</p> | <p>1 +</p> <p>1 sub</p> | <p>Cllr A. Robinson</p> <p>Cllr C. Ransome (Sub)</p>                 |                     |
| Learning Disability Partnership Board                                       | <p>Open-ended term of office</p> <p>Joint meetings are co-chaired by a Council representative (Assistant Director for Adult Social Care) and a member of the learning disability community.</p>                     | <p>1</p>                | <p>Karen Johnson (DMBC Officer)</p>                                  |                     |
| Mexborough Charity Trust  | <p>*4 Year Term of Office (term ends in 2021)</p> <p>Voting/Trustee Members</p> <p>No specific requirements</p>   | <p>2</p>                | <p>Cllr A. Pickering*</p> <p>Cllr B. Chapman*</p> <p>*See notes.</p> |                     |



| Organisation  | Notes  | No of Reps | 2018/19 Representatives  | 2019/20 Nominations |
|---|--|------------|--|---------------------|
| <p>Doncaster Sheffield Airport Consultative Committee</p> <p>^ Strategic Aviation Special Interest Group (SASIG) Member - appointment made by the Executive</p> | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>5 seats to be filled comprising:-</p> <ol style="list-style-type: none"> <li>1) Cabinet Member for Transport</li> <li>2) SASIG Member</li> <li>3) Finningley Ward Member</li> <li>4) Rossington &amp; Bawtry Member</li> <li>5) Tickhill &amp; Wadworth Member</li> </ol> <p>Knowledge/interest of aviation and the future developments at Doncaster Sheffield Airport is desirable.</p> | 5          | <p>Cllr. B. Mordue^</p> <p>Cllr S. Cox</p> <p>Cllr M. Cooper</p> <p>Cllr M. Greenhalgh</p> <p>Note: Cllr B. Mordue to fill both Cabinet Member and SASIG Member positions.</p> |                     |
| <p>Doncaster Sheffield Airport – Noise Monitoring and Environmental Committee</p>   | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>5 representatives – 1 drawn from each ward of Armthorpe, Finningley, Hatfield, Rossington &amp; Bawtry and Tickhill &amp; Wadworth</p> <p>Knowledge/interest of aviation, the environment and the future developments at Doncaster Sheffield Airport is desirable.</p>   | 5          | <p>Cllr S. Cox</p> <p>Cllr L. Curran</p> <p>Cllr M. Cooper</p> <p>Cllr M. Greenhalgh</p> <p>Cllr F. Tyas</p>   |                     |

| Organisation  | Notes  | No of Reps    | 2018/19 Representatives   | 2019/20 Nominations |
|---|--|---------------|---|---------------------|
| Sheffield City Region<br>Mayoral Combined<br>Authority      | <p>Terms of Office:-</p> <ul style="list-style-type: none"> <li>• Leader (i.e. Elected Mayor) – In perpetuity</li> <li>• Substitute and rotational member – 1 year</li> </ul> <p>Voting Members</p> <p>1 representative + 1 substitute</p> <p>^1 second rotational member <b>[Note: Not required in 2019/20]</b></p> <p>No specific requirements</p>   | 2             | Mayor Ros Jones<br>Cllr G. Jones (Sub)<br>Cllr J. Blackham^                             |                     |
| Sheffield City Region<br>Overview and Scrutiny<br>Committee | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>Scrutiny experience preferable</p> <p>Proportional appointments:<br/><b>1 x Labour</b><br/><b>1 x Conservative</b></p> <p><b>Note: SCRCA's preferred arrangement is to have same reps sitting on both the O&amp;S Committee and the Audit Committee)</b></p> <p>Both the SCR Audit &amp; Standards Cttee and the SCR Overview &amp; Scrutiny Cttee ordinarily meet on a Thursday morning and afternoon respectively on a quarterly basis at present. Consideration should be given to the nominee's capacity to attend meetings on a regular basis (as substitute Scrutiny Members should only be called upon to attend on an ad hoc basis rather than as 'the norm').</p> | 2 +<br>2 subs | Cllr A. White<br>Cllr R. A. Jones<br>Cllr D. Anderson (Sub)<br>Cllr M. Greenhalgh (Sub) |                     |

| Organisation  | Notes   | No of Reps | 2018/19 Representatives   | 2019/20 Nominations |
|---|---|------------|---|---------------------|
| Sheffield City Region<br>Audit and Standards<br>Committee | <p>1 Year Term of Office</p> <p>Voting Member</p> <p>Proportional appointments:<br/> <b>1 x Labour</b><br/> <b>1 x Conservative</b></p> <p><b>Note: Representation must include the holder of the position of Chair of DMBC's Audit Committee (Council 25/09/14) and see note above regarding SCRCA O&amp;S Committee.</b></p> <p>Both the SCR Audit &amp; Standards Cttee and the SCR Overview &amp; Scrutiny Cttee ordinarily meet on a Thursday morning and afternoon respectively on a quarterly basis at present. Consideration should be given to the nominee's capacity to attend meetings on a regular basis.</p> | 2          | <p>Cllr A. White</p> <p>Cllr R. A. Jones</p> <p>Cllr D. Nevett (Sub)</p> <p>Cllr M. Greenhalgh (Sub)</p> <p><b>(Note: Substitutes no longer required on this Committee from May 2019)</b></p> |                     |
| Sheffield City Region<br>Growth Board                     | <p>1 Year Term of Office</p> <p>Thematic Boards routinely meet on an eight-weekly cycle.</p>  | 1          | N/A   |                     |
| Sheffield City Region<br>Housing Board                    | <p>1 Year Term of Office</p> <p>Thematic Boards routinely meet on an eight-weekly cycle.</p>  | 1          | N/A   |                     |

| Organisation  | Notes   | No of Reps   | 2018/19 Representatives  | 2019/20 Nominations |
|---|---|--------------|--|---------------------|
| Sheffield City Region Infrastructure Board                | 1 Year Term of Office<br>Thematic Boards routinely meet on an eight-weekly cycle.<br>The Elected Mayor has designated lead/Chair's role on this Board by virtue of being deemed the Council 'Leader'.   | 1            | N/A  |                     |
| Sheffield City Region Skills & Employability Board        | 1 Year Term of Office<br>Thematic Boards routinely meet on an eight-weekly cycle.   | 1            | N/A  |                     |
| Sheffield City Region Transport Board                     | 1 Year Term of Office<br>Thematic Boards routinely meet on an eight-weekly cycle.   | 1            | N/A  |                     |
| Sheffield City Region Local Enterprise Partnership        | Elected Mayor represents the Council by virtue of being deemed the Council 'Leader'.  | 1 +<br>1 sub | Mayor Ros Jones  |                     |
| Standing Advisory Council for Religious Education (SACRE) | 1 Year Term of Office<br>Voting Members<br>Proportional appointments:<br><b>1 x Conservative</b><br><b>3 x Labour</b><br>Skills/Knowledge/Attributes – An understanding of school improvement and general educational issues and a firm commitment to help improve the quality of provision for all students. | 4            | Cllr K. Rodgers<br>Cllr D. Smith<br>Cllr J. Gilliver<br>Cllr J. Wood |                     |

| <b>Organisation</b>           | <b>Notes</b>   | <b>No of<br/>Reps</b> | <b>2018/19<br/>Representatives</b> | <b>2019/20<br/>Nominations</b> |
|-------------------------------|--|-----------------------|------------------------------------|--------------------------------|
| Team Doncaster                | Elected Mayor chairs the partnership by virtue of being deemed the Council 'Leader'.   | 1                     | Mayor Ros Jones                    |                                |
| Travis Educational Foundation | 1 Year Term of Office<br>Voting Members<br>Skills/knowledge/attributes: <ul style="list-style-type: none"> <li>• Knowledge of Thorne and Hatfield communities</li> <li>• Financial/management skills</li> <li>• Debate and decision making</li> <li>• Confidentiality/sensitivity</li> </ul> | 2                     | Cllr L. Curran<br>Cllr D. Smith    |                                |

| Joint Authorities – Politically Proportional |   | No of<br>Reps | 2018/19<br>Representatives  | 2019/20<br>Nominations |
|--|---|---------------|---|------------------------|
| South Yorkshire Fire<br>and Rescue Authority | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>Political Requirements (<b><i>*Note: To be confirmed</i></b>)</p> <p><b>2 x Labour*</b></p> <p><b>1 x Conservative*</b></p> <p><b>^Note: One representative to be designated as the Section 41 Member (i.e. Council spokesperson on issues relating to the Fire &amp; Rescue Authority). Cllr P Haith is the current S41 Member.</b></p>  | 3             | <p>Cllr P. Haith<br/>(S41 Member)</p> <p>Cllr C. Hogarth</p> <p>Cllr C. Ransome</p>                   |                        |
| South Yorkshire<br>Pensions Authority        | <p>1 Year Term of Office</p> <p>Voting Members</p> <p>Political Requirements (<b><i>*Note: To be confirmed</i></b>)</p> <p><b>2 x Labour*</b></p> <p><b>1 x Conservative*</b></p> <p>Skills/Knowledge/Attributes – on appointment, in accordance with the Authority’s policy, Members are required to attend the LGPS Trustees fundamental training. CIPFA have issued a code of practice relating to Member knowledge and skills. The Authority is minded to adopt this Code.</p> <p><b>^Note: One representative to be designated as the Section 41 Member (i.e. Council spokesperson on issues relating to the Pensions Authority) and one representative as the S41 Member substitute. Cllr J Mounsey is the current S41 Member and Cllr S Durant is the S41 Member substitute.</b></p> | 3             | <p>Cllr J. Mounsey<br/>(S41 Member)</p> <p>Cllr S. Durant<br/>(S41 Substitute)</p> <p>Cllr S. Cox</p> |                        |

| Joint Authorities – Politically Proportional |   | No of<br>Reps | 2018/19<br>Representatives   | 2019/20<br>Nominations |
|--|---|---------------|--|------------------------|
| Police and Crime<br>Panel                    | <p>1 Year Term of Office</p> <p>Voting Members (also subs)</p> <p>Political Proportionality across South Yorkshire indicated by host Authority. <b>(Note: To be confirmed)</b></p> <p><b>Elected Mayor is appointed as of right plus one Labour Group representative.</b></p> | 2 + 2<br>subs | <p>Cllr S. Wilkinson<br/>Cllr D. Nevett</p> <p>Subs:<br/>Cllr C McGuinness<br/>Cllr G. Jones</p> |                        |

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## Doncaster Council

### Report

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**Date: 17<sup>th</sup> May 2019**

**To the Chair and Members of  
COUNCIL**

### **REVISIONS TO THE COUNCIL'S CONSTITUTION**

#### **EXECUTIVE SUMMARY**

1. This report presents to Council proposed revisions to the Council's Constitution including the Contract Procedure Rules (CPRs) and Financial Procedure Rules (FPRs). The proposed revisions are:
  - a. in response to issues which have arisen since the Constitution was last reviewed. Specifically, these relate to the Articles (Section 3 of Part 2 of the Constitution) Council Procedure Rules (Section 1 of Part 4 of the Constitution) and the Executive Procedure Rules (Section 4 of Part 4 of the Constitution);
  - b. to ensure the CPRs are in line with the relevant legislation; best practice procurement practices and enhance the governance around contracting activity.
  - c. to ensure the FPRs are in line with the relevant legislation; current working practices; better aligned to the key decision thresholds; provide greater clarity to managers and ensure financial decision making is made at the appropriate level.

#### **EXEMPT REPORT**

2. Not applicable

#### **RECOMMENDATIONS**

3. Council is requested to approve the proposed revisions to the Council's Constitution, as outlined within Appendices A to C to the report.

#### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

4. The Council's Constitution 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. The proposed revisions to Procedure Rules outlined in this report are aimed:
  - a. to ensure that Council and Executive meetings are managed

effectively and in a fair and consistent manner, and the highest standards of governance are maintained.

- b. demonstrate better practices and facilitate the Council in achieving value for money for the citizens of Doncaster through having robust procurement practices and financial procedure rules.

## **BACKGROUND**

5. The following changes are proposed to the Councils constitution covering the articles (Section 3 of Part 2 of the Constitution) Council Procedure Rules (Section 1 of Part 4 of the Constitution) and the Executive Procedure Rules (Section 4 of Part 4 of the Constitution).

## **Revisions to the Constitution**

### Proposed revisions to Article 3 of the Constitution

6. Members will recall that in 2016 Council agreed to hold an annual State of the Borough assessment where information will be presented on the borough and its residents. It is proposed to remove the obligation to hold such an item on an annual basis. The Constitution already provides the Chair of Council the opportunity to call a State of the Borough Debate annually in a form to be agreed with the Elected Mayor, and that there is no legal requirement to hold a State of the Borough Assessment. The information contained within the state of the Borough assessment will be provided to members in other forms which provide a better opportunity to consider the information provided. It is therefore proposed that paragraph 3.01 (m) within Article 3 of the Constitution - 3.01 Functions of Full Council, be removed, as detailed in Appendix A. During consideration by Elections and Democratic Structures Committee, Members welcomed the opportunity to attend the partnership summit or an alternative forum to consider the State of the Borough.

### Proposed revision to Article 8 of the Constitution

7. It is proposed that the financial threshold for a key decision is retained at £250k for revenue decisions but includes a revised limit of over £1m for capital decisions. It is good practice to periodically review key decision thresholds to ensure it remains appropriate and in keeping with the current operating environment. The key decision threshold was last revised in July 2011. This proposed change provides a better alignment for capital decisions currently detailed in Financial Procedure Rules. It is also proposed that individual care plans are excluded from the key decision threshold as these are determined in accordance with individual need and can therefore not be made publicly available on the Forward Plan due to their confidential nature. It would also be inappropriate for any of decisions that may hit the threshold to be subject to Call In.

### Proposed revisions to Council Procedure Rule 15.2 – Questions by Members

8. The Constitution sets out the procedure which governs 'Question Time' at Council meetings. Paragraph 15.2 of the Council Procedure Rules specifically relates to questions without Notice from Elected Members to the Elected Mayor, Cabinet Members and Chairs of Overview and Scrutiny Management Committee, Audit Committee, Elections and Democratic

9. In order to provide a consistent approach to the procedure where a Member of the Council may ask the Mayor, the relevant Cabinet Member or the Chair of a Committee a Supplementary question in relation to questions on Notice and questions without Notice, it is proposed to amend Council Procedure Rule 15.2.2, as detailed within Appendix A.

#### Proposed revisions to Executive Procedure Rules

10. In the eventuality that either the Mayor or Deputy Mayor were unable to attend and Chair at a meeting of the Executive, it is proposed to amend the Executive Procedure Rules, as detailed within Appendix A, to provide clarification of the procedure to be followed.
11. Councillors are therefore requested to consider the above proposals.

#### **Proposed revisions to Financial Procedure Rules (FPRs)**

12. The key decision rules are set out in Article 8 of the Council's Constitution. Changes are proposed in Appendix B to align the key decision threshold to the Financial Procedure Rules i.e. the limit for capital decisions detailed in the current Financial Procedure Rules is £1,000,000 which is greater than the current key decision threshold of £250,000. It is proposed to retain the £250,000 threshold for revenue purposes and include an additional threshold of £1,000,000 for capital purposes. This will provide greater clarity for managers, improving the overall understanding and remove the contradictions between the Financial Procedure Rules and key decision thresholds.
13. The Financial Procedure Rules are detailed in Part 4 Rules of Procedure of the Council's Constitution in section 6. The Financial Procedure Rules have been reviewed and updates proposed to; improve the overall understanding of the rules including aligning the FPRs to the key decision rules; respond to comments received from managers; update for changes in legislation; reflect current working practices where they differ to the rules and promote the right behaviours, ensuring financial decisions are taken at the appropriate level.
14. The proposed changes to the Financial Procedure Rules are detailed in Appendix B1. The changes are tracked on the document with additions in italics, deletions with a line striking through (both are highlighted in blue if viewing online) and movements with a double line either underneath for new position or through the word for the previous position (highlighted in green if viewing online). The main changes are provided below:
  - a. The revenue and capital management and monitoring sections have been merged to show the same rules apply irrespective of the financing method e.g. expenditure must be managed within the budget allocation. Clarity has been provided that any new additions to the capital programme should be approved as part of the annual capital budget setting process and the Chief Financial Officer (CFO) is responsible for approving any exceptions considered in year, which would then require approval per the key decision rules.

- b. A virement is the transfer of resources from one budget heading to another. It is proposed to remove the current limit for Chief Executive virement approval and increase the range for CFO approval from 0 to £250,000 (currently £100,000 to £250,000). Any virements above £250,000 will require key decision approval i.e. by Elected Mayor and/or Cabinet and/or Portfolio Holder. Therefore the specific limit for Cabinet approval above £500,000 has been removed to align to the Mayor's Scheme of Delegation.
- c. Align the financial limits quoted in the FPRs to the new key decision thresholds e.g.:
  - i. Increase the limits for write offs from £50,000 to £250,000 for CFO approval and anything above £250,000 would need to be in consultation with the Elected Mayor (previously Cabinet),
  - ii. Increase the limit for approval of grants to voluntary organisations to £250,000 (currently £50,000).
- d. Further clarity has been added regarding applying for external funding. Directors will be authorised to apply for external funding, in consultation with the CFO, which contribute to the delivery of Council services or achievement of Council goals. Accepting the grant and making any financial commitment would then be subject to Council decision making in accordance with the key decision rules).
- e. The Financial Procedure Rules for Grants to Outside Bodies previously included a separate section where the Council is acting as the Accountable Body. The separation has been removed to streamline the rules and an overall section is detailed which applies to any Grants to Outside Bodies. This includes specific requirements for Directors with clear responsibilities e.g. management of any conflicts of interest, monitoring arrangements and taking prompt actions if any concerns.

## **Revisions to Contract Procedure Rules (CPRs)**

- 15. The Contract Procedure Rules are detailed in Part 4 Rules of Procedure of the Constitution, section 7. It is proposed that the Contract Procedure Rules (CPRs) are revised as per Appendix C1 and have a complimentary Contract Procedures Guide (CPG) shown in Appendix C2; this will simplify the CPRs. The changes to the CPRs are tracked on Appendix C1, with additions in italics and deletions with a line striking through (both are highlighted in blue if viewing online).
- 16. Council agreed changes to the CPRs in January 2016 in order to comply with the Public Contract Regulations 2015 Regulations. The new amendments also take account of further legislation changes including the 'Public Concessions Regulations 2016', the General Data Protection Regulation (GDPR) 2018 and the tax legislation IR35.
- 17. Proposed changes will reflect good procurement practices - currently CPRs require the use of third party framework agreements, the proposed changes state a decision on whether to use third party frameworks should be based on what is best for the delivery of the contract. CPRs will also no longer apply to certain categories of spend for example health and care contracts where the recipient of care has a personal choice or direct payment. The changes also set out more reasons when a CPR Waiver can be granted ;
  - a. To allow for the safe exit from a contract or to de-commission
  - b. Where a contract forms part of a wider strategic programme of works

18. Contracts valued under £25,000 can be awarded following one verbal quotation (current rule is £5,000). This will give additional opportunities to local companies. It will also remove approximately 50% of CPR waivers, thereby reducing officer time.
19. To encourage the promotion of Social value by ensuring that 10% of the evaluation assessment criteria is devoted to Social Value on all contracts valued in excess of £181,302 (£221,000). This follows other authorities including Sheffield City Council, North Lincolnshire Council and Manchester City Council.

## OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION

20. There are no other options considered appropriate. The amendments outlined in the report arise from the need to update and/or enhance specific information, which the Council should incorporate within its Constitution.

## IMPACT ON THE COUNCIL'S KEY OUTCOMES

21.

|  | Outcomes  | Implications  |
|--|---|---|
|  | <p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>   | Revisions to the Council Constitution therefore impacts on all outcomes |
|  | <p><b>Doncaster Living:</b> Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul> |   |
|  | <p><b>Doncaster Learning:</b> Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p>   |   |

|  |  |  |
|--|--|--|
|  | <ul style="list-style-type: none"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>   |  |
|  | <p><b>Doncaster Caring:</b> Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes</li> </ul>   |  |
|  | <p><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and residents to provide effective leadership and governance</li> </ul> |  |

## RISKS AND ASSUMPTIONS

22. Failure to amend the CPRs with legislative changes could lead to legal challenge and non-compliance with other legislation that should be considered when contracting on behalf of the Council. Robust CPRs ensure better procurement practices that take into account the risks of contracting and value for money principles.
23. The Financial Procedure Rules form part of the overall control framework within which Doncaster Council operates, it is therefore important that they are regularly reviewed and kept up to date.

## LEGAL IMPLICATIONS [Officer SF, Date 16/4/19]

24. There are no specific legal implications arising from the proposed changes to Procedure Rules. As these are changes to the Council's Constitution, a decision of Full Council is required to agree the revisions.

## **FINANCIAL IMPLICATIONS [Officer RI, Date 23/4/19]**

25. There are no specific financial implications arising from this report.

## **HUMAN RESOURCES IMPLICATIONS [Officer RH, Date 23/4/19]**

26. There are no specific Human Resources implications associated with this report.

## **TECHNOLOGY IMPLICATIONS [Officer BH, Date 23/4/19]**

27. There are no specific technology implications arising from this report.

## **HEALTH IMPLICATIONS [Officer RS, Date 18/4/19]**

28. There are no direct health implications in this report. However good governance of institutions, including transparency of decision making supports overall health and wellbeing. These proposals should support improved governance.

## **EQUALITY IMPLICATIONS [Officer HW, Date 18/4/19]**

29. Effective procurement processes take into account legislation linked to equality. Having enhanced CPRs will ensure this is considered when contracting.

## **CONSULTATION**

30. Consultation has been undertaken with the Mayor, Governance Group and Audit Committee members. Elections and Democratic Structures Committee has been consulted on the changes and revisions have been incorporated into the proposals where required.

## **BACKGROUND PAPERS**

The Council's Constitution.

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## Appendix A – Revisions to Constitution

| Current Procedure Rule  | Proposed Procedure Rule wording  | Comment(s)   |
|---|--|--|
| <p><b><u>Part 2</u></b><br/> <b><u>Articles of the Constitution</u></b><br/> <b><u>Article 3 - The Full Council</u></b><br/> <b><u>3.01 Functions of Full Council</u></b></p> <p>(m) receiving a State of the Borough assessment each year to inform the policy and budget setting process;</p> | <p>Delete the paragraph.</p>   | <p>There is no legal requirement to hold a State of the Borough (SOTB) Assessment. The opportunity to hold a State of the Borough Debate currently exist within the Constitution. All Members will still be provided with the opportunity to consider in detail the annual SOTB assessment. Members of Elections and Democratic Structures Committee welcomed the opportunity for all Members to attend the Partnership Summit or an appropriate forum to consider the State of the Borough.</p> |
| <p><b><u>Part 4</u></b><br/> <b><u>Section 1 - Council Procedure Rules</u></b><br/> <b><u>15.2.2 - Questions by Members</u></b></p> <p>Insert new paragraph</p>   | <p>(e) If the Chair permits, a Member asking a question under Rule 15.2 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply and shall be put and</p> | <p>To provide a consistent approach to the procedure where a Member of the Council may ask the Mayor, the relevant Cabinet Member or the Chair of a Committee a Supplementary question in relation to questions on and without Notice.</p>   |



|  |   |   |
|--|---|---|
|  | answered without discussion.  |   |
| <p><b><u>Part 4</u></b><br/><b><u>Section 4 - Executive Procedure Rules</u></b></p> <p><b>1.8 Quorum</b></p> <p>The quorum for a meeting of the Executive shall be 3, including either the Mayor or Deputy Mayor.</p>  | <p><b>1.8 Quorum</b></p> <p>The quorum for a meeting of the Executive shall be 3 including either the Mayor or Deputy Mayor.</p> <p>Where the Mayor and Deputy Mayor are not present at a meeting of the Executive, the quorum will be 4.</p> | <p>To simplify the procedure if either the Mayor or Deputy Mayor were unable to attend at a meeting of the Executive. The Elections and Democratic Structures Committee recommended the quorum should be 3 plus one additional Member where both the Mayor and Deputy Mayor are absent, to support accountability of the Cabinet.</p> |
| <p><b><u>Part 4</u></b><br/><b><u>Section 4 - Executive Procedure Rules</u></b></p> <p><b>2. CONDUCT OF EXECUTIVE MEETINGS</b></p> <p><b>2.1 Chairing</b></p> <p>(a) If the Mayor is present he/she will take the Chair.</p> <p>(b) In the absence of the Mayor, the Deputy Mayor will take the Chair.</p> | <p><b>2. CONDUCT OF EXECUTIVE MEETINGS</b></p> <p><b>2.1 Chairing</b></p> <p>(a) If the Mayor is present he/she will take the Chair.</p> <p>(b) In the absence of the Mayor, the Deputy Mayor will take the Chair.</p>                        | <p>To provide a process if either the Mayor or Deputy Mayor were unable to attend and Chair at a meeting of the Executive.</p>  |

|  |   |  |
|--|---|--|
|  | (c) In the absence of the Mayor and the Deputy Mayor, the Mayor will notify the Chief Executive, in writing by no later 9.00 am on the day of the meeting, the name of the Executive Member to preside and Chair the meeting. |  |
|--|---|--|

## Appendix B – Revisions to Constitution (Key Decisions)

| Current Procedure Rule   | Proposed Procedure Rule wording   | Comment(s)  |
|--|---|---|
| <p><b><u>Part 2</u></b><br/> <b><u>Articles of the Constitution</u></b><br/> <b><u>Article 8 – Decision Making</u></b><br/> <b><u>8.03 Types of Decision</u></b></p> <p>(b) Key decisions<br/>           (i) A key decision is any Executive decision which is:<br/>               (a) likely to result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision relates; or<br/>               (b) likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority; or<br/>               (c) related to the approval or variation of the Policy and Budget Framework that is reserved to the Full Council.</p> | <p>(b) Key decisions<br/>           (i) A key decision is any Executive decision which is:<br/>               (a) likely to result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision relates; or<br/>               (b) likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority; or<br/>               (c) related to the approval or variation of the Policy and Budget Framework that is reserved to the Full Council.</p> | <p>Wording updated to align to the Financial Procedure Rules, simplifying and increasing the understanding of requirements for key decisions for managers.</p> <p>No change is proposed to the overall definition for key decisions, this highlights the importance of making key decisions appropriately. Section i) is included to view the full guidance for key decisions only.</p> |

|  |  |   |
|--|--|---|
| <p>(ii) The level of expenditure/savings which this Authority has adopted as being financially significant is £250,000.</p> <p>(iii) A decision is not to be treated as a key decision if:-</p> <ul style="list-style-type: none"> <li>(a) it is a direct consequence of implementing a previous key decision and the income, expenditure or savings were in the contemplation of the decision maker when the decision was made; or</li> <li>(b) it relates to expenditure for the day to day provision of services that was in the contemplation of the Full Council when the Revenue Budget was approved and is inevitable expenditure (e.g. the recruitment of staff or provision of day to day supplies); or</li> <li>(c) it relates to expenditure that must be incurred to comply with the terms of contracts won by the Council in competitive tender.</li> </ul> <p>(iv) A decision taker may only make a key decision in accordance</p> | <p>(ii) The level of expenditure/savings which this Authority has adopted as being financially significant are:</p> <ul style="list-style-type: none"> <li>a) in the case of the revenue budget, gross full-year effect of £250,000 or more.</li> <li>b) in the case of the capital budget, £1,000,000 or more in respect of a single project or otherwise across one financial year.</li> </ul> <p>(iii) A decision is not to be treated as a key decision if:-</p> <ul style="list-style-type: none"> <li>(a) it is a direct consequence of implementing a previous key decision and the income, expenditure or savings were in the contemplation of the decision maker when the decision was made; or</li> <li>(b) it relates to expenditure for the day to day provision of services that was in the contemplation of the Full Council when the Revenue Budget was approved and is inevitable expenditure (e.g. the recruitment of staff or provision of day to day supplies); or</li> </ul> | <p>The level of the expenditure/savings has been updated to align to that already included in the Financial Procedure Rules. The current key decision limit of £250,000 will remain for revenue decisions and further clarity is provided to reference the gross full-year effect. An additional limit has been added to capital purposes of £1,000,000, which is currently detailed on the Financial Procedure Rules.</p> <p>An additional exception has been included for care plans in accordance with specific legislation.</p> |
|--|--|---|

|   |   |  |
|---|---|--|
| <p>with the requirements of the Executive Procedure Rules or the Urgency Procedure set out in Rules 15 and 16 of the Access to Information Rules as set out in Part 4 of this Constitution.</p> | <p>(c) it relates to expenditure that must be incurred to comply with the terms of contracts won by the Council in competitive tender.</p> <p>(d) it relates to expenditure on a care plan which the Council has a duty or power to provide as defined by s46 of National Health Service and Community Care Act 1990 and s2 of the Chronically Sick and Disabled Persons Act 1970. Ss17 and 20 Children Act 1989</p> <p>(iv) A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules or the Urgency Procedure set out in Rules 15 and 16 of the Access to Information Rules as set out in Part 4 of this Constitution.</p> | <p>There isn't any change proposed to iv) included for completeness.</p> |
|---|---|--|

## PART 4 RULES OF PROCEDURE

### 6. FINANCIAL PROCEDURE RULES

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**Appendix A – Glossary**

## INTRODUCTION

- 1.1 These **Financial Procedure Rules** form part of the overall control framework within which Doncaster Council operates. They aim to facilitate *effective* service delivery by setting out best practice for the administration of all financial matters throughout the Council, ensuring a high quality of financial information and enabling *better* decision making. They enable the Council to conduct its business efficiently and operate an appropriate level of public accountability.
- 1.2 The Constitution defines the rules governing the procedures of the Council including responsibility for functions, Contract Procedure Rules and these Financial Procedure Rules.
- 1.3 The Constitution defines the framework within which the powers to make decisions, take action etc. are delegated to the appropriate level in the organisation. In particular the Constitution: -
  - requires all Directors to act within the terms of these Rules in the exercise of their delegated powers;
  - empowers the Chief Financial Officer (CFO) to act as the Proper Officer under Section 114 of the Local Government Finance Act 1988 (as amended) and the Local Government Act 2003;
  - empowers the CFO to exercise the proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 (as amended).
- 1.4 The Contract Procedure Rules define the correct procedures to be followed when the Council enters into any contractual arrangement and should be read in conjunction with these Rules.
- 1.5 The Finance Manual is a comprehensive document detailing all aspects of financial systems and procedures and is designed for use on a day to day basis by staff involved in any aspect of financial administration. Any new or revised instructions on financial matters issued by the CFO will be incorporated into the Finance Manual.

## Appendix B1 – Revisions to Financial Procedure Rules

### Application of the Rules

- 2.1 These rules apply across all parts of the Council. They govern management of financial resources and assets under the Council's direct control but also extend to the Council's partnerships, its subsidiaries, its associates, joint ventures, joint operations and any other arrangements in which the Council has an interest. This is to the extent that they are capable of being imposed by virtue of the Council's control or influence and would not be detrimental to the interests of the Council. Doncaster Schools have their own financial procedure rules, approved by governors, which are aligned to those of the Council.
- 2.2 All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets, funds and resources under their control, and for ensuring that the use of these resources is legal, is properly authorised and provides value for money.

### Maintaining the Rules

- 3.1 The Council operates a system of managerial and financial control whereby the CFO has overall responsibility for the proper management of the finances of the Council as a whole but the responsibility for the day-to-day financial control and administration in Directorates and other corporate project and programme work is devolved to the relevant Director.
- 3.2 The overall responsibilities of the CFO in respect of these rules are therefore to:
- maintain these Rules and submit any additions or changes necessary to Council for approval in consultation with the MO (Monitoring Officer) and Chief Executive;
  - issue explanatory advice and guidance to underpin these Rules as necessary. Where such advice and guidance is issued, Members, officers and others acting on behalf of the Council are required to comply with the general provisions of these Rules;
  - require any officer to take any action deemed necessary (as is proportionate and appropriate) to ensure proper compliance with these Rules;
  - report, where appropriate, any breaches of these Rules to Members;
  - report all waivers of Rules to Members approved by ~~him/her~~the CFO during the course of any financial year which ~~he/she~~the CFO has delegated authority to determine.
- 3.3 Should any uncertainty or dispute arise pursuant to these Rules, the matter must be referred to the CFO for interpretation and/or arbitration.

### Non-Compliance with the Rules

- 4.1 Failure to comply with any part of these Rules may constitute misconduct and lead to formal disciplinary action. Non-compliance will be referred for management action, to be dealt with by the relevant Director in most instances. Serious breaches will be referred to the CFO who may require remedial action to be taken by the Director.



4.2 *Any waivers or non-compliance will be reported to Audit Committee on a 6-monthly basis.*

### General Principles of Financial Management

5.1 The financial management staff report to the CFO and provide day to day support to all Directorates. They are able to provide assistance to any member or officer regarding financial management. The general principles of financial management operated in the Council follow best practice guidance and aim to ensure that: -

- roles and responsibilities are clearly understood;
- there is a system of financial control which ensures that transactions are authorised appropriately, with adequate separation of duties;
- financial transactions are recorded properly, with a clear audit trail;
- clear, up-to-date and accurate position reports will be provided to Directors and Cabinet to properly monitor the financial standing of the Council;
- risks are managed on an ongoing basis and, for significant projects with financial impact, risks are registered and managed;
- the Council's ~~ERP~~*Enterprise Resource Planning (ERP)* system and other key financial systems and processes are documented and business continuity plans in place to maintain effective financial administration at all times;
- staff are aware of and comply in spirit and substance with the Council's anti-fraud and corruption policy.

### **FINANCIAL PROCEDURE RULE A: FINANCIAL MANAGEMENT – RESPONSIBILITIES**

#### **Responsibilities of the Full Council**

These are detailed in the Constitution at Article 3; the financial responsibilities are: -

- A.1 Setting the Budget and Policy Framework within which the Cabinet will operate.
- A.2 Approving any budgetary decision that causes the total expenditure financed from Council Tax, grants and ~~corporately held~~ reserves to be increased above that approved.
- A.3 Approving the Treasury Management policy statement and an annual Investment strategy for the Council's cash balances.

#### **Responsibilities of the Elected Mayor and Cabinet**

These are detailed in the Constitution; the financial responsibilities of the Elected Mayor and Cabinet are: -

- A.4 Proposing the Budget and Policy Framework and Capital Programme to Council and for discharging executive functions in accordance with the Budget and Policy Framework agreed by ~~full~~ Council.
- A.5 Approving the *Strategic* Risk Management policy statement and strategy.
- A.6 The Elected Mayor determines the Scheme of Delegation which will govern the framework for financial decision-making and budgetary responsibility, except where these financial procedure rules impose other responsibilities or arrangements. Executive decisions can be delegated by the Elected Mayor, to a committee of Cabinet, an individual cabinet member, a member of staff, or a joint committee. Where the scheme of delegation established by the *Elected* Mayor is silent as to where responsibility for a budget lies, the budget holder will be the officer with responsibility for the relevant service, policy or project.

#### **Responsibilities of Committees**

##### **Audit Committee is responsible for: -**

- A.7 Approving the Council's Annual Governance Statement.
- A.8 Considering audit matters for recommendation to Cabinet including the Council's anti-fraud and corruption policy.

##### **Overview and Scrutiny Management Committee's financial responsibilities include: -**

- A.9 Scrutinising executive decisions before or after they have been implemented and for holding the Executive to account.
- A.10 Making recommendations on future policy options and for reviewing the general policy, budget and service delivery of the Council.
- A.11 Providing a response within 4 weeks to the *Elected* Mayor's budget proposal.

## Appendix B1 – Revisions to Financial Procedure Rules

### Responsibilities of Officers

- A.12 Officer responsibilities for the overall management of the Council's financial affairs are variously set out by legislation, the provisions of the Council's Constitution and the Council's Scheme of Delegation.
- A.13 Certain legislation requires the Council to designate particular officers as the 'proper officer' for the performance of certain functions. 'Proper Officer' functions include the responsibilities of the Head of Paid Service (HPS), the Monitoring Officer (MO) and Chief ~~Finance~~Financial Officer (CFO) in managing the overall financial affairs of the Council. Formal recognition is also given to the particular responsibilities and functions of the ~~Chief~~Head of Internal ~~Auditor~~ ~~(CIAudit (HIA))~~ at the Council in accordance with best practice advice and guidance.

### Chief Executive

The Head of Paid Service (HPS) is designated as the Chief Executive. The financial responsibilities of the Chief Executive include: -

- A.14 Advising the ~~Elected~~ Mayor on budget strategies as linked to the Corporate Plan and Council Policies, including the preparation of a medium-term financial ~~strategy~~forecast.
- A.15 Advising the ~~Elected~~ Mayor in preparing a capital programme ~~and~~ establishing capital budgets for identified projects.
- A.16 Establishing protocols to ensure that those with Executive decision-making powers consult with relevant officers before taking a decision within ~~his or her~~their delegated authority. In doing so, the individual officer or Member must take account of legal, financial and human resource implications, other internal policies and any cross-cutting issues where relevant.
- A.17 Ensuring that there is a proper scheme of delegation, which clarifies responsibilities from the ~~Elected~~ Mayor downwards and the skills to carry out those responsibilities. This will include developing and maintaining a resource allocation process that ensures due consideration of the Council's Budget and Policy Framework.
- A.18 Establishing arrangements for the ongoing regular review, assessment and assurance of the effectiveness of the Council's internal control arrangements and for annually preparing an Annual Governance Statement.

### Monitoring Officer (MO)

The ~~Monitoring Officer~~MO is responsible for: -

- A.19 Promoting and maintaining high standards of conduct including those of financial administration.
- A.20 Reporting any actual or potential breaches of the law or maladministration to Council and/or to the Cabinet.
- A.21 Ensuring that procedures for recording and reporting key decisions are operating effectively and that executive decisions and the reasons for them are made public. ~~He or she~~The MO must also ensure that all ~~Council~~ Members are aware of key decisions made by those with Executive decision-making powers.

## Appendix B1 – Revisions to Financial Procedure Rules

- A.22 Advising all ~~councillors~~*Members* and employees about who has authority to take a particular decision.
- A.23 Advising (in conjunction with the CFO), whether a decision is likely to be considered contrary or not wholly in accordance with the Budget and Policy Framework (*see rule A.27 for examples of 'contrary to the budget'*).

~~A.24 Decisions that may be 'contrary to the budget' include:-~~

- ~~• causing the total expenditure financed from Council Tax, grants and corporate reserves to increase above that stated in the budget approved by full Council;~~
- ~~• committing expenditure in future years significantly above the current year budget level or as set out in the approved medium term financial plan and budget strategy.~~

### Chief Financial Officer (CFO)

A.2524 The functions and responsibilities of the CFO are directed in the first instance by legislation that imposes statutory duties on the CFO for the proper management, financial administration and stewardship of Council assets and the fiduciary interests of current and future local tax payers. These responsibilities include: -

- proper administration of the council's financial affairs, systems and procedures;
- providing advice to the political and appointed Executive, Overview and Scrutiny and Council on financial and economic factors likely to influence the budget and policy framework. This may also include legal requirements, medium-term planning prospects, available resources, borrowing requirements, spending pressures, *best-value for money* and other relevant government guidelines;
- reporting on the adequacy of the Council's reserves and the robustness of budgets to the Council meeting, which approves the *Elected* Mayor's budget and Council Tax proposal;
- setting and monitoring compliance with financial management standards, accounting standards and policies;
- ensuring proper professional practices are adhered to in relation to the standards, performance and development of all finance staff;
- advising on the corporate financial position and on the key financial controls necessary to secure sound financial management;
- providing *high* quality financial information to decision makers and preparing the annual statement of accounts in accordance with CIPFA's Accounting Code of Practice;
- preparing the revenue budget and capital programme;
- treasury management and insurance;
- ~~• proper procurement practice;~~
- *ensuring adherence to the CPR, promoting value for money through compliant and best practice procurement processes;*

## Appendix B1 – Revisions to Financial Procedure Rules

- in exceptional circumstances personally suspending these Financial Procedure Rules, where to do so appears to be in the best interests of the Council and in its financial interests.

A.2625 Section 114 of the Local Government Finance Act 1988 requires the CFO to report to the full Council, Executive and external auditor if the Council or one of its employees: -

- has made, or is about to make, a decision which involves or would involve incurring expenditure which is unlawful;
- has taken, or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Council;
- is about to enter an item of account the entry of which is unlawful.

It is the duty of the CFO, in preparing the report to consult with the MO and the Chief Executive as far as practicable.

A.2726 Section 114 of the 1988 Act also requires: -

- the CFO to nominate a properly qualified member of staff to deputise should the CFO be unable to perform the duties under section 114 personally;
- the Council to provide the CFO with sufficient staff, accommodation and other resources, including legal advice where this is necessary, to carry out the duties under section 114 of the 1988 Local Government Finance Act.

A.2827 In addition, the CFO (together with the MO) is responsible for advising Members as to whether a decision is likely to be considered contrary or not wholly in accordance with the Budget. Actions that may be contrary to the Budget include: -

- initiating new policies that may impact on agreed budgetary provisions and resource allocations;
- committing expenditure in future years over and above the Council's Budget;
- causing the total expenditure financed from Council Tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.
- incurring interdepartmental transfers above the virement limits set out in these Rules.

A.2928 The CFO can choose to delegate day-to-day responsibilities to an appropriate representative(s). Where this is the case, the delegation and officer responsibilities must be clearly documented and be kept under regular review by the CFO.

### The ~~Chief~~Head of Internal Auditor ~~(CIA Audit (HIA))~~

A.3029 The ~~CIA~~HIA is designated by the CFO and plays a key role in providing assurance to the Members, the CFO, the HPS and Council's Management Team about the probity, practical deployment and effectiveness of financial management at the Council.

## Appendix B1 – Revisions to Financial Procedure Rules

A.~~34~~30 The ~~CIA~~~~HIA~~ has rights of access to information and data held by officers or Members of the Council at all reasonable times and is responsible for the overall co-ordination and deployment of internal audit resources at the Council.

A.~~32~~31 The ~~CIA~~~~HIA~~ is responsible for reporting on any relevant matter of concern to senior management and Members of the Council outside normal line management arrangements to protect the interests of the Council and/or local tax payers.

### Responsibilities of Directors

A.~~33~~32 Whilst the CFO has overall responsibility for the finances of the Council, Directors are responsible for ensuring the effective discharge of the day-~~today~~~~to-day~~ management of their Directorate finances and/or the finances of any projects or programmes for which they are responsible. It is the responsibility of Directors to make appropriate arrangements for the discharging of their financial responsibilities by Assistant Directors and Managers within their Directorate, delegating authority to manage budgets to an appropriate level of management and thereby creating a budget holder structure. Directors should review the performance of managers in delivering their budget holder role.

Directors, Assistant Directors and Managers responsibilities include: -

A.~~34~~33 Operating sound financial management of their allocated budget and only ~~commit~~~~committing~~ the Council to expenditure where there is sufficient funding available;

A.~~35~~34 Promoting and ensuring compliance with the financial management standards and practices set by the CFO in their Directorates and/or any projects or programmes for which they are responsible;

A.~~36~~35 Consulting with the CFO on any matter which is liable to materially affect the resources of the Council. This must be done before any commitment is incurred, or a report made to a Portfolio Holder or to a Committee for decision;

A.~~37~~36 Ensuring that Portfolio Holders are advised of the financial implications of all proposals and that these have been agreed by the CFO or ~~his~~~~her~~~~their~~ nominated representative;

A.~~38~~37 Reporting suspected fraud and irregularities to the Police or external agencies in consultation with the CFO;

A.~~39~~38 Safeguarding all assets and information used in their day-to-day activities within the Directorate.



### FINANCIAL PROCEDURE RULE B: FINANCIAL PLANNING AND BUDGETING

#### ~~BUDGET STRATEGY~~

##### Budget Preparation and Approval

- B.1 The annual revenue budget (including medium-term financial ~~strategy~~forecast) proposed by the Elected Mayor will be ~~considered~~agreed by Cabinet and then put forward for approval to Council. Council may amend the budget strategy or ask the Elected Mayor to reconsider it before approving it, as detailed in the Constitution (part 4, section 3).
- B.2 The CFO will report on the robustness of budgets and the adequacy of Council reserves to the Council meeting which approves the ~~Elected~~ Mayor's budget and Council Tax proposal.
- B.3 ~~Capital budgets for individual or groups of projects will be approved within the framework of a multi-year capital programme. The multi-year capital programme proposed by the Elected Mayor will be agreed by Cabinet and then put forward for approval to Council annually. The annual review will update the multi-year capital programme for any new additions and revisions to the approved budgets.~~ The CFO will advise on the affordability of capital investment plans and propose prudential indicators for the approval of Council. Relevant approval is required before a project can commence or commit to capital spend.

##### ~~Revenue~~ Budget Management and Monitoring

- B.4 Directors and budget holders will control income and expenditure within their area, taking account of financial information provided by the CFO. The Chief Executive will ensure that the Management Team monitor and control expenditure against approved budgets and address any problems of overspending or resource re-allocation.
- B.5 A Budget Holder may only authorise expenditure from budgets under their direct control. Throughout the financial year each Budget Holder shall monitor income (including any grants) and expenditure against those specific budgets for which they are responsible. Budget Holders shall supply the CFO with sufficient information, as and when required, to enable financial projections to be produced.
- B.6 Directors should report on variances within their own budget responsibility areas and should formulate and promptly implement, action plans in respect of any significant variances. They should also take any action necessary to avoid exceeding their budget allocation and must alert the CFO to any problems at the earliest opportunity.
- B.7 The latest forecast budget position ~~and any virements for approval~~ will be ~~included in the quarterly report~~reported regularly to ~~Directors and~~ Cabinet.
- B.8 The CFO is responsible for agreeing the system and methodology of all recharges.

### Capital Budget Management and Monitoring

- ~~B.9 Relevant approval is required before a project can commence or commit to capital spend. New The CFO is responsible for agreeing any in-year additions to the capital programme are approved in either the annual capital budget setting report or the quarterly monitoring report; which must be followed by a more detailed ODR. Following CFO agreement and before any commitment to spend, a project specific report in line with key decision rules, is required to approve the capital project for inclusion in the capital programme.~~
- ~~B.10 If approval is required outside these times, a project specific report will be needed, approved by CFO and relevant Director, in consultation with the relevant Portfolio Holder, unless key decision rules apply. These will then be included in the next quarterly monitoring report. With the exception that Council approval is required for new capital projects funded by more than £1,000,000 general uncommitted reserves.~~
- ~~B.11 Projects, once approved and included in the capital programme and which can be delivered within the project's approved budget are not subject to further key decision reporting. The only exception is that any project that involves a capital commitment of £1,000,000 or more requires the completion of an ODR for the approval of the relevant Director and CFO in consultation with the Portfolio Holder (Finance & Corporate Services) before a formal commitment is entered into or a contract signed.~~
- ~~B.12 Any project expecting to exceed its approved budget must identify sources of funding to cover the additional expenditure. Where no additional funding can be identified, a request for additional resources must be made to the CFO by an ODR approved by the relevant Director before the additional spend is committed. The CFO will then determine if additional resources are available and amend the capital programme if required.~~
- ~~B.13-B.10 The CFO will report any significant deviations from expectations for prudential indicators as part of the quarterly financial management through regular reports to Cabinet. The key objectives of the prudential indicators are to ensure that capital investment plans are affordable, prudent and sustainable.~~
- ~~B.14 The Chief Executive will ensure that the Management Team monitor and control expenditure against approved budgets and address any problems of overspending or resource re-allocation.~~

### Virements

- ~~B.15~~ 11 Virement is the transfer of resources from one budget heading to another, including *movement between* any earmarked reserves.
- ~~B.16~~ 12 Virement is not permitted from certain budget heads, *other than by the CFO*, as ~~these impact~~ *this impacts* on the Council's ability to fund non-discretionary expenditure. These excluded heads are as follows, or as may be determined from time to time by the CFO: -
- ~~• Depreciation;~~
  - ~~• Corporate Capital Charges and Financing;~~
  - ~~• Support Services Recharges;~~



## Appendix B1 – Revisions to Financial Procedure Rules

- Administration and Building ~~Recharge budgets~~ *Recharges*.

~~B.17 13~~ Directors are responsible for agreeing in-year virements within their Directorate budgets. ~~Proposals for virement between Directorates must be approved by the CFO, up to £100,000, Chief Executive, £100,000 to £250,000, Portfolio Holder (Finance & Corporate Services), £250,000 to £500,000. Proposals for virement between Directorates for £500,000 and above must be approved by Cabinet.~~

~~B.18~~ *Directors but* cannot agree virements within their Directorate for budgets funded by: -

- Corporate Capital Resources including prudential borrowing;
- Earmarked Reserves.

~~B.14~~ *Proposals for virement between Directorates must be approved by the CFO, up to £250,000 and key decision approval is required for virements greater than £250,000 i.e. by Elected Mayor and/or Cabinet and/or Portfolio Holder. The value of the virement is defined as the gross annual budget.*

### Fees and Charges Approval

~~B.19 15~~ At the annual budget meeting Council will approve *the annual percentage change for* all discretionary fees & charges for the forthcoming financial year as proposed by Cabinet. *Council will also agree any exceptions which must be agreed by the relevant Portfolio Holder prior to the annual budget meeting.* The proposals will be based on advice from the CFO taking into consideration inflation, market forces and the Council's overall financial position.

~~B.20 16~~ Any new fees and charges proposed within the financial year *or any changes to existing fees and charges* will be approved by *the CFO in consultation with the relevant Portfolio Holder, subject to key decision rules and reported to Cabinet in the quarterly monitoring report.*

~~B.21 17~~ Some fees and charges are set by legislation and therefore the above paragraphs (B. ~~159~~ and B. ~~1620~~) do not apply.

~~B.22~~ *Any changes not covered by the above paragraphs will be approved by the CFO and reported to Cabinet in the quarterly monitoring report.*

### Treatment of Year-End Under/Overspends

~~B.23 18~~ Any under / overspend at the year-end on the Directorate revenue budget will not be carried forward to the following financial year. ~~Cabinet will approve~~

~~B.19~~ *The CFO may approve a budget carry forward of a ring-fenced grant or where a grant has conditions or expectations attached, where the related expenditure is not expected to be incurred in the current financial year. The CFO may also approve a budget carry forward where not carrying the budget forward would adversely affect the Council's budget position. Cabinet will approve all other budget carry forward requests through the outturn report, taking advice from the CFO and Chief Executive.*

## Appendix B1 – Revisions to Financial Procedure Rules

~~B.24—Where a Directorate is forecasting an overspend outturn position, alternative resources should be identified and/or budget virements actioned to mitigate the adverse financial position.~~

### FINANCIAL PROCEDURE RULE C: RISK MANAGEMENT AND CONTROL OF RESOURCES

#### Introduction

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

#### Risk Management

- C.2 Cabinet is responsible for approving the Council's *Strategic* Risk management policy and to promote a culture of risk management awareness throughout the Council, which is monitored by the Audit Committee.

#### Insurance

- C.3 The CFO is responsible for ensuring that proper insurance exists where appropriate. Directors are responsible for updating and approving insurance schedules for the CFO. Directors are also responsible for providing timely and accurate information to the CFO in relation to any insurance claims. The CFO is responsible for advising the Cabinet on proper insurance cover where appropriate.

#### Internal Control

- C.4 'Internal control' refers to the systems of control devised by management *to help ensure the Council's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Council's assets and interests are safeguarded. which must: -*
- C.5—Directors are responsible for maintaining adequate internal control facilitate the effective exercise of the Council's functions and the achievement of the Council's aims and objectives;*
  - ensure that the financial and operational management of the Council is effective; and*
  - include effective arrangements in their service areas. for the management of risk.*
- C.5 The ~~CFO~~*HIA* is responsible for ~~the Internal Audit function and advising on the Council's internal control arrangements.~~
- ~~C.6—The CFO is responsible for establishing arrangements for the ongoing and regular review, completing an~~ assessment and ~~assurance~~*forming an opinion* on the *overall adequacy and* effectiveness of the Council's ~~internal governance, risk management and~~ control arrangements ~~and via an annual report to Audit Committee.~~

## Appendix B1 – Revisions to Financial Procedure Rules

- C.6 *The CFO is responsible* for annually preparing an Annual Governance Statement to the requirements of the Accounts and Audit Regulations 2003/2015 (as amended).
- C.7 It is the responsibility of Directors to *maintain adequate internal control arrangements in their service areas and* establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial and service performance targets.

### Audit Requirements

- C.8 The Accounts and Audit Regulations 2015<sup>59</sup> require every local authority to maintain an adequate and effective internal audit of its accounts and supporting systems. The Council's internal audit function will fulfil this requirement and will do so in accordance with the approved Audit Charter and the *C.I.P.F.A. Code of Practice for United Kingdom Public Sector Internal Audit in Local Government Standards (PSIAS)*. These require: -
- that internal auditors are given access at all reasonable times for requests to access premises, personnel, documents and assets that the auditors consider necessary for the discharge of their official duties;
  - that auditors are provided with any information and explanations that they seek in the course of their work;
  - audit reports and recommendations are responded to within *the timescales determined by the HIA30 working days*;
  - that any agreed actions arising from audit recommendations are carried out *in a timely and efficient manner; within timescales agreed between both Management and Internal Audit. The relevant Director must ensure that sufficient resources are in place to implement the agreed management actions and will be required to account to the Council's Audit Committee where such actions are not achieved; and*
  - that new systems for maintaining financial records, or records of assets, or changes to such systems, are discussed with and agreed by the Head of Internal Audit prior to implementation.
- C.9 External Auditors shall be appointed to the Council to conduct and report on, the external audit of the Council in accordance with the relevant statutory code of audit practice.
- C.10 The Council may, from time to time, be subject to audit, inspection or investigation by external bodies that have statutory rights of access.

## Appendix B1 – Revisions to Financial Procedure Rules

### Preventing Fraud and Corruption

- C.11 ~~Directors co-ordinated by the CFO are responsible for the drafting, submission to Audit Committee and delivery of a suitable effective corporate anti-fraud and anti-corruption policy and relating strategy. The Chief Executive has overall responsibility for the maintenance and operation of this framework. The Chief Executive is supported in this by the Director of Corporate Resources, Assistant Director of Finance, Assistant Director of Human Resources and Communications, Assistant Director of Legal and Democratic Services and the HIA.~~
- C.12 This policy and strategy shall be subject to periodic monitoring and updating with the intention of ensuring that the policy remains relevant. ~~Cabinet will receive reports from time to time on the effectiveness of the policy and strategy.~~
- C.13 ~~An Annual Fraud Report is produced showing the outcomes of the Council's anti-fraud work and a counter fraud plan is included within the annual audit plan.~~
- C.14 Members of staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.
- C.12 15 Directors must notify the CFO, *via the HIA*, immediately of any suspected fraud, irregularity, improper use or misappropriation of the Council's property or resources. Pending investigation and reporting, the Director, in consultation with the CFO should take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration. Directors are responsible for reporting suspected fraud and irregularities to the Police or external agencies, in consultation with the CFO.

### Asset Management

- C.13 16 The Council holds tangible assets in the form of property, vehicles, equipment ~~(e.g. blackberries, computers, mobiles),, electronic devices~~, furniture and other items (e.g. share certificates) worth many millions of pounds. It also makes use of other non-tangible assets such as intellectual property. It is essential to the financial health and well-being of the Council that these assets are safeguarded and used efficiently and effectively in supporting the delivery of Council services. All staff are responsible for safeguarding the assets and information used in their day to day activities.
- C.14 17 The Assistant Director of Legal and Democratic Services shall have the custody of all title deeds under secure arrangements, maintaining a separate register of all such deeds. The Property Officer (responsible for the Council's properties) will maintain an up-to-date *complete* register of all Council land and buildings.
- C.15 18 The CFO shall ensure that a full and accurate register of all Council fixed assets is maintained, in accordance with good practice standards and the relevant Codes of Practice. The Property Officer is responsible for arranging the valuation of all land and buildings as necessary to meet the accounting requirements of the CFO.

## Appendix B1 – Revisions to Financial Procedure Rules

C.4619 In the absence of any specific conditions or exemptions agreed by Cabinet and these ~~Financial Procedure Rules~~ *FPRs*, the following have authority to undertake a review of property charges. If, in each case, the revised rent, licence fees, easement or wayleave payment or compensation claim does not exceed £250,000 per annum, the Property Officer may approve. *In line with the revenue key decision threshold*, ~~If~~ if it is over £250,000 per annum, the approval of Cabinet is required.

C.4720 In respect of disposals of land and property: -

- processes followed should be robust and transparent and in accordance with current legislation;
- in all cases of planned disposal of land or property, the Property Officer, the Assistant Director of Legal and Democratic Services and the CFO must be consulted.
- *In line with the capital key decision threshold*, where the estimated disposal value is less than £1,000,000 the Property Officer, having taken financial and legal advice, may arrange for the disposal of land or property. ~~Where~~ where the estimated disposal value of individual property assets is equal to or greater than £1,000,000, a decision of Cabinet is required;
- in respect of disposal at less than Best Consideration where the estimated disposal value would otherwise have been at less than £250,000 (*revenue key decision limit*), the Property Officer may arrange for the disposal of land or property;
- in respect of disposal at less than the Best Consideration ~~that can reasonably be obtained~~ where the estimated disposal value would otherwise have been at or above £250,000 (*revenue key decision limit*), the Property Officer, shall prepare a report to Cabinet, requesting approval to proceed with the disposal in accordance with the relevant legislation (Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003;
- all arrangements for the acquisition and disposal of land and buildings shall be in accordance with Council Asset Management Policy, and be conducted by the Property Officer, including all negotiations and the preparation and certification of valuation certificates.

In respect of the acquisition of land and property: -

- where budget provision for an acquisition exists within the total Council budget, the Property Officer may approve a purchase of land or property.

### Leasing Agreements

C.4821 The ~~CFO shall undertake~~ *Property Officer is responsible for* the negotiation of terms ~~for, and authorise the~~ *and conditions and authorising any* leasing of, *land and property* assets ~~for to or from~~ the Council, *and maintaining a complete register of land and property leases*.

## Appendix B1 – Revisions to Financial Procedure Rules

C.4922 *The Council will not lease in or out any assets other than land and property except where the CFO determines that it is in the best interests of the Council. In those cases, the CFO is responsible for the negotiation of terms and conditions and authorising any leasing of assets to or from the Council, and maintaining a register of such leases.*

C.23 Directors are responsible for adhering to the terms and conditions for assets (excluding *land and* property) in their service acquired under a lease agreement, particularly in relation to wear and tear and residual condition of the asset at the end of the leasing period.

C.2024 Any assets subject to a leasing agreement must not be disposed of without the prior consent of the CFO who shall be responsible for *agreeing conditions and* terminating the lease.

### Inventory

C.2125 Directors are responsible for the care, custody and recording of the stocks, stores and equipment in their respective service areas; ensuring that they are kept securely, protected from loss, theft and damage etc.

C.2226 Directors are responsible for: -

- only holding stocks, stores or equipment that are required to meet their *service's* reasonable requirements;
- maintaining local inventories recording adequate descriptions of all furniture, fittings, equipment, plant and machinery above £~~500~~ 1,000 together with all attractive and portable items below this figure; reviewing annually the stocks, stores or equipment required for their service areas; and
- review and write-off promptly obsolete items of stocks, stores or equipment.

C.2327 Directors shall provide the CFO with the information in relation to all *inventoryinventories* that is required for accounting, costing and financial records.

### Treasury Management

C.2428 The Council will have due regard to all recognised codes of practice and guidance issued relating to its Treasury Management operations. The Council defines its treasury management activities as: -

"The management of the organisation's investments and cash flows, its banking, money market and capital market transactions; the effective control of risks associated with those activities, and the pursuit of optimum performance consistent with those risks."

C.2529 The Council will create and maintain the following: -

- a Treasury Management strategy statement, approved by Council, stating the policies and objectives of its treasury management activities;



## Appendix B1 – Revisions to Financial Procedure Rules

- suitable treasury management practices, setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities; and
- Treasury Management Prudential Indicators as part of the Council's budget and policy framework.

**C.2630** The Cabinet will receive regular reports on the treasury management activities which will include as a minimum an annual strategy report in advance of the forthcoming financial year and an annual report detailing the performance of actual activity six months after the financial year.

**C.27—This31** *The* Council delegates responsibility for all decisions, execution and administration of its treasury management activities to the CFO. The CFO will enter into any borrowing, investment and guarantees on behalf of the Council.



## FINANCIAL PROCEDURE RULE D: SYSTEMS AND PROCEDURES

### General

- D.1 The CFO is responsible for the operation of the Council's Enterprise Resource Planning ('ERP') system, the form of accounts and the supporting financial records.
- D.2 Any new or changes to current systems containing financial transactions must be approved by the CFO prior to procurement and/or implementation. The CFO can request changes to be made to Directorate systems, where they do not provide the necessary financial data required. Suitable and appropriate business continuity arrangements should be established, tested and kept up to-date in respect of all important financial systems.
- D.3 Directors must ensure that, ~~where appropriate, computer and other systems are~~ *registered information is processed* in accordance with data protection legislation. Directors must ensure that staff are aware of their responsibilities under the *Data Protection Act 2018, the General Data Protection Regulation, the Freedom of Information legislation and Act, the Regulation of Investigatory Powers Act*, and any other Council policies and guidance relating to the use of *information and the use and procurement of I.T. systems, or the dissemination of information. Likewise any information system used by Members.*

## INCOME AND EXPENDITURE

### Scheme of Authorisation

- D.4 It is the responsibility of Directors, in consultation with the CFO, to ensure that a proper Scheme of Authorisation has been established within their area that is suitably documented and is operating effectively. The Scheme of Authorisation should identify staff authorised to act on the Director's behalf in income collection and placing orders/raising requisitions and making payments, together with the limits of their authority. These records should be amended promptly where changes in circumstances or personnel take place and reviewed annually to ensure that they are kept up-to-date.

### Income

- D.5 Directors are responsible for ensuring that all income due to the Council is identified and collected for the services provided by their Directorate. It is preferable to obtain income in advance of supplying goods or services as this improves the Council's cash flow and also avoids the time and cost of administering *and collecting* debts.
- D.6 Directors are responsible for the safeguarding of any income collected prior to banking. All relevant details must be forwarded to the CFO to allocate the income to the correct budgets.
- D.7 Any changes to fees and charges must be in accordance with rule B.1 ~~69 to~~ *B.22.*

## Appendix B1 – Revisions to Financial Procedure Rules

- D.8 In order to comply with the Money Laundering Regulations ~~2003, this~~ 2017, the Council will not accept cash income for the purchase of goods with a value greater than the sterling equivalent of €15,000 (approx. £11,000). This also applies where payment is accepted over a number of instalments and the total value of all instalments exceeds €15,000. If goods are sold exceeding this value, a payment method other than cash is required, ~~for example e.g.~~ electronic bank transfer.
- D.9 Only the CFO has the legal authority to write-off bad debts ~~and will~~. *In order to do this, the following arrangements are in place: -*
- *The write-off of bad or doubtful debts below £250,000 can be authorised by the CFO, who may delegate responsibilities as necessary for smaller items. ~~For larger items, the following arrangements are in place:-;~~*
  - ~~Bad or doubtful debts below £50,000 can be authorised by the CFO;~~
  - ~~The CFO will consult with the Portfolio Holder (Finance & Corporate Services) Elected Mayor before authorising the writing-off of debts between £50,000 and £250,000;~~
  - ~~The CFO will consult with Cabinet for the write-off of bad or doubtful debts of £250,000 or over.~~

In all cases, debts will not be written-off unless processes for collection have proved fruitless. All *requests for write-offs should will be made by the relevant Director with due explanation for non-collection. All write-offs made will* be properly recorded and such records retained, ~~with due explanation for non-collection.~~

### Banking Arrangements

- D.10 The CFO is responsible for all matters relating to the establishment, varying and closing of bank accounts for the Council and for approving all standing orders, direct debits or other electronic payment methods from the Council's bank accounts. This includes imprest and petty cash accounts and debit/credit cards.

### Ordering and Paying for ~~Work~~ Works, Goods and Services

- D.11 The CFO is responsible for approving the form of orders and associated terms and conditions.
- D.12 Directors should identify and maintain a list of designated officers to authorise orders.
- D.13 Directors should ensure that the following key controls are complied with: -
- *works*, goods and services are ~~ordered~~ *procured* in accordance with the Contract Procedure Rules (~~CPRs~~ *CPR*) and by designated officers;
  - designated officers ensure that there is uncommitted budget before placing an order;
  - *works*, goods and services received are checked to ensure they are in accordance with the order;

## Appendix B1 – Revisions to Financial Procedure Rules

- there is proper separation of duties between staff responsible for ordering, receiving, checking works, services and goods and authorising invoices for payment;
- payments should not be made unless goods have been received by the Council to the correct price, quantity and quality standards, *except where the CFO advises that payment in advance is the accepted practice for the type of expenditure involved, e.g. subscriptions, travel or conference facility fees;*
- ~~payments in advance must be avoided except where this is the accepted practice for the type of expenditure involved (e.g. leasing payments, travel or conference facility fees), following advice from the CFO.~~
- payments are made to the correct person for the correct amount and are properly recorded;
- where payments are made by cheque or electronically these should be made by the CFO;
- appropriate evidence of the transaction and payment documents are retained and stored for the appropriate period as defined by the document retention schedule; and
- expenditure, including V.A.T. is accurately recorded against the appropriate budget and that budgetary provision exists to cover the payment.

### Payments to Employees and Members

- D.14 The CFO is responsible for all payments of salaries, wages and expenses to staff and members in accordance with approved procedures and rules.

### Taxation

- D.15 The CFO is responsible for advising Directors on all taxation issues that affect the Council.
- D.16 The CFO is responsible for maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate. Directors shall provide such information, maintain such records and administer taxes in a suitable manner, as the CFO requires, to fulfil these responsibilities.

### TRADING ACCOUNTS

- ~~D.17 The CFO is responsible for advising Directors and Members on the establishment of trading accounts and the operation of 'contractor' business units.~~

## Appendix B1 – Revisions to Financial Procedure Rules

~~D.18—Directors are responsible for observing all statutory requirements, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including overhead costs are charged and to produce an annual report in support of the final accounts. Directors must ensure the Council's accounting principles are applied in relation to trading accounts.~~

### FINANCIAL PROCEDURE RULE E: EXTERNAL ARRANGEMENTS

#### Introduction

- E.1 The Council provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social, or environmental well-being of its area.
- E.2 All projects involving the voluntary sector must be supported by an appropriate assessment of need, options appraisal, value for money and contain expected outcomes.

#### Partnerships, Trusts or Other Organisations

- E.3 The Council should be clear about the role and responsibility of officers or members attending or participating in any partnerships, trusts or other organisations as a result of their position within the Council. Cabinet is responsible for approving delegation of financial management arrangements relating to, and specifically, agreeing partnerships. ~~The CFO will create and maintain a register of significant partnerships the Council has representation on and include the representation.~~
- E.4 The Council representative on any partnership, trust or other organisation must refer all financial decisions to Cabinet, including considering any recommendations that would create a commitment or liability for the Council. Any other specific delegation arrangements in respect of partnerships will be set out in the Scheme of Delegation.
- E.5 The ~~Monitoring Officer~~ **MO** is responsible for promoting and maintaining the same high standards of conduct with regard to partnerships that apply throughout the Council and representatives to partnerships should exercise these same high standards. Representatives should not be put under any actual or perceived undue pressure to carry out a particular course of action.
- E.6 The CFO must ensure that accounting arrangements to be adopted relating to partnerships, joint operations and joint ventures are satisfactory. Directors must also consider any overall corporate governance issues and shall take account of any legal issues when arranging contracts with external bodies. They must ensure that the risks have been fully appraised and brought to the attention of the respective decision-maker before agreements are entered into with partners and other external bodies and that all significant risks are effectively managed and reported upon.

## Appendix B1 – Revisions to Financial Procedure Rules

- E.7 All partnership agreements involving the discharge of Council Services and statutory duties by external bodies in exchange for payment shall contain the following clause: -

In order to deliver the Council's statutory responsibilities for internal audit, the *CI/HIA* shall have all reasonable rights of access to information and persons of the partner body so as to ensure that the Council's internal control arrangements are sound, its financial interests protected and all income due to it and payments made by it can be vouched for and confirmed to be adequate and correct.

- E.8 Directors are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work or partnerships with external bodies, before financial arrangements are made.

### External Funding

- E.9 Directors are *authorised to apply for external funding, in consultation with the CFO, which contribute to the delivery of Council services or achievement of Council goals. Grant acceptance and/or commitment is subject to key decision rules.*

*E.10 Any external funding received by the Council after the budget for the year has been approved, outside of rule E.9, will be classed as a corporate resource unless otherwise determined by the CFO.*

*E.11 Directors are* responsible for ensuring that action plans are in place (including exit strategies *and match funding arrangements*) for all external funding within the Directorate.

~~E.10 The Council may receive external funding after the budget for the year has been approved. Any new grant received in the financial year in excess of £50,000 unless there are conditions attached, will be classed as a corporate resource unless a business plan prepared by the relevant Director, in consultation with the relevant portfolio holder for Finance & Corporate Services, is approved by the Management Team within reasonable timescales agreed with the CFO.~~

~~E.11 The CFO~~ *E.12 The CFO*, in consultation with the respective Director, is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts. Directors are responsible for *promptly* informing the CFO, ~~promptly~~, about such funding and of any subsequent modifications to timing and amounts of anticipated funding.

~~E.12~~ *E.13* Where the income is receivable against a grant claim, the respective Director is responsible for producing the grant claim and shall provide sufficient information to enable the claim to be signed by the *Chief Executive, CFO or any other relevant person* where ~~it is~~ appropriate.

### Work for Third Parties

~~E.13~~ **14** Current legislation enables the Council to provide a range of services to other bodies, e.g. shared services, joint ventures. ~~Cabinet are~~ *The relevant Director, in consultation with the CFO, is* responsible for approving the contractual arrangements for work undertaken on behalf of third parties or external bodies ~~where the value of the contractual commitment exceeds £250,000 in value. Where the value of such work is below £250,000 the responsible Director may approve such work, in consultation with the CFO., subject to key decision rules.~~ In all cases consideration must be given to the financial, legal, risk and human resources implications of such arrangements both in the short and longer term.

### Grants to Outside Bodies ~~— Where the Council is not Acting as an Accountable Body~~

~~E.14~~ ~~The approval of Cabinet is required for all~~ **E. 15** *Directors are authorised to approve* grants and annual assistance to external bodies ~~with a financial value of £50,000 or more with the exception of Academies, VA schools for capital projects and joint arrangements under sections 75 and 76 of the National Health Service Act 2006. Where the value in total per annum to any one body is below £50,000 the respective Directors may approve such assistance, subject to key decision rules and other requirements of these financial procedure rules FPR and related guidance and this approval being formally recorded. Grants to Academies and Voluntary Aided schools for capital projects are exempt.~~

~~E.15~~ **16** Irrespective of where approval responsibility rests, the relevant Director must ensure the Council's interests are protected at all times and must be in a position to provide assurance that the following requirements have been met or will be met before any grant or other assistance is actually made: -

- the receiving body has been properly identified with suitable lead parties, its work/purpose is identified, and are bona fide, with suitable trust documents or Constitution;
- any conflicts of interest have been declared and properly managed;
- any risks to such agreements and the Council's interests are being adequately and appropriately managed on a continuous basis;
- it will be possible to confirm the proper use of the Council's assistance, including the purpose and outcomes, which contribute to the delivery of Council services or achievement of Council goals;
- arrangements for the repayment of any loan have been made;
- arrangements to gain repayment/recovery for the value of the assistance are in place in the event of default by the recipient, including taking security of assets where appropriate;
- appropriate monitoring and performance arrangements, commensurate with the value of grant, are to be set in place to ensure the predetermined expected outcomes and performance of the external organisation are being satisfactorily achieved;



## Appendix B1 – Revisions to Financial Procedure Rules

- arrangements are set in place whereby the recipient will produce his/her financial accounts to a representative of the council so that they can confirm the proper use of the grant/assisted sum and the recording of its receipt in the proper accounts of the body;
- the recipient will provide evidence to the Council demonstrating the proper accounting for and use by the recipient of the assistance, including, for assistance over £5,000 in value, a copy of the annual accounts of the body, access to other accounting records as is deemed necessary and the CFO and representative of the Council are given rights supporting such access to information, documents and evidence;
- a formal legally binding agreement is in place between the Council and the body covering the above conditions relating to the use of the grant or other assistance;
- for grants in excess of £10,000, arrangements should be made to monitor the financial status of the recipient in order to ensure that the Council is not providing assistance to a body that is to, or is likely to, terminate for financial reasons and hence be unable to fulfil the purpose for which assistance is being given.

E.4617 Full records shall be maintained of all grants and related applications for assistance; they should identify members of staff or Members involved in the processing of applications and grants; should record the date of approval of any grant or other assistance, together with other relevant transaction information.

### ~~Grants to Outside Bodies – Where the Council is Acting as the Accountable Body~~

~~E.17 – Where grants are given and the Council is acting as a funding conduit or accountable body for a particular grant stream it is equally important that the interests of both the Council and funding body are protected and that the use of such funds does add value to and benefit the local Doncaster community. It is the responsibility of the administering Director to ensure that: –~~

- ~~• Grants are actually used for the intended purpose;~~
- ~~• Grant outcomes are achieved;~~
- ~~• Assets related to such grants can be accounted for;~~
- ~~• All related expenditure is correctly accounted for;~~
- ~~• That the details highlighted in E.15 above are adequately covered;~~
- ~~• Spending and scheme target attainment is adequately monitored; and~~

~~Action is promptly taken~~ E.18 *Directors are responsible for promptly taking action* where there are concerns over delivery, accounting or any other aspects of scheme administration and management. This may require ~~the~~ recovering grant sums or the value of assistance given and assets provided by ~~Doncaster~~ the Council.



### APPENDIX A: GLOSSARY

In these Rules, unless the context otherwise requires: -

**Asset** is any asset including material and intellectual property but excluding any estate or interest in land and buildings, (i.e. 'Property' as defined by these Rules). ~~FPR.~~

~~**Annual Revenue Budget** is the Council's revenue spending plans for the year including the level of Council tax.~~

**Bad debt** means any debt that is unable to be collected after all reasonable efforts have been exhausted.

~~**Doubtful debts** means any debt that is unlikely to be collected after all reasonable efforts have been exhausted.~~

**Budget** is a plan expressed in financial terms.

**Budget Framework** is the overall budget approved by Council this includes the revenue, capital and HRA ~~budget~~*budgets* for the medium-term.

**Budget Holder** is an officer nominated by a Director as being responsible for managing a defined sum of money ~~(, i.e. 'budget')~~.

**Capital Programme** is the sum of all the Council's individual capital projects.

**Capital Project** is a project which uses capital resources to build, improve, increase the market value or substantially lengthen the useful life of an asset.

**Capital Expenditure** is to acquire fixed assets that will be of use for more than one year in which they are acquired and which adds to the Council's tangible assets rather than simply maintaining existing ones.

**Council** means ~~the~~ Doncaster Council.

**Chief Financial Officer (CFO)** is appointed by the Council to exercise the powers defined in Section 151 of the Local Government Act 1972. The CFO is designated as the *Assistant* Director of Finance ~~& Corporate Services~~.

~~**Chief Internal Auditor (CIA)** *CIPFA* is designated as the *Head Chartered Institute* of Internal Audit. The responsibilities of Public Finance and Accountancy; the *CIA* are set out professional body for people in the Code of Governance public finance.~~

**CPR** means the Contract Procedure Rules.

**Depreciation** means the measure of the wearing out, consumption or other reduction, in the economic life of a fixed asset, whether arising from use, passage of time or obsolescence through technological or other changes.

**Director** means the Chief Executive and those Managers that report direct to the Chief Executive.

**Directorate** refers to the large departments that make up the Council's management structure.

**Doubtful debts** means any debt that is unlikely to be collected after all reasonable efforts have been exhausted.

**Earmarked Reserves** are funds set aside for a specific purpose.

## Appendix B1 – Revisions to Financial Procedure Rules

**Executive** means the body described in Part 1 of the Constitution.

**Finance Manual** is the detailed financial guidance which will assist users in the applications of these ~~rules~~*FPR*.

*FPR means these Financial Procedure Rules.*

*Head of Internal Audit (HIA) leads the Council's Internal Audit function.*

**Leasing Agreement** is a contract for the provision of finance to enable goods or services (but not Property) to be obtained and where ownership in any goods does not necessarily pass to the Council at the end of the contract period.

~~Officer means any employee of the Council or other authorised agent.~~

**Management Team** means the group of executive staff comprising the senior management charged with the execution of strategy.

**Medium-term Financial Strategy** ~~(MTFS Forecast (MTFF))~~ refers to the overview of the Council's revenue position over the next four-year period.

*Member is an elected member of the Council otherwise known as a Councillor.*

**Monitoring Officer (MO)** is designated as the Assistant Director Legal and Democratic Services.

~~Officer means any employee of the Council or other authorised agent.~~

**Partnership** means an arrangement where parties agree to cooperate to advance their mutual interests.

**Portfolio Holder** is the Councillor who, as a member of the Executive, has primary responsibility for a defined area of service(s).

**Property** refers to any estate or interest in land or buildings.

**Property Officer** *is identified within these rules* ~~refers to the~~ *Council Scheme of Delegation and is currently the Assistant* Director of ~~Regeneration and Environment with responsibilities for Trading and~~ *Property Services.*

**Reserves** means the accumulation of surpluses, deficits and appropriations over past years.

**Revenue** is income or expenditure, arising from or spent on, day-to-day activities and short lived commodities or consumables.

~~Rules means these Financial Procedure Rules.~~

**Revenue Budget** is the Council's revenue spending plans for the year including the level of Council tax.

**Services** means the provision by a contractor of any services or similar facilities or works for the Council.

**Virement** is the transfer of resources between or within approved cost centres for both revenue and capital purposes.

**Appendix C1 – Revisions to Contract Procedure Rules (CPRs)**  
**PART 4**  
**RULES OF PROCEDURE**

**7. CONTRACT PROCEDURE RULES**

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|                 | Procurement by External Agents   |
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|  |  |
|--|--|
|  | <p>Contract Claims <i>and Disputes</i><br/> Review &amp; Amendment of <i>the</i> Contract Procedure Rules</p> <p><del>Appendix A – Procurement Flow Chart</del><br/> Appendix <del>B-A</del> – Glossary of Terms</p> |
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## PART 4 RULES OF PROCEDURE

### 7. CONTRACT PROCEDURE RULES

#### SECTION 1 – SCOPE OF CONTRACT PROCEDURE RULES

##### 1.0 Introduction ~~and definition of procurement~~

- 1.1 Strategic Procurement is ‘the process of acquiring goods, works and services, covering both acquisitions from third parties and from in-house providers. The process spans the **whole life cycle** from identification of needs, through to the end of a services contract or the end of the useful life of an asset. It involves options appraisal and the critical 'make or buy' decision.’<sup>1</sup>
- 1.2 These Contract Procedure Rules outline the policy and procedures for the procurement activities across the Council which includes ordering for the purchase, commissioning, hire ~~and lease, rental~~ of goods, ~~services supplies, and~~ works ~~and services~~ on behalf of the Council.
- 1.3 Compliance with the Contract Procedure Rules ensures that:
- All ~~contractors,~~ suppliers ~~and providers~~ are treated fairly and equally and that all procurement takes place in an open and transparent way, encouraging competition.
  - The rules and procedures governing the procurement process are set out clearly for Council Members, Officers, third parties buying or commissioning on behalf of the Council, ~~and~~ suppliers and other interested stakeholders.
  - All elements of procurement, from identifying the need through to disposal of goods or ending of contracts, are governed to ensure sound, robust procurement practice.
  - The Council complies with EU Procurement Directives, ~~and the~~ UK Public Procurement Regulations *and any other legislation governing public sector procurement.*
  - The Council can defend against allegations of incorrect or fraudulent procurement practice, should the need arise.
- 1.4 The Council has a duty to make the best use of its assets and finances on behalf of the residents and businesses of the borough. It is important that *goods, services and works* ~~works, goods and services~~ are procured in a way that offers value for money and is carefully regulated, lawful, and ensures transparency and accountability.

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<sup>1</sup> Source – National Procurement Strategy for Local Government

1.5 The following pages offer further details in relation to the compliance and general requirements around procuring *goods, services and works* ~~goods and services~~ on behalf of the Council and should be read and complied with for any procurement ~~exercise~~*activities*.

1.6 It also should be noted that these Contract Procedure Rules should be read in conjunction with the Council's Finance Procedure Rules (*FPR's*), *the Contract Procedures Guide* and ~~the other~~ Procurement Guidance ~~Manual-es~~ in order for ~~budget holders~~*Council employees* to discharge their responsibilities accordingly.

## 2.0 Basic Principles of Procurement

2.1 All procurement and commissioning procedures must:

- Be in line with the Council's objectives as set out in the Corporate Plan.
- Meet the procurement need and achieve value for money.
- Ensure fairness and transparency in the allocation of public contracts.
- Comply with all appropriate legal requirements.
- Ensure that all risks in the process are appropriately assessed and managed.
- Ensure that all required pre-tender consultation has taken place.
- Ensuring Strategic Procurement is engaged at an early stage of the *Commissioning* process to ensure that the best commercial option is undertaken in any resulting tendering exercise
- *Encourage the participation of local businesses in Council contracts.*
- *Promote social value through the Councils contracting activities.*

2.2 Procurement Procedures - once the need for goods, services or works has been identified, Officers are required to :-

- a. investigate whether the Council has an In-House Supplier which can meet the requirements; if this is not possible
- b. investigate whether the Council operates a Council Wide contract or other arrangement through which the requirement can be met; if this is not possible
- c. investigate whether there is a suitable regional or national framework which could be used to source the requirement; ~~if this is not possible or~~
- d. *investigate conducting a Council consider carrying out a DMBC procurement process (c and d should be conducted simultaneously to ensure the best route to market is obtained)*~~(for the avoidance of doubt a DMBC process should only be carried out if steps a-c have not proved possible).~~

## 3.0 Procedures for *Community* Schools

3.1 Governing bodies, in association with Head Teachers and Management Teams, are required to use the Council's Contract Procedure Rules as the basis for development of their own Contract Procedure Rules.

## 4.0 Compliance *and Conduct*

4.1 The Contract Procedure Rules must be adhered to by:

- All Members
  - All Officers
  - ~~Contractors, suppliers and third parties~~ *Persons or organisations* responsible for awarding, managing and monitoring contracts on behalf of the Council.
- 4.2 The highest standards of probity are required of all those involved in the procurement, award and management of Council contracts.
- 4.3 Any **failure to comply** with any of the provisions of these Contract Procedure Rules, the Code of Practice, the Financial Procedure Rules or UK and European Union legal requirements by Officers **may result in disciplinary action** *and may in some instances/cases constitute a criminal offence.*
- 4.4 *The Contract Procedure Rules are a minimum standard and a more prescriptive procurement regime must be followed where this is required by European and UK Law and agreements with Grant Funding Organisations.*
- 4.5 *Measures should be taken to effectively prevent, identify and remedy conflicts of interest arising through procurement activity so as to avoid any distortion of competition and to ensure equal treatment of all suppliers.*
- 4.24.6 *Any Officer, Member or other person acting on the Council's behalf must declare any potential Conflict of Interest as soon as they become aware of it. This must be declared to Strategic Procurement Team (SPT) and a decision to allow continued involvement approved or declined by the Head of Strategic Procurement and recorded.*
- 5.0 Procurement Plan *and* Contracts Register ~~and Statistical Returns~~**
- 5.1 The Council's Strategic Procurement Team (SPT), in conjunction with Directorates, ~~shall may~~ publish Prior Information Notice's in the Official Journal of the European Union listing the contracts for *goods, services and works services and supplies* which it expects to procure in the coming financial year.
- 5.15.2 Directors shall ensure that all contracts to be procured over ~~the £181,302 (or~~ EU thresholds ~~as revised)~~ per annum are notified to ~~the procurement team SPT~~ and are registered on the procurement forward plans.
- 5.25.3 Each Director shall ensure they notify the SPT of any contracts awarded, ~~or~~ extended *or novated* so that SPT may update the ~~Corporate~~ Contracts Register.
- 6.0 Contract Value**
- 6.1 ~~Competitive tendering exercises must be undertaken with due consideration to Contract Procedure Rules, EU Procurement Regulations and EC Treaty principles which include fairness, transparency, non-discrimination and mutual recognition.~~
- 6.1 When contracting goods, services or works, a genuine assessment of the whole life value of the ~~costs contract or framework agreement~~ must be undertaken. *(Refer to the **Contract Procedures Guide** for further guidance on how to calculate).*
- 6.2 ~~The estimated value must present the total potential cost, exclusive of VAT, over the whole life of the project, including any extension terms.~~



~~6.36.2~~ If the project can be demonstrated as truly, innovative and an estimate cannot be provided approval to proceed must be obtained from the Chief Financial Officer (CFO) or nominated deputy before commencing a competitive tendering process.

6.3 The Council shall make the best use of its purchasing power by aggregating purchases wherever possible. In particular contracts for ~~supplies~~ goods, services or works shall not be ~~split-disaggregated~~ in an attempt to avoid the /application of these Contract Procedure Rules or the Regulations.

6.4 *For Concession contracts the value of the contract shall be the total turnover of the concessionaire generated over the duration of the contract, net of VAT, in consideration for the goods, services or works that are the object of the Concession contract. (For further detail refer to the **Contract Procedures Guide**)*

~~6.46.5~~ *The value of an Income Contracts is the gross income generated by the Council as a result of the rights granted, or goods, services or works supplied by the Council.*

## 7.0 Awarding ~~of~~ Contracts

7.1 These CPRs should be read in conjunction with the decision making provisions in the Council's Constitution and Financial Procedure Rules. Directors may take the decision to ~~accept a tender~~ award a contract themselves provided that any appropriate key decision or budget approvals are already in place.

## 8.0 Relevant Contracts

8.1 All relevant contracts must comply with the Contract Procedure Rules

8.2 A relevant contract is any arrangement made by, or on behalf of, the Council for the carrying out ~~of works, or for the supply or provision of~~ goods, ~~, materials or~~ services *or works*.

This includes arrangements for:

### ~~• The supply or disposal of goods~~

- The *purchase*, hire, ~~rental~~ or leasing of goods and equipment
- The delivery of services, including (but not limited to) those related to
- Use of agency staff
- Land and property transactions relating to development agreements
- Financial *services*
- Consultancy services
- *Concession and Income contracts*

8.3 Relevant contracts do not include:

- ~~Contracts for the employment~~ *Employment contracts of individual members staff* (permanent, interim or casual). For the avoidance of doubt the appointment of recruitment ~~agencies~~ *services* would need to be subject to *the* CPRs.
- Contracts relating to disposal or acquisition of an interest in land
- *Certain financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments*

- *Concessions relating to street traders and market stalls*
  - *Residential and nursing care contracts which the Council has a duty to provide under S117 Mental Health Act 1983, S17, s17A, s17B and s17ZA – ZI Children Act 1989 and S2 Local Government Act 2000*
  - *Health and care contracts where the recipient of care has a personal choice or direct payment including under sections 18 – 36 of the Care Act 2014, section 57 - s 58 of the Health and Social Care Act 2001, section 12A of the NHS Act 2006 and section 17A of the Children Act 1989;*
  - The employment of Barristers - Barristers engaged to represent the Council must be appointed through the Assistant Director of Legal and Democratic Services
  - *Legal services contracts and arbitration services provided they fall within the exemptions set out in Regulation 10 of the Public Contract Regulations.*
  - *The selection of a supplier who usage is a condition of a Grant funding approval.*
  - *Where there is one supplier, such as works of art, copyrighted material, taxes or licence arrangements*
- 8.4 A contract is a legally binding agreement required for all goods, services *or works* entered into by a representative of the Council. A contract can be formed through verbal, written means or via the exchange of monies.
- 8.5 All contracts above £250,000 are required to be approved by the Assistant Director of Legal and Democratic Services.
- 8.6 Letters of Intent will only be issued in very exceptional circumstances following consultation and approval of the Assistant Director of Legal and Democratic Services.
- 8.7 The Council may enter into nil (cash) value contracts and the Council's Contract Procedure Rules will still apply in this case.
- 8.8 *Suppliers undertaking procurement activity on behalf of the Council must comply with the Council's Contract Procedure Rules. ~~Contractors fulfilling duties on behalf of the Council must comply with the Council's Contract Procedure Rules.~~*
- 8.9 Any lease, hire, ~~rental~~ or credit arrangement (such as vehicle or equipment leasing) which has a capital cost must be approved for inclusion in the Capital Programme in accordance Finance Procedure Rules relating to Capital expenditure, prior to commencing any procurement exercise
- 9.0 Exemptions to the Contract Procedure Rules**
- 9.1 No exemptions can be made to the requirements of competition in terms of the Contract Procedure Rules, unless authorised in writing by the CFO (or nominated deputy), after considering a written report by the appropriate Director.
- 9.2 A register of all exemptions will be maintained by the Assistant Director – Finance *and Performance.*
- 9.29.3 *Any breaches to the Contract Procedure Rules will be reported to the Audit Committee on a six monthly basis.*



~~and will be reported to the Audit Committee on a six monthly basis.~~

## 10.0 Waivers to Contract Procedure Rules

10.1 Waivers to ~~C~~contract ~~P~~procedure ~~R~~rules may be allowed under certain circumstances. Waivers which may be permitted include:

- a) Where the Director is able to demonstrate that only one specialist firm is able to meet the requirement
- b) A contract to be placed as an emergency solution only where the Director is able to demonstrate immediate risk to persons or property or serious disruption to Council Services
- c) To allow for the safe exit from a contract or to decommission
- d) Forms part of a wider strategic programme of works

The Director must notify the CFO (or nominated deputy) immediately of the action taken in dealing with the emergency. The specific circumstances in which the exception was justified must be recorded.

10.2 Only the CFO (or nominated deputy) *has* authority to waive Contract Procedure Rules for exceptions listed or the Monitoring Officer for Finance waivers.

~~10.3 Any other request for a waiver of Contract Procedure Rules outside those listed requires the approval of the CFO (or nominated deputy) or the Monitoring Officer (or nominated deputy) in respect of waivers.~~

~~10.4~~ 10.3 Waivers must be obtained in advance of the procurement action as a waiver cannot be ~~issued~~ *authorised* retrospectively *unless in an emergency situation*.

~~10.5~~ 10.4 Waivers **must not** be used to avoid the requirements of the Contract Procedure Rules to go to competition due to lack of time ~~available within the procurement timelines to procure~~. *Procurement exercises should be planned well in advance.*

~~10.6~~ 10.5 Requirements of EU Procurement Directives, UK Procurement legislation or any other relevant law or external regulatory framework cannot be waived.

~~10.7~~ 10.6 Waivers for goods & services contracts can only allowed up to the value of **£181,302, £615,278** for contracts under the Light Touch Regime (*Social & Other Specified Services*) and **£4,551,413** (or current EU thresholds) for works contracts.

~~10.8 All Waivers for services subject to the Light Touch Regime above £181,302 and below £615,278 will require joint approval of the CFO (or nominated deputy) and the Chief Executive.~~

~~10.9~~ 10.7 Waivers must demonstrate that value for money has been obtained and there ~~is~~ *are* clear benefits or advantages to the Council.

~~10.10~~ 10.8 Waivers must be documented in a form approved by the CFO; this is available on the Council's intranet and should be submitted to ~~Strategic Procurement Team~~ *the SPT* for approval.

## 11.0 Contracting Route Options (refer to **Contract Procedures Guide** on how to follow *each option*)

*There are different methodologies to contracting on behalf of the Council, these are;*

11.1 ~~Using In House Suppliers (IHS)~~ *Using In House Suppliers*

## 11.2 Using Council Wide Contracts

## 11.3 Using Dynamic Purchasing Systems (DPS) and Framework Contracts (Third Party Arrangements)

## 11.4 Council Framework Agreements and Dynamic Purchasing Systems (DPS)

~~Where an In House Supplier is available, then this provider must be used. A full list of In House Suppliers is available on the Council's intranet page.~~

~~Where the IHS cannot provide the service required, they will be responsible for procuring the requirements for the Council.~~

~~The council will benchmark all In House Suppliers to ensure they are achieving value for money, and where it is decided that the Council is not receiving value for money then alternative arrangements will be considered, this may include looking to external suppliers to provide the service.~~

~~10.11 **Using Council Wide Contracts** Where the Council holds council wide contracts on behalf of all services, officers are required to use these contracts.~~

~~10.12 Details of the current council wide contracts are available on the Council's intranet page~~

~~10.13 There is no exemption from the use of council wide contracts unless agreed by the CFO (or nominated deputy).~~

### **Using Framework Contracts**

~~10.14 Services must use a framework agreement let by another public sector body, such as public sector consortia or another Council, where these are available for the service or goods that are required. SPT maintain a list of such frameworks on the Council's Intranet page (see link)~~

~~10.15 The advice of SPT should be sought when using Frameworks. The Strategic Procurement Team will provide a list of all appropriate frameworks that can be accessed for the service or goods required.~~

~~The framework may also include within its terms the requirement for a mini-competition exercise, if this is required, the SPT will assist with this process, in line with the guidance published on the SPT intranet page~~

## ~~11.0~~ **12.0 Approved Lists (below EU threshold only)**

~~11.1 Approved lists may only be set in agreement with the CFO (or nominated deputy) and in line with the **Contract Procedures Guide** SPT guidance on setting up approved lists.~~

~~11.2 Where authorised approved lists have been set up, Directors shall ensure that these are regular reviewed and agreed with the CFO.~~

~~Before drawing up an approved list it should be advertised and expressions of interest should be invited for contractors to become approved suppliers for the particular type of contract. The officer establishing the approved list should~~

~~ensure that the approved list is advertised in such a manner so as to ensure that it will be visible by Doncaster Businesses. An approved list shall:~~

~~Set out the criteria for inclusion, suspension and exclusion from the list including but not by way of limitation:~~

~~Economic and financial standing~~

~~Technical ability and capacity~~

~~Insurance arrangements~~

~~Quality systems~~

~~Health and Safety Records~~

~~Environmental performance and compliance with environmental legislation~~

~~Compliance with all relevant legislation~~

~~Transparency/basis of appointment~~

~~Indicate the categories of contracts for which the contractors listed may be invited to tender~~

~~Be reviewed at regular intervals of not less than one year or more than four years~~

~~11.3~~ 12.1

~~11.4 Approved lists must be operated so as to ensure that all contractors on the list are given a reasonable opportunity of submitting quotations or tenders for appropriate contracts let by the Council from time to time.~~

~~11.5 Approved lists **must not** be used for any procurement exercise over the EU procurement thresholds (which are currently set at £181,302 for goods and services, £615,278 for contracts under the Light Touch Regime £4,551,413 for Works contracts).~~

## ~~12.0~~ 13.0 **Joint Procurement**

~~13.1~~ 13.1 When undertaking a joint procurement arrangement on behalf of the Council the Director must ensure *this is done in line with the **Contract Procedures Guide**.*

~~the other public bodies that are to be included in that arrangement are listed in the advertisement and contract documents. They can either be individually listed or referred to as a class of organisation within a particular region e.g. "all Local Authorities in the Yorkshire and Humber Region". The estimate given must include the potential usage of that joint arrangement by those public bodies listed.~~

## ~~13.0~~ 14.0 **Trial Purchases**

~~13.1~~ 14.1 Directors may purchase a trial of goods, services or works that is new to the Council up to a value of **£100,000**, to ascertain if the supply is of interest to the Council, without competition.

~~13.2~~ 14.2 Where an exception to competition in CPR 10.0 does not apply, a full competition, compliant with the CPR's must be conducted following the trial, if the Director wishes to continue with the type of supply.

~~13.3~~ 14.3 Arrangements must be made to ensure the supplier(s) involved in the trial has not obtained any advantage through that involvement when compared to alternative suppliers of a similar supply.

14.4 The CFO must approve proposed trial arrangements exceeding **£25,000**.

## ~~14.0~~ 15.0 **Negotiated Contracts**

~~44.1~~ 15.1 *There may be a need to consider negotiation when procuring goods, services and works. Officers should be advised that there are restrictions associated with procuring above EU procurement thresholds. Refer to the **Contract Procedures Guide** for further information on when it is appropriate.*

~~44.2~~ 15.2 *The use of a negotiated process must be approved by the CFO and the relevant Director.*

~~44.3~~ 15.3 *Verbal negotiation must be undertaken by at least two Council Officers at least one of whom must be independent of the process and approved by the CFO (or nominated deputy).*

~~44.4~~ 15.4 *Written negotiation must be subject to evidenced independent process check, calculation and value for money. If the contract value is above threshold and the proposed procedure is either Competitive Dialogue or Negotiated Procedure, these must be conducted in line with the EU procurement regulations and the advice of the SPT sought.*

15.5 *For any contract valued above **£181,302** the Director must obtain approval to negotiate the contract from the Assistant Director for Legal and Governance including the cost and the reason for choice.*

#### ~~15.0~~ 16.0 **Concession Contracts**

~~15.1~~ 16.1 *Concession contracts for services or works are a contract and the procurement of Concessions shall follow the competitive and contracting requirements in these CPRs.*

~~15.2~~ 16.2 *Concession contracts for works or services with a value of **£4,551,413** or more are subject to the Public Concessions Regulations 2016 and will be such to such additional procurement process requirements. To calculate the value of a Concession contract refer to CPR 6.4 and in addition to that the following should be taken into account:*

16.3 *The value of a Concession contract shall be the total turnover generated by the concessionaire over the duration of the contract, net of VAT, in relation to the services or works that are the object of the Concession contract. For further guidance refer to the **Contract Procedures Guide**.*

#### ~~16.0~~ 17.0 **Contracting Rules based on value and commodity being procured**

*For further guidance on the below refer to the **Contract Procedures Guide** ~~valued up to (£5,000 inclusive)~~*

~~Where the estimated value or amount of a proposed Contract does not exceed £5,000 then the Authorised officer should obtain at least 1 verbal quotation from suitable suppliers followed up by written confirmation (including email). Wherever possible the quotation should be sought from a Doncaster based business.~~

~~Whilst there is only a requirement for one quotation the Authorised Officer must consider whether additional quotations are in the Councils best interest.~~

#### 17.1 **Contracts-Contracts valued up to £25,000 inclusive**

- Where the estimated value or amount of a proposed Contract does not exceed £25,000 then the Authorised officer should obtain at least 1 verbal*

*quotation from suitable suppliers followed up by written confirmation (including email).*

- A quotation should be sought from a Doncaster based business. Whilst there is only a requirement for one quotation the Authorised Officer must consider whether additional quotations are in the Councils best interest.*

**All contracts awarded over £25,000 must have an award notice published on Contracts Finder**

**17.2 Contracts valued £25,000 to £181,302 – Quotation**

- Between these values the requirement is to obtain at least 3 written quotations from suitable suppliers. Wherever possible a minimum of one of the quotations must be sought from a Doncaster Business.*
- A written record must be kept of all quotations and procedures followed.*
- A decision on how to conduct the quotation should be based on the contracting risk.*

**17.3 Contracts valued £181,302 to £615,278 (Social & Other Specified Services)**

- A minimum of **three** tenders should be sought from suitable suppliers. Wherever possible a minimum of one tender must be sought from a Doncaster Business.*
- When using an approved third party framework agreement that has been validly set up to be called off on a non-competitive basis (direct award) the Officer must have a written justification for the selection of the supplier(s) and if above **£250,000** the decision to execute the direct award must be approved by the CFO (or nominated deputy).*
- Social value should form part of the evaluation criteria for all procurements above £181,302 as a minimum of 10%.*

**17.4 Contracts valued £181,302 to £4,551,413 (Works)**

- A minimum of **three** tenders should be sought from suitable suppliers or providers. Wherever possible a minimum of one tender must be sought from a Doncaster Business.*
- When using an approved third party framework agreement that has been validly set up to be called off on a non-competitive basis (direct award) the Officer must have a written justification for the selection of the supplier(s) and if above **£250,000** the decision to execute the direct award must be approved by the CFO (or nominated deputy).*
- Social value should form part of the evaluation criteria for all procurements above £181,302 as a minimum of 10%.*

**17.5 Contracts valued over £181,302 (Goods & Services), £615,278 (Social & Other Specified Services) or £4,551,413 (Works)**

- Over these values the requirement is to tender all contracts in accordance with the EU regulations and Contract Procedure Rules.*



- When using an approved third party framework agreement that has been validly set up to be called off on a non-competitive basis (direct award) the Officer must have a written justification for the selection of the supplier(s) and if above **£250,000** the decision to execute the direct award must be approved by the CFO (or nominated deputy).
- Social value should form part of the evaluation criteria for all procurements above **£181,302** as a minimum of 10%.

## **17.018.0 General Data Protection Regulation (GDPR)**

~~17.1~~ 18.1 Where any Supplier is given possession of or access to any personal data, the Service Director must comply with the Council's Data Protection obligations. The Service Director must follow the Council's Information Security and Data Protection Policies, in particular regarding contracting with data processors and sharing data, and carry out a Data Protection Impact Assessment (DPIA) in consultation with the Information Governance Team. For further information refer to the **Contract Procedures Guide**.

## **18.019.0 ~~ICT and~~ ICT Related Contracts**

~~18.1~~ 19.1 The Assistant Director – Customers, Digital & ICT *or nominated officer* must be consulted regarding the procurement of ICT *related goods or services such as* ~~ICT~~ consumables, hardware, software or website development or any other ICT service prior to the commencement of any tendering activity.

## **19.020.0 ~~The precise date when the standstill is expected to end~~ Contract Award Notice**

~~19.1~~ 20.1 All Contract awards above **£5,000** will be recorded on the ~~Supplier Contract management System (ProContract)~~ *Council's Contract Register*.

~~19.2~~ 20.2 All contracts over **£250,000** shall be under seal, unless the Assistant Director of Legal and Democratic Services approves other arrangements.

~~19.3~~ 20.3 Contracts with a value up to **£181,302** (EU Threshold) will be based on the Council's standard terms and conditions. Where a variation is required from the standard terms and conditions this will be agreed by the Assistant Director of Legal and Democratic Services (or nominated deputy).

~~19.4~~ 20.4 The decision to award a contract shall be made by the Director (or nominated deputy) on receipt of a written recommendation from the relevant officer. This recommendation should give details of the reasons why tenders, if any, were disqualified and the reasons for the selection of ~~Contractor~~ *supplier(s)*.

~~19.5~~ 20.5 Where the terms and conditions of Contract are not fully agreed no ~~supplier Contractor~~ shall be allowed to commence delivery of goods, ~~services works~~ or ~~works services~~ until a full risk assessment has been carried out by the Authorised Officer as to the possible implications to the Council by the ~~Contractor~~ *supplier* being allowed to commence work before the Contract terms and conditions have been finalised.

~~19.6~~ 20.6 Following the notification of award of contract the Authorised Officer is required to submit ~~a pro-forma~~ *Contract Award Form* to the Strategic Procurement Team so the details of the awarded Contract can be published on the

Council's Corporate Contracts Register and Contracts Finder to meet the requirements of the Regulations and Transparency Agenda.

~~19.720.7~~ Where a contract has been tendered pursuant to the Regulations, the Council shall publish a contract award notice ~~in the Official Journal of the European Union and on the ProContract system as soon as possible after the decision to award the contract has been taken, and in any event no later than 30 days after the date of award of the contract as per the relevant legislative requirements.~~

~~19.820.8~~ Authorised Officers are also required to prepare a report in accordance with Regulation 84 of the Public Contract Regulations.

## **~~20.021.0~~ Contract Terms and Conditions**

~~20.421.1~~ The officer shall use their best endeavours to ensure that Contracts are entered into on the Council's terms and conditions, which shall be included with each purchase order or Invitation to Tender. Where this is not possible, because the Council's terms and conditions are not suitable, and a ~~Contractor~~ *supplier* has been asked to submit their terms and conditions, where there are material changes to the ~~councils~~ *Councils* terms and conditions they must be formally approved in writing by the Assistant Director of Legal and Democratic Services (or nominated deputy) before they can be accepted.

~~21.022.0~~ ~~the reasons for the decision, including the characteristics and relative advantages of the successful tender.~~ **Contract Extensions and Variations**

### **Variations**

~~21.422.1~~ ***Variations*** must be evidenced in writing.

~~21.222.2~~ All Contract variations must be carried out within the scope of the original Contract. Contract variations that materially affect or change the scope of the original ~~contract~~ are not allowed.

~~21.322.3~~ *A new procurement is required in the case of a material change where one or more of the following conditions are met:*

- The variation introduces conditions which, had they been part of the initial procurement exercise, would have allowed for the admission of other tenderers than those initially selected or for the acceptance of an offer other than that originally accepted or would have attracted additional participants in the procurement procedure;*
- The variation increases the value of the contract or the framework agreement substantially in favour of the supplier in a manner which was not provided for in the initial contract or framework agreement;*
- The variation extends the scope of the contract or framework agreement considerably.*

~~21.422.4~~ All ~~Contract~~ *contract* variations must be in writing and signed by both the Council and the ~~Contractor~~ *supplier* except where different provisions are made within the ~~contract~~ documentation.

~~21.522.5~~ The value of each variation must be assessed by the Authorised Officer and all necessary approvals sought prior to the variation taking place including registrations on the Council's forward plan if applicable.

~~21.6~~22.6 Approval for any variation shall be sought in writing from the Director in a timely manner and supported by an appropriate decision record signed by the Director.

### **Extensions**

~~21.7~~22.7 The term of any contract may only be extended where all the following criteria have been met:

- Provision for an extension of the term is evidenced by the original contract (and the original tender/quotation); and
- Where the budget provision and the extension is in line with the Financial Procedure Rules; and
- Where the contract value including the extension exceeds the key decision threshold (£250,000), a separate key decision has been approved.
- Where the contract still delivers Value For Money
- *In the case of ICT related expenditure has had the appropriate approvals.*

~~21.8~~22.8 Only the CFO may approve an extension to the term of a contract outside the rules, after consulting the Portfolio Holder for Corporate Resources, and the Assistant Director of Legal and Democratic Services.

~~21.9~~22.9 Contract extensions will not be permitted if the value of the extension is above the EU procurement threshold.

~~21.10~~22.10 All variations and extensions to any Council contracts must be in writing and reported to the SPT in order that ~~ProContract~~*the Contracts Register for the Council* can be updated accordingly.

### ~~22.0~~23.0 ~~the score obtained by the winning bidder and the name of the winning bidder~~ **Transfer of Contracts – Novation and Assignment**

~~22.1~~23.1 *Transfer, assignment and novation of contracts can only be agreed by the Assistant director of Legal & Democratic Services*~~Legal Department.~~

### ~~23.0~~24.0 **Termination of Contract(s)**

~~23.1~~24.1 Provision for the termination of a contract must be included within the terms and conditions of the contract. Only the Assistant Director of Legal and Democratic Services has the authority to agree early termination of a contract where this is not built into the contract terms and conditions.

~~23.2~~24.2 The CFO must be consulted where there are serious concerns over the performance of a contract.

~~23.3~~24.3 The Assistant Director of Legal and Democratic Services must be consulted if the performance of a contract is giving rise ~~forte~~ concern and consideration is given to termination.

~~23.4~~24.4 *An Exit Plan, which can cover one or more Contracts, must be prepared for every contract well in advance of contract expiry. It is recommended that this should be put in place at least 6 months in advance in order to allow for the approvals and pre-planning process and any re-procurement.*



## **24.025.0** ~~the score obtained by the recipient of the letter/n~~ **Procurement by External Agents**

**24.125.1** Any consultants used by the Council shall be appointed in accordance with these Contract Procedure Rules. Where the Council uses consultants to act on its behalf in relation to any procurement, then the Director shall ensure that the consultants carry out any procurement in accordance with these Contract Procedure Rules.

**24.225.2** No consultant shall make any decision on whether to award a Contract or who a Contract should be awarded to.

**24.325.3** The Director shall ensure that the consultant's performance in relation to procurement is in accordance with these Contract Procedure Rules.

**24.425.4** Where the Council uses consultants to act on its behalf in relation to any procurement the consultant must declare any conflict of interest that may arise to the Director prior to commencing work on any Tender.

**24.525.5** Where the Director considers that such a conflict of interest is significant the Director should consider whether it is appropriate for the consultant to work on a particular tender and the consultant should not be allowed to evaluate Tenders on behalf of the Council.

**24.625.6** *Before any self-employed supplier is awarded a contract, the supplier's details must be obtained and assessed through the Council's assessment tool to ensure our obligations under IR35 are adhered to.*

## **25.026.0** **Member Involvement**

**25.126.1** Directors are responsible for ensuring appropriate consultation has taken place with members, this could include consultation on the evaluation criteria.

**25.226.2** Members should not become involved in the remainder of the procurement activity, unless any specific decisions are required by portfolio holders, Cabinet or the Council, in accordance with the Councils constitution and scheme of delegation.

## **26.027.0** **Record and Document Retention and Control**

**26.127.1** A Contracts Register of all Contracts awarded with an aggregated value above **£5,000** shall be maintained by the SPT.

**26.227.2** Each Relevant Director shall maintain ~~his/her~~*their* own register of all other Contracts, under **£25,000** as a minimum, entered into by ~~his/her department~~*their directorate*.

**26.327.3** For every individual Contract above **£25,000** a 'Contracts *File*' shall be maintained with appropriate documentation which must include, as a minimum, the following: -

1. The method for obtaining bids (~~see Rules 16, 17, 18 & 19~~);
2. Any exemption under Rule 10 together with reasons for it;
3. The evaluation criteria in descending order of importance and associated evaluation method;
4. Tender documents sent and received from ~~Contractors~~*the Suppliers*;
5. Any pre-tender market research;

6. All notes made by the evaluation panel during the evaluation of tenders;
7. Clarification and post-tender negotiation (to include minutes of meetings);
8. A copy of the Contract documents (originals should be held in Legal Services;
9. Post-contract evaluation and monitoring;
10. Communications with all ~~supplier(s)~~Contractors during the Tender process and with the successful ~~Contractor~~supplier throughout the period of the Contract;
11. Award of Contract documentation;
12. Any decision to abandon a procurement exercise or terminate a Contract.
13. All delegated decisions, authorisations, waivers and reports relating to the Tender process and subsequent Contract.

## **27.028.0** ~~contain the award criteria used to select the winning bi~~**Council Purchase Cards**

~~27.128.1~~ The Council uses Purchasing Cards in order to reduce transaction costs for low value purchases by reducing time spent on processing of orders and invoices.

~~27.228.2~~ Purchase cards must not be used as a way of bypassing CPRs. However, in some circumstances, where a contract exists and the supplier allows, a purchase card may still be used as a method of payment, where this offers better value for money or is specified in the contract. For further guidance refer to the Purchase Card [Policy](#) or contact [Strategic Procurement SPT](#).

## **28.029.0** **Cost Control**

~~28.129.1~~ The Director shall ensure that suitable procedures are laid down and followed for the effective cost control of all [contracts](#). Such procedures shall involve a continuous monitoring of the cost being incurred on each [contract](#) with the objective of ensuring that the project is completed within the authorised cost and that any unavoidable extra costs are identified quickly so that appropriate action can be taken.

~~28.229.2~~ The procedures shall provide:

- (a) A cost statement to be prepared every time a [contract](#) payment is made assessing the probable final cost. This should take into account all known factors including variations, adjustments of prime cost and provisional sums and other items such as re-measured work;
- (b) A cash flow forecast based on a cost statement prepared by the relevant Director, showing the expected pattern of payments to the end of the [contract](#), updated each month until the final payment is made.

As soon as it becomes apparent to the Director that costs will exceed the amount authorised, the Director must immediately report the situation to the CFO (or nominated deputy). A final cost report shall be submitted to the CFO (or nominated deputy).

## **29.030.0** **Contract Claims [and Disputes](#)**

~~29.130.1~~ To safeguard the Council's right to deduct liquidated damages, if the [contract](#) is over-running the officer must certify in writing that the ~~supplier~~[Contractor](#) ought reasonably to have completed the works within the

contract period. Such a certification must be in accordance with the contract conditions and be issued prior to the issue of the final certificate for payment.

~~29.2~~30.2 Any events that may lead to claims for extension of time must immediately be brought to the attention of the officer.

~~29.3~~30.3 Claims for extension of time must be assessed promptly and any extension award made in accordance with the conditions of contract.

~~29.4~~30.4 If the works are not complete the officer must issue a certificate of non-completion in accordance with any relevant contract conditions immediately after the expiry of the (extended) date for completion. It is the ultimate responsibility of the Director (or nominated deputy) to arrange for the deduction of liquidated damages.

~~29.5~~30.5 If the Contractor-supplier subsequently brings forward fresh evidence of delay, the officer may award a further extension but must then also issue a revised certificate stating the revised date in accordance with any relevant contract conditions.

~~29.6~~30.6 Before the final certificate is issued the officer shall check that any necessary certificate has been issued in accordance with the relevant contract conditions.

~~29.7~~30.7 ~~The above procedures must be strictly followed for each section of a 40.8.~~ The CFO (or nominated deputy) shall be kept informed at all times of all contractual claims whether by or against the Council.

~~29.8~~30.8 ~~It is critical that a~~ Documentary evidence *must be* kept relating to all aspects and stages of a claim and these should be kept by the Director at one central point.

~~30.0~~31.0 ~~30.3—The Alcatel letter advises all tenderers of the result of the evaluation and as a minimum must:~~ **Review and Amendment of Contract Procedure Rules**

~~30.1~~31.1 The CFO and Assistant Director of Legal and Democratic Services are authorised to make technical amendments ~~from time to time~~ *as necessary* to ensure these procedures are consistent with legal requirements, changes in Council structures, ~~and~~ personnel and best practice.

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## **PART 4 - RULES OF PROCEDURE**

### **7. CONTRACT PROCEDURE RULES**

#### **Appendix A: Procurement Flow Chart**

#### **1.0 — Contracts below £5,000**

- 1.1 — Where the estimated value or amount of a proposed Contract does not exceed £5,000 the appropriate Director shall ensure that value for money is achieved.
- 1.2 — Where the estimated value or amount of a proposed Contract does not exceed £5,000 then the Authorised officer should obtain at least 1 verbal quotation from suitable suppliers followed up by written confirmation (including email). Wherever possible the quotation should be sought from a Doncaster based business
- 1.3 — Whilst there is only a requirement for one quotation the Authorised Officer must consider whether additional quotations are in the Councils best interest.
- 1.4 — For all Contracts valued below £5,000 the Authorised Officer must retain on file a note outlining the process undertaken and justification for the decision to award work to a given Supplier.

#### **2.0 — Between £5,000 and £25,000 (Quotations)**

- 2.1 — Where no appropriate In House Supplier, Council Wide Contract or Framework Agreement exists, competition (three verbal quotations three quotations using quick quotes ) is required for procurements with an estimated value of between £5,000 and £25,000 followed up by written confirmation. Wherever possible a minimum of one of the quotations should be requested from a Doncaster Business. Where an Approved List is in place it must be used.
- 2.2 — The Authorised Officer must ensure that for all contracts, details of the procurement is entered onto the Council e-Procurement Portal and a unique reference number obtained, which will be applied to all stages and documentation of the procurement process.
- 2.3 — Once a Contractor is selected an order shall be issued specifying the services, supplies or works to be provided and the price and terms of payments.
- 2.4 — Subject to reasons outlined in CPRs, quotations should be invited using the Council's standard terms and conditions.
- 2.5 — Written confirmation of any verbal quotation accepted must be obtained from the contractor prior to placing an order as well as a written record (including email) containing the following information:
- — Details of the contract
  - — The full name and address of the contractor
  - — The person who verbally supplied the quotation
  - — The contractor's submitted price

### **3.0 — ~~Between £25,000 and £181,302 - Intermediate Value Procurement (Quotations)~~**

- ~~3.1 — Where no appropriate In House Supplier, Council Wide Contract or Framework Agreement exists, competition (3 written and confirmed quotations) is required for procurements valued over £25,000 but at or below £164,176. Wherever possible a minimum of one of the quotations must be requested from a Doncaster Business. Where an Approved List is in place it must be used.~~
- ~~3.2 — The procurement must, as a minimum, be procured using ProContract. At least three written and confirmed Quotations shall be invited. The Authorised Officer shall obtain a unique reference number from ProContract which will be applied to all stages and documentation of the procurement.~~
- ~~3.3 — Procurements need not be advertised on ProContract where other arrangements are already in place which enables works, goods and services to be procured via a website set up for those purposes (for example conducting a procurement exercise via the Crown Commercial Services website). However, once complete details of those procurements must be registered on ProContract.~~
- ~~3.4 — Faxed or emailed quotations are not acceptable for these purposes.~~
- ~~3.5 — Director's shall ensure that, where proposed procurements, irrespective of their total value, might be of interest to potential Contractors located in other member states of the EU, a sufficiently accessible advertisement is published on ProContract and Contracts finder. Generally, the greater the interest of the procurement to potential bidders from other member states, the wider the coverage of the advertisement should be. Advice must be sought from SPT.~~
- ~~3.6 — Where clients undertake their own procurements they shall do so in accordance with these Contract Procedure Rules and Procurement Code of Practice as agreed by SPT.~~
- ~~3.7 — Details of all procurements undertaken by client departments of a value greater than £25,000 must be recorded on ProContract by the Authorised Officer or shall be forwarded to SPT in order that ProContract can be updated on their behalf.~~
- ~~3.8 — Where the procurement of any value is fully funded by a third party, and if that third party so requests, then the name(s) of one or more Contractor(s) may be added to the quotation list or be the only Contractor(s) invited provided the Approved List criteria are satisfied (and the Regulations not contravened).~~
- ~~3.9 — Quotations should be invited using the Council's standard terms and conditions~~

### **4.0 — ~~Contracts over £181,302 – High Value Procurements (Tenders)~~**

- ~~4.1 — Where the estimated value of the proposed contract exceeds £181,302 tenders shall be invited. Where the proposed contracts exceed the EU threshold, then the contract shall be tendered in accordance with the Regulations and these CPRs. In all such circumstances appropriate advice must be sought from SPT and Legal Services. The current thresholds are:-~~

## **PART 4 - RULES OF PROCEDURE**

### **7. CONTRACT PROCEDURE RULES**

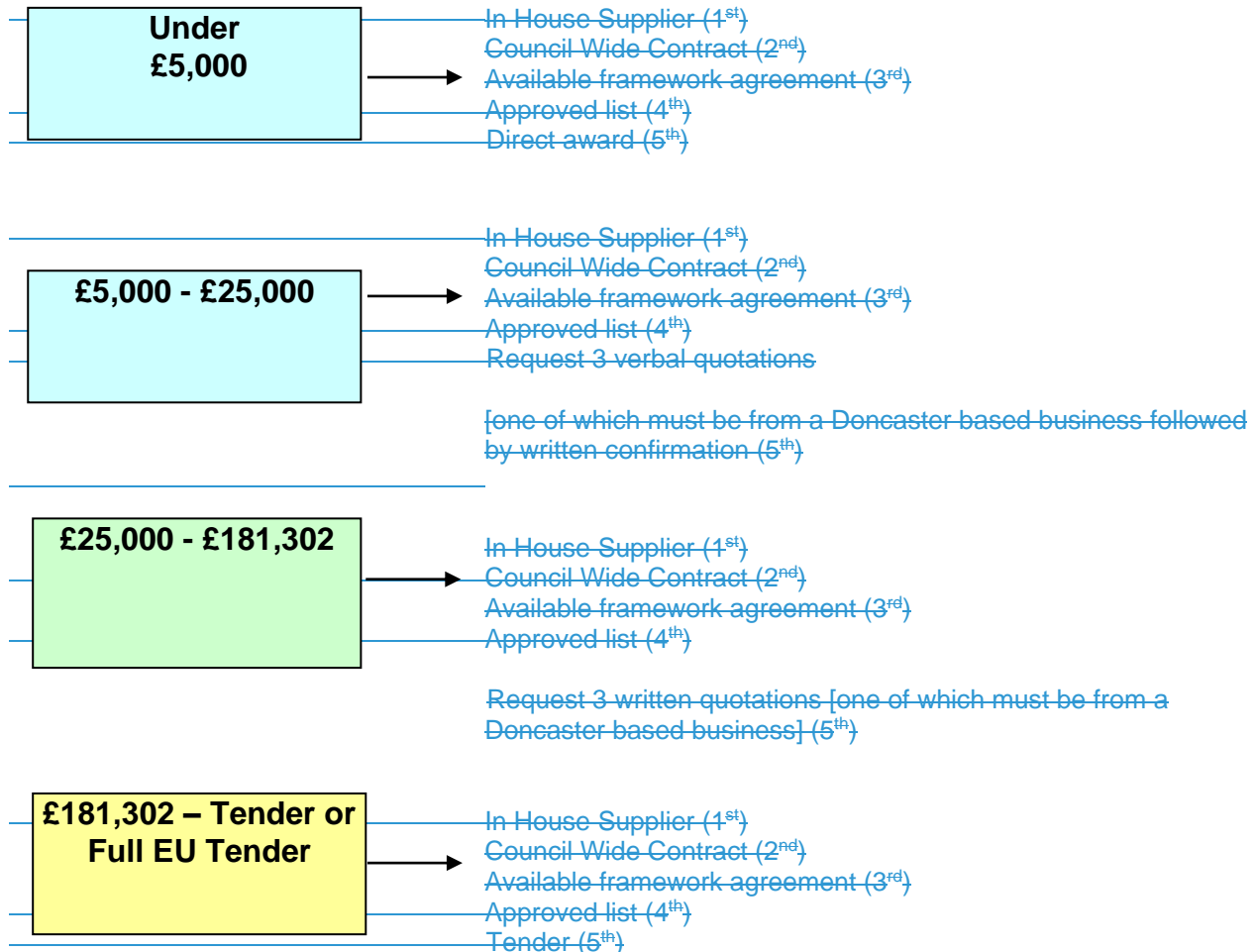
|                    |            |
|--------------------|------------|
| Services           | £181,302   |
| Supplies           | £181,302   |
| Light Touch Regime | £615,278   |
| Works              | £4,551,413 |

- 4.2 The thresholds change every two years and are due to change again on the 1<sup>st</sup> January 2020.
- 4.3 The Authorised Officer shall obtain a unique reference number from ProContract which will be applied to all stages and documentation of the procurement.
- 4.4 Approval of the proposed procurement and contract award procedure including the evaluation criteria to be applied shall be formally sought by the Authorised Officer from the Director in accordance with CPR's.
- 4.5 The officer shall develop and document the procurement approach which shall set out relevant considerations to the procurement exercise.
- 4.6 The procurement must, as a minimum, be procured using ProContract by the officer. This will include advertising the Tender on the system and ensuring that the Tender documents are electronically available in accordance with CPR's.
- 4.7 Where there are sufficient numbers of Contractors at least five written Tenders shall be invited. The only exception to this is where five suppliers fail to reach the minimum criteria for selection.
- 4.8 Faxed or emailed Tenders are not acceptable for these purposes.
- 4.9 Directors shall ensure that, where proposed procurements, irrespective of their total value, might be of interest to potential Contractors located in other member states of the EU, a sufficiently accessible advertisement is published on ProContract and Contracts Finder. Generally, the greater the interest of the procurement to potential bidders from other member states, the wider the coverage of the advertisement should be. Advice must be sought from SPT.
- 4.10 Where clients undertake their own procurements they shall do so in accordance with these Contract Procedure Rules the Procurement Guidance Manual as agreed by SPT.
- 4.11 Details of all procurements undertaken by client departments must be recorded on ProContract or shall be forwarded to SPT in order that ProContract can be updated on their behalf.
- 4.12 Where the procurement of any value is fully funded by a third party, and if that third party so requests, then the name(s) of one or more Contractor(s) may be added to the tender list or be the only Contractor(s) invited provided the Approved List criteria are satisfied (and the Regulations not contravened).
- 4.13 Subject to CPRs above Tenders should be invited using the Council's standard terms and conditions.

## PART 4 - RULES OF PROCEDURE

### 7. CONTRACT PROCEDURE RULES

Please follow the instructions below when procuring goods, services or works. These procedures aim to ensure the Council is achieving value for money and operating a fair, transparent and consistent approach to procurement.



### Appendix BA

#### GLOSSARY OF TERMS (including general procurement terms)

**Added Value** - Any benefits or services which can be provided over and above that of the contract requirements

**Aggregation of Demand** – Where similar or same purchases made separately over a period of time (and often from multiple suppliers) are combined into one contract requirement

**Alcatel (or Standstill) Period** – Contracts over the EU threshold must include a minimum *10 calendar days* standstill period between the decision to award a contract and the actual award. Unsuccessful suppliers are notified of the proposed award and



given the opportunity to appeal if they believe that the award is not justified. It's named after the case law establishing a ruling of an unfairly awarded contract

**Approved List** – List of suppliers who have met a minimal level of quality assessments, usually through a pre-qualification questionnaire, or pre-approved list e.g. Constructionline database and approved to provide specific work, goods or services

**Approved Suppliers** – Suppliers included on approved lists

**Assignment** – The transfer of rights from one contractor to another on the basis of the same contract

**Audit Trail** – System or paper generated evidence showing how decisions and procedures were carried out

**Authorised Officer** – a person appointed by a Director who is responsible for the procurement Procedure

**Award** – The allocation of a contract to a successful bidder/contractor/supplier

**Award Stage** – Final stage of the tendering process, with notification of the successful supplier and the signing of the contract

**Bid** – A submitted tender

**Business Case (Procurement)** – The reasons for carrying out a procurement or project, usually indicating initial value, and justifying the need such as an identified service need or meeting Council objectives

**Challenge Point** – a review of the evaluation process to ensure that the procedures and outcome of the evaluation process are fair, transparent and reflect the views of the evaluation panel

**Collaboration** – Process by which two or more 'organisations' (local authorities, other public sector bodies) work together to obtain a joint solution for a shared requirement. Used to capitalise on the advantages of aggregating demand, such as economies of scale or stronger positioning in the marketplace

**Collusion** – illegal process of agreeing to unfair activities in a procurement process, such as price fixing

**Commissioning** – the strategic activity of assessing need and using resources (both budgets and services) to meet those needs, with procurement forming part of commissioning for the sourcing and setting up contracts to provide services

**Competitive Dialogue** – Competitive dialogue is a procedure in which any economic operator may request to participate and whereby the contracting authority conducts a dialogue with the candidates admitted to that procedure, with the aim of developing one or more suitable alternatives capable of meeting its requirements, and on the basis of which the candidates chosen are invited to tender

**Concession** – an agreement between the Council and a private company for the sole right to provide a specific service

**Contingencies** – future events or circumstances which may occur

**Contract** – Legally binding document that sets out the terms and conditions of the delivery of the works, services or goods, including performance measures

**Contract Management** – Contract management activities can be broadly grouped into three areas.

**CFO** – Chief Financial Officer, the statutory Section 151 Officer, this is the Director of Corporate Resources

**Contract administration** – handles the formal governance of the contract and changes to the contract documentation.

**Contracts Finder** - Government portal for advertising contract valued above £25,000 as required by the Public [Procurement-Contract](#) Regulations 2015

**Contracts Register** – A register of Council wide contracts centrally held by Strategic Procurement

**Contract Award Notice** – Notice of the award of a contract published in the Official Journal of the European Union (OJEU) as required by EU legislation

*Contract Extension – continuing with the contract after the initial period of the contract term*

**Contract Procedure Rules** – The section of the Council's Constitution which sets out the rules which must be followed when undertaking any procurement process

**Council Wide Contracts** – contracts let on behalf of the Council to meet the requirements of good, services or works which are common or shared across the Council (previously referred to as Corporate Contracts)

**Criteria** – Set of specific requirements that a quote or tender will be marked against

**Delegated Authority** – Officers who have been authorised to carry out such tasks as set out in the Council's scheme of delegation contained within the Council constitution.

**Director** – The person responsible for the proper compliance with these procedures. Except as indicated otherwise, a Director may delegate authority to other persons to deliver their responsibilities.

**Disaggregation** – Splitting a requirement for similar works, goods or services into a number of smaller contracts to avoid having to undertake a full competitive tender exercise for contracts exceeding the EU thresholds. This practice is a breach of EU legislation

**Dispute** - Disagreement between Council and supplier or contractor which may result in Court action

**Doncaster Business** – A company or other organisation which has an office or premises within the Doncaster Metropolitan Borough Council area.

*Dynamic Purchasing System - is a procedure available for contracts for works, services and goods that has aspects similar to a framework agreement, but where new suppliers can join at any time.*

## *Electronic Tendering (E-Tendering) – Online tendering and contract management system*

**EU Procurement Directives (EU Legislation)** – European procurement law enacted into UK law as the Public Procurement Regulations 2015, detailing rules and regulations that must be complied with for all public sector procurement processes that exceed specified thresholds

**Evaluation** – Detailed assessment and comparisons of bid submissions verifying how suppliers will meet the requirements of the contract, measured against quality and price criteria

**Evaluation Panel** – Group brought together with the specific aim of assessing submitted tenders against pre-set criteria, to make final recommendations on the award of contract.

**Exceptions** – Permits the undertaking of a procurement action within a specific area without the need for a competitive tender exercise, but signed by Assistant Director of Finance or the Director Corporate Resources and Finance.

**Execute** – the completion of contract documentation, including the signing, and sealing where required, of the formal contract

**Exemption** – excluding a procurement activity from one or more of the Contract Procedure Rules

**Framework Agreement** – Used where specific works, services or goods will be needed on a number of occasions over a known duration, but the exact requirement isn't known. Can be with a single supplier (sometimes referred to as a 'call-off' contract) or with a multiple number of suppliers. Once set up, there is no need to go to the open market as competition is held between those suppliers on the framework

**ISP** – *In*-House Service Provider is an identified internal service offered by the Council to carry out Council services

## *ICT – Information, Communications and Technology*

**Invitation to Tender** – Sent to tenderers asking them to submit bids based on a specification, indicating the requirements of the Council.

**Joint Procurement** – Where other public bodies are included within a procurement exercise

**Key Decision** – A decision which is over £250,000 or affects 2 or more wards.

**Letter of Intent** – A written statement indicating the Council's willingness to enter into a formal contract

**Light Touch Regime** – The new light-touch regime (LTR) is a specific set of rules for certain service contracts that tend to be of lower interest to cross-border competition. Those service contracts include certain social, health and education services, defined by Common Procurement Vocabulary (CPV) codes. The list of services to which the Light-Touch Regime applies is set out in Schedule 3 of the Public Contracts Regulations 2015

**Liquidated Damages** – Compensation awarded by a court judgement or a contract stipulation regarding breach of contract

**Marketplace** – Wording used to describe a commercial activity or a group of potential suppliers possibly able to meet requirements

**Negotiation** – Process by which a contract proposal is reached through discussion and agreement between the prospective contractor and the Council representative

**Negotiated Procedure** – Procurement process undertaken directly with one bidder. Used under specific circumstances

**Non-Commercial Consideration** – Non-financial concerns such as social and environmental factors

**Novation** – Substitution of a contractor with a new contractor, or of a contract with a new contract

**OJEU (Official Journal of the European Union)** – on-line publication advertising tender opportunities and publicising contract awards for the public sector in all EU Member states, the European Economic Area and the World Trade Organisation

**OJEU Notice** – published notice of tender opportunity or contract award in OJEU

**Open Tender Procedure** – Tender process which is open to any supplier who wishes to bid. All tenders must be considered

**PFI** – A Private Finance Initiative is a way of creating public – private partnerships by funding public infrastructure projects with private capital.

**Pre-Procurement Procedure** – A requirement for stakeholder to ensure they have correctly identified the needs of the service and outcomes have been assessed.

~~**Pre-Qualification Questionnaire** – Set of questions used to establish the suitability of a supplier to be included in a bidding process, based on experience, financial stability and quality assessments. Is also be used to eliminate bidders in a restricted (two stage) tender so that only the most suitable suppliers are invited to tender~~

~~**Procurement Code of Practice** – The document is an aid to understanding approaches and best practice approach to procurement activity.~~

**Qualified Tender** – Where a bidder submits a bid which has been amended to the bidders requirements, such as inserting their own terms and conditions

**Quotation** – Written or verbal price given by a supplier on request

**Remedies Directive** – EU legislation which sets out the rules by which the procurement actions and decisions may be challenged.

**Regulations** – EU Procurement Directives and the UK Public Procurement Regulations

**Relationship management** – keeps the relationship between the two parties open and constructive, aiming to resolve or ease tensions and identify problems early.

**Restricted Tender Procedure** – Tender process where potential suitable tenderers are identified by the evaluation of a pre-qualification questionnaire. Only those passing the evaluation criteria of the pre-qualification questionnaires will be invited to tender

~~ProContract – Supplier, contract, management, system (ProContract) is an electronic e-tendering system used by Yorkshire Council's.~~

**Service delivery management** – ensures that the service is being delivered as agreed, to the required level of performance and quality.

**Specification** – Detailed description of what is required, including monitoring procedures

**Stakeholder** – Individual or organisation with an active interest in the impact or effect of the Council's procurement activities

**State Aid** – Any Government aid must not distort competition by favouring certain businesses or goods

**Sub-Letting** – Engagement of another contractor by the main contractor

**Submission** – The bid or tender submitted by a supplier in response to an invitation to quote or tender

*Supplier – Any person, partnership, company or other organisation, which provides or contractually offers to provide any supply to the Council or on behalf of the Council.*

*Supplier Selection Questionnaire (SSQ) – Set of questions used to establish the suitability of a supplier to be included in a bidding process, based on experience, financial stability and quality assessments. Is also be used to eliminate bidders in a restricted (two stage) tender so that only the most suitable suppliers are invited to tender. This can only be used for above threshold procurements.*

**Sustainable Procurement** – the economic, environmental and social issues to be considered in procurement

**Tender** – Written response to an invitation to tender that contains a full costed proposal. Submitted in a sealed process, and evaluated against set criteria

**Tenderer** – Prospective supplier who submitted a bid in response to an invitation to tender or quote

**Tender Documents** – Set of documents provided to prospective tenderers which forms the basis on which tenders will be submitted. Includes, as a minimum, instructions to tenderers, contract terms and conditions, specification, evaluation criteria, pricing schedule, form of tender and anti-collusion statement

**Testing the Market** – Formal procurement process to establish whether there are suppliers able and interested in providing quotes or bidding

**Termination** – Cancellation of all or most of a contract.

**Thresholds** – Financial boundaries (based on the whole life value of a proposed contract) which determine the procurement action, for example whether a competitive tender is required, or whether an EU competitive action is required

**TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006)** - Preserves the continuity of employment and safeguards employment rights of all employees transferring to a new employer i.e. where there is a change of contract provider or where current Council staff are being transferred to another service provider

**Value for Money** – ensuring the needs of the Council are met whilst achieving the required balance of quality and price

**Variation** - A variation is usually a change to the specification. It may either be a one off item of work or service, or a change for the remainder of the contract. Deeds of Variation and Variation Orders are contractually binding on both parties.

**Waiver** – Approval obtained prior to procurement activity, by the CFO (or nominated deputy), permitting an exception to the Contract Procedure Rules.

**Whole Life Value** – All costs incurred in the lifespan of the contract, including disposal.

Further guidance is ~~also~~ available from the Strategic Procurement Team (*SPT*) and the *Contract Procedures Guide*.

## **Contract Procedures Guide**

This guide should be read in conjunction with the Contract Procedure Rules (CPR's).

### **Contents**

- 1.0 How to Calculate the Total Contract Value**
- 2.0 Contracting Route Options**
  - 2.1 In House Suppliers**
  - 2.2 Council Wide Contracts or Frameworks**
  - 2.3 Dynamic Purchasing Systems (DPS) and Framework Contracts (Third Party Arrangements)**
  - 2.4 Council Framework Agreements and Dynamic Purchasing Systems**
  - 2.5 The Invitation to Tender/Quote**
    - 2.5.1 Submission, Receipt, Opening and Registration of Electronic Tendering**
    - 2.5.2 General**
    - 2.5.3 Evaluation of Tenders and Quotations**
    - 2.5.4 Errors in Tenders/Quotations**
    - 2.5.5 Post Tender Negotiation**
    - 2.5.6 Awarding Contracts**
    - 2.5.7 Debriefing**
- 3.0 Approved Lists (below EU threshold only)**
- 4.0 Joint Procurement**
- 5.0 Negotiated Contracts**
- 6.0 Concession Contracts**
- 7.0 General Data Protection Regulation**
- 8.0 Termination of Contracts**
- Appendix 1 Procurement Decision Table**

### 1.0 How to Calculate the Total Contract Value (links to CPR6.0)

Calculating the total contract value should include:

- Be estimated by reference to the gross value of the contract (including installation, supplier maintenance, options, and any income gained by all suppliers involved in the agreement)
- Assess the gross value of a Framework Agreement to be the reasonably estimated value of all supply contracts which may be made through it;
- Where the contract includes a fixed duration, cover the entire possible duration of the contract (i.e. including any options, such as extension periods or exit costs)
- Where the maximum contract duration is not certain, treat the contract as if it lasts 4 years
- Include any Grant funding
- Exclude VAT

### 2.0 Contracting Route Options (links to CPR 11.0)

#### 2.1 Using In House Suppliers (IHS)

Where an In House Supplier (IHS) is available, then this provider must be used. A full list of In House Suppliers is available on the Council's intranet page.

The Council will conduct a value for money review on IHS's including benchmarking the costs and services. Alternative arrangements will be considered, including external suppliers providing the goods, services or works and this must be formally approved by the relevant Director.

#### 2.2 Using Council Wide Contracts

Where the Council holds Council wide contracts on behalf of all services, officers are required to use those contracts.

Details of the current Council wide contracts are available on the Council's intranet page

There is no exemption from the use of Council wide contracts unless agreed by the CFO (or nominated deputy).

#### 2.3 Using Dynamic Purchasing Systems and Framework Contracts (Third Party Arrangements)

Contracts can be let through the use of a framework agreement let by another public sector body, such as public sector consortia or another Council, where these are available for the service or goods that are required. SPT maintain a list of such frameworks on the Council's Intranet page (see link)

The advice of SPT must be sought when using frameworks. SPT will provide a list of all appropriate frameworks that can be accessed for the works, services or goods required.



## Appendix C2 – New Contract Procedures Guide

The framework provider will have set terms for using the framework offer such as performing a further competition exercise or how to direct award, SPT will assist to ensure correct call off arrangements

When using an approved framework agreement that has been validly set up to be called off on a non-competitive basis the direct award must make a written justification for the selection of the supplier. For direct awards above £250,000 the decision to execute the direct award must be approved by the CFO (or nominated deputy).

### 2.4 Council Framework Agreements and Dynamic Purchasing Systems

Framework suppliers must be chosen by a competitive process in accordance with the Contract Procedure Rules as if they were a goods, services or works contract (they must not be procured through a standing list, another framework agreement or a Dynamic purchasing system) and in accordance with the EU Procurement Rules.

All Framework Agreements will be in the form of a written contract detailing the method by which the Council will call off goods, services or works during the duration of the Framework Agreement and stating that there will be no obligation to order anything from a Framework Supplier.

Framework Agreements above the EU Threshold must be closed to new entrants and must not last longer than 4 years without this being justified in a written assessment of the exceptional factors present and the approval of the CFO

Contracts created through Framework Agreements must not be greater than 4 years in duration without being justified in a written assessment of the exceptional factors present and the approval of the CFO.

*Dynamic Purchasing Systems must be set up by an advertised competitive process which is approved by the Head of Procurement; and*

- remain advertised; and
- not limit the number of suppliers admitted to the system (but the system may be split into categories); and
- be set up with clear operative rules which involve obtaining quotations from all suppliers on the system, or on the relevant category on the system, as appropriate; and
- be operated wholly electronically; and
- be open to new entrants; and
- not last longer than 5 years.

When using Framework Agreements or Dynamic Purchasing Systems, the Council must follow the procurement rules set out in the Framework Agreement or the Dynamic Purchasing System.

The Head of Procurement will ensure that the use of Framework Suppliers and Dynamic Purchasing Systems provide value for money, considering all procurement costs and alternative approaches.

The Head of Procurement will maintain a list of all approved Framework Agreements and Dynamic Purchasing Systems (noting which of these comply with the EU Procurement Rules) which Service Directors are permitted to use.

### 2.5 The Invitation to Tender/Quote

The Invitation to Tender or Quote shall include details of the Council's requirements for the particular contract, the standard templates available from SPT should be used or those of the Third Party Framework provider if applicable. Other considerations when conducting a competitive process should be considered, these being:

- (a) The procurement timetable including the Tender/Quote return date and timescales. A reasonable period should be allowed for the applicants to prepare their Tender/Quotation and where applicable meet the minimum Regulation timescales;
- (b) A specification and instructions on whether any variant bids are permissible;
- (c) The terms and conditions for the contract must be sent with the Invitation to Tender/Quote. Standard forms such as JCT and NEC may be used for construction related contracts. For other contracts the Council's terms and conditions of contract should be used. If there is a request for the bidders to submit their terms and conditions or the contract is via a Third Party Framework Agreement terms and conditions these must be approved by the Head of Contracts, Property and Transformation.
- (d) The evaluation criteria including any weightings and or sub-criteria as considered appropriate;
- (e) Whether the Council is of the view that TUPE may apply;
- (f) if appropriate the form and content of method statements to be provided by the bidders;
- (g) rules for submitting of Tenders/Quotations (all Tenders/Quotations should state that the Council's preferred option is to have Tenders/Quotations submitted electronically where appropriate, when it is above EU Thresholds, as per Regulation 22, it is mandatory to provide and receive tenders/quotations electronically);
- (h) Consideration should also be given whether or not a performance bond should be required. This should be considered for all contracts over £500,000, and should only be specified following advice from legal services and finance.

#### 2.5.1 Submission, Receipt, Opening and Registration of Electronic Tendering

Requests for Quotations and Invitations to tender over £25k must be transmitted by electronic means using the Council's e-procurement system. This will:

- (a) Evidence and record successful transmissions
- (b) Securely store tenders/quotations under the control of the Head of Strategic Procurement to ensure that they are not opened until the deadline for receipt of quotations/tenders has passed.

#### 2.5.2 General

The design of the Tender/Quotation documents must be such that price documentation cannot be changed or substituted following submission of the Tender or Quotation.

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Late Tenders, Quotations or Supplier Selection Questionnaires received after the specified date and time for their receipt cannot be considered by the Council unless the lateness is caused by the Council or other matters reasonably outside the control of the bidder and no unfair advantage is given to the bidder who submits late. Any decision to accept a late bid will be made by the Head of Strategic Procurement after such verification as he or she feels appropriate. Deadlines may be extended at any time prior to their arrival so long as this complies with the principle of equal treatment and non-discrimination between bidders.

All Tender/Quotation documents must be retained in line with the provisions set out at by the Council's records management policy and set out on the Council's intranet site.

### Pre-tender Submission Clarification

Prior to the tender bid submission deadline either the Council or a bidder may seek to clarify any aspects of the tender documentation. Adequate time must be allowed for both the clarification question and the response. Both the question and the answer must be in a log. Except in a very limited set of circumstances both the question (anonymised) and the response should be issued to everyone who has declared an interest to tender.

In all procurements with a value of £181,302 or more the Council will only enter into a contract with a Supplier if it is satisfied as to the Supplier's eligibility, financial standing and technical capacity.

The standard 'Supplier Selection Questionnaire (SSQ) should be used to assess a tenderer's ability to perform the contract being tendered (selection criteria) and must not be used to assess how a contractor will perform the contract (award criteria). For construction related contracts PAS91 should be used.

For all procurements with a value of over £181,302 the Council shall only enter into a contract with a supplier if it is satisfied as to the supplier's:-

- A.** Economic and financial standing
- B.** Technical ability and capacity
- C.** Insurance arrangements
- D.** Quality systems
- E.** Health and Safety Records
- F.** Environmental performance and compliance with environmental legislation
- G.** Compliance with all relevant legislation

When operating a procurement above EU thresholds the Council's standard form(s) of Supplier Selection Questionnaire (SSQ), applicable to the contract being procured, should be used (based on the selection questionnaire requirements of the procurement policy note 8/16) to establish the suitability and/or shortlist. Any variations to this must be agreed by SPT who will notify the relevant authorities as necessary (e.g. [mysteryshopper@crownccommercial.gov.uk](mailto:mysteryshopper@crownccommercial.gov.uk)).

For all procurements under £181,302, a qualification stage must not be used, although key and proportional suitability questions linked to the subject matter of the contract should, as appropriate, be used to ascertain the suitability of the supplier.

If there is intent to award a self-employed the Council's assessment tool should be used to ensure our obligations under IR35 are adhered to.

### Transfer of Contracts – novation and assignment

Transfer, assignment and novation of contracts can only be agreed by the Legal Department.

For procurements below £181,302 Authorised Officer should assess whether it is necessary to assess a supplier's eligibility, financial standing and technical capacity. The assessment may be based on the contract type and risks associated if the contract failed to be delivered. Please note that two stage processes cannot be performed under PCR2015 and that the suitability assessment questions must be included as part of the quote/tender assessment.

### 2.5.3 Evaluation of Tenders and Quotations

The evaluation criteria with weightings shall be predetermined and approved by the relevant Head of Service and listed in the Invitation to tender/quote documentation. In addition, the published criteria shall be strictly observed (and remain unchanged) at all times throughout the contract award procedure.

Tenders subject to the Regulations shall be evaluated in accordance with the relevant Regulations and the evaluation criteria set out in the Invitation to Tender. Sub-criteria should also be listed – further advice is available from SPT. All other Quotations/Tenders shall be evaluated in accordance with the evaluation criteria set out in the Invitation to Tender.

All contracts, except contracts where lowest price was predetermined to be the only criteria, must be awarded on the basis of the offer which represents Value for Money for the Council.

Procurements can only be abandoned and re-tendered for proper justifiable reasons e.g. receipt of non-compliant bids so genuine competition cannot be obtained or funding is no longer available etc. It would be a breach of the Regulations if a tender was abandoned on the grounds that a particular Supplier was not the successful bidder and such action would leave the Council open to legal challenge.

Social value should form part of the evaluation criteria for all procurements above £181,302 as a minimum of 10%. It should also be implemented in below threshold procurements where possible.

### 2.5.4 Errors in Tenders/Quotations

Errors in Tenders/Quotations must be dealt with either by asking the Supplier to confirm that they will accept the contract documentation as issued or if not withdraw the Tender/Quotation from the procurement process. Where a Supplier has made a genuine error they may be given an opportunity to correct that error within a strict time limit that represents the minimum time that a tenderer needs to make the correction. Other than where a procurement exercise is being carried out under the competitive dialogue or negotiated procedure, where fine tuning and clarifications are permitted, no other adjustment, revision or qualification is permitted.

Tender/Quotation documents must state how errors in Tenders/Quotations will be dealt with. All clarifications MUST be dealt with through the e-tendering system.

Suppliers regularly making errors should be warned appropriately.

### 2.5.5 Post Tender Negotiation

There are specific rules in the PCR2015 dealing with the negotiated procedure without publication of a notice, the competitive procedure with negotiation, the competitive dialogues procedures, the innovation partnership procedure and the procurement of Social and Other Specific Services (as defined in the PCR2015). Authorised Officers must seek advice from Legal and SPT when using these procedures.

Where procurements are conducted outside the Regulations, such as below threshold contracts, the CFO (or nominated deputy) may authorise negotiations if he/she considers that it is in the Council's interest to do so.

Negotiations shall be conducted on behalf of the Council by at least two appropriately trained officers (in correct procurement procedures) from the department concerned and a SPT or Legal representative. A full written record shall be kept of the results of the negotiations, signed by the Director or his or her nominee personally and the Contractor, and retained on a central file by the Director.

An amended tender, following negotiations, under this rule, may not be accepted unless it provides Value for Money to the Council.

At all times during the procurement process the Council shall ensure that all tenderers are treated equally and in a non-discriminatory and transparent manner.

#### **Clarifications, Presentations and Interviews**

Clarity may be sought through planned presentations designed to assist in the understanding or verifying of submitted bids. Clarification questions may be asked during such presentations and prior scoring may be appropriately moderated (but the presentation itself must not be scored). All key information given in the presentation must be recorded thoroughly and any clarifications must be confirmed in writing.

Interviews and/or presentations which form part of the bid (rather than clarification of a submission) are discouraged and must be authorised by the Head of Strategic Procurement in writing. They must also be:

Comprehensively recorded; and

Assessed according to transparent and objectively verifiable criteria connect to the subject matter of the contract; and

Supervised by a senior procurement member of staff

### 2.5.6 Awarding Contracts

A contract shall only be awarded subject to the quote/tender evaluation criteria.

Where a Tender is to be evaluated on price only the Contract must be awarded to the Contractor submitting the lowest price.

Where the quotation/tender proposed for acceptance exceeds the estimated budget by more than 10% it shall not be accepted unless the Director has received written advice from:

- an authorised officer, explaining why the contract exceeds the budget; and

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- the relevant Group Finance Manager has confirmed that adequate budgetary provision exists to cover the funding of the additional cost.

Where the scope of the original contract is to be reduced in order to fit within budgetary provision you will be required to re-enter negotiations with all contractors who have submitted a bid.

All contracts awarded over £25k must have a contract award published via Contracts Finder.

### 2.5.7 Debriefing

Once a decision to award any contract, subject to the EU Regulations has been taken, the officer shall inform SPT and Legal services immediately in order for a 10 day standstill period to be implemented (i.e. a contract must not be entered into with the successful tenderer and neither goods, works or services may be performed or delivered to the Council during this period). It is also recommended that this occurs when using third party framework agreements for above EU threshold contracts.

Legal Services and the SPT will advise the officer on the preparation of a Regulation 86 letter. This is a specific letter that must be sent out to:

- The successful tenderer;
- any unsuccessful tenderer(s)

The Regulation 86 letter advises all tenderers of the result of the evaluation and as a minimum must:

- Name of Successful Tenderer (the 'Successful Tenderer')
- The score obtained by the winning bidder.
- The score obtained by the recipient of the letter/notice
- Criteria for the Award of the Contract
- Reasons for the decision including characteristics and relative advantages of the Successful Tenderer and scores
- Date when standstill period is expected to come to an end [and if relevant how the timing of its ending might be effected by any contingencies]
- Date before which the Council will not enter into the contract or conclude the framework agreement:

## 3.0 Approved Lists (below EU threshold only)

Approved lists may only be set in agreement with the CFO (or nominated deputy) and in line with the Contract Procedures Guide on setting up approved lists.

Where authorised approved lists have been set up, Directors shall ensure that these are regularly reviewed and agreed with the CFO.

Before drawing up an approved list it should be advertised and expressions of interest should be invited for suppliers to become members of the approved list for the particular type of contract. The officer establishing the approved list should ensure that the approved list is advertised in such a manner so as to ensure that it will be visible by Doncaster Businesses also using Contracts Finder and the e-tendering portal. An approved list shall:

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- Set out the criteria for inclusion, suspension and exclusion from the list including but not by way of limitation:
  - Economic and financial standing
  - Technical ability and capacity
  - Insurance arrangements
  - Quality systems
  - Health and Safety Records
  - Environmental performance and compliance with environmental legislation
  - Compliance with all relevant legislation
  - Transparency/basis of appointment
- Indicate the categories of contracts for which the suppliers listed may be invited to quote/tender
- Be reviewed at regular intervals of not less than one year or more than four years

Approved lists must be operated so as to ensure that all suppliers on the list are given a reasonable opportunity of submitting quotations or tenders for appropriate contracts let by the Council from time to time.

Approved lists **must not** be used for any procurement exercise over the EU procurement thresholds (which are currently set at £181,302 for goods and services, £615,278 for contracts under the Light Touch Regime and £4,551,413 for Works contracts).

### 4.0 Joint Procurement

When undertaking a joint procurement arrangement, on behalf of the Council, the Director must ensure the other public bodies that are to be included in that arrangement are listed in the contract advertisement and contract documents. The value estimate given must include the potential usage of that joint arrangement by those public bodies listed.

When using third party joint contracting arrangements that takes any degree of control the Director should ensure appropriate Due Diligence steps are taken to ensure that all arrangements are appropriate and compliant.

### 5.0 Negotiated Contracts

Situations where there may be a need to consider negotiations are:

- Following the receipt of quotations for the contract, it is necessary to seek to reduce the overall cost, or change other terms of the contract by negotiation with one or more suppliers who have submitted quotations.
- It is necessary to negotiate a repeat, continuation or serial contract with an existing supplier, by reference to the original quotation.
- The use of another local authority as a supplier of services by its own labour or as a procurement agent acting on behalf of the Council without competition is appropriate (although subject to EU Procurement Rules)

### 6.0 Concession Contracts

Concession contracts for services or works are a contract and the procurement of Concessions shall follow the competitive and contracting requirements in these CPRs.

Concession contracts for works or services with a value of £4,104,000 or more are subject to the Public Concessions Regulations 2016 and will be subject to additional procurement process requirements. To calculate the value of a Concession contract refer to CPR 6.4 and in addition to that the following should be taken into account:

The value of a Concession contract shall be the total turnover generated by the concessionaire over the duration of the contract, net of VAT, in relation to the services or works that are the object of the Concession contract. The Director should take into account: -

- The value of any form of option and any extension to the duration of the contract;
- Revenue from the payments of fees and fines by the users of the contract other than those collected on behalf of the Council
- Payments or any financial advantages from the Council or other public authority to the suppliers
- The value of grants or any other financial advantages from third parties in relation to the performance of the contract
- Revenue from sales of any assets which are part of the contract
- The value of all supplies and or services that are made available to the supplier that are necessary to execute the contract

### 7.0 General Data Protection Regulations (GDPR):

Where any Supplier is given possession of or access to any personal data, the Service Director must comply with the Council's Data Protection obligations. The Service Director must follow the Council's Information Security and Data Protection Policies, in particular regarding contracting with data processors and sharing data, and carry out a Data Protection Impact Assessment (DPIA) in consultation with the Information Governance Team. The Service Director must ensure that:

- A. a DPIA is completed
- B. the Supplier is verified as suitable to be trusted with the personal data before allowing access to the data;
- C. appropriate guarantees of the security of the personal data are included within a written contract;
- D. the performance of the contract is appropriately monitored;
- E. appropriate steps are taken to enforce the contract where the information security guarantees are not being met;
- F. appropriate steps are taken to minimise as far as possible the impact of a breach of data security.
- G. arrangements that appropriately deal with the transfer, return or deletion of the information at the end of the contract are established.
- H. All contracts that involve the processing or sharing of personal data must be reported to the Information Governance Team, who will keep a log of these contracts.



### **8.0 Termination of Contracts**

Provision for the termination of a contract must be included within the terms and conditions of the contract. Only the Assistant Director of Legal and Democratic Services has the authority to agree early termination of a contract where this is not built into the contract terms and conditions.

The CFO must be consulted where there are serious concerns over the performance of a contract.

The Assistant Director of Legal and Democratic Services must be consulted if the performance of a contract is giving rise to concern and consideration is given to termination.

An Exit Plan, which can cover one or more Contracts, must be prepared for every contract well in advance of contract expiry. It is recommended that this should be put in place at least 6 months in advance in order to allow for the approvals and pre-planning process and any re-procurement.

## Appendix 1 Procurement Decision Table

| Total Contract Value (£)  |            | Type of Contract  | Procurement Process   | Procurement Route Options  | Min. No. Suppliers required to bid | Advertising Requirements Contract Opportunity      | Advertising Contract Award | Restricted market testing permitted | Involve SPT | Reg 84 Report | Internal Contract Award Notice |
|---|------------|---|---|--|------------------------------------|--|----------------------------|-------------------------------------|-------------|---------------|--------------------------------|
| From  | To         |   |   |  |                                    |  |                            |                                     |             |               |                                |
| £0  | £25,000    | ALL   | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Direct Award or Informal Quotation (Doncaster company preferable ensuring best value)                 | Direct Award or Informal Quotation   | 1                                  | NO   | NO                         | YES                                 | NO          | NO            | YES (above £5k)                |
| Any contract over £25,000 must be procured via the ProContract system |            |   |   |  |                                    |  |                            |                                     |             |               |                                |
| £25,000   | £181,302   | Goods Services Works Social & Other Specified Services (Light Touch Regime) | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Third Party Framework Agreement or Procurement Exercise (ITQ or RFQ)                                  | Third Party Framework  |                                    | NO   | Contracts Finder           | YES                                 | YES         | NO            | YES                            |
|   |            |   |   | Open Quotation: (RFQ) Low Risk Contract or (ITQ) High Risk Contract                                    | 3                                  | ProContract Contracts Finder (open quotation only) | Contracts Finder           |                                     |             |               |                                |
|   |            |   |   | Restricted Formal Quotation: (RFQ) Low Risk Contract or (ITQ) High Risk Contract                       |                                    |  |                            |                                     |             |               |                                |
| £181,302  | £615,278   | Social & Other Specified Services (Light Touch Regime)                      | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Third Party Framework Agreement or Invitation to Tender (ITT) (at least one from a Doncaster company) | Third Party Framework  |                                    | NO   | Contracts Finder           | YES                                 | YES         | NO            | YES                            |
|   |            |   |   | Open or Restricted Invitation to Tender (ITT)  | 3                                  | ProContract Contracts Finder (open tender only)    | Contracts Finder           |                                     |             |               |                                |
| £181,302  | £4,551,413 | Works   | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Third Party Framework Agreement or Invitation to Tender (ITT) (at least one from a Doncaster company) | Third Party Framework  |                                    | NO   | Contracts Finder           | YES (Framework Suppliers)           | YES         | YES           | YES                            |
|   |            |   |   | Open or Restricted Invitation to Tender (ITT)  | 3                                  | ProContract Contracts Finder (open tender only)    | Contracts Finder           | NO                                  |             |               |                                |
| £615,278  | +          | Social & Other Specified Services (Light Touch Regime)                      | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Third Party Framework Agreement or Invitation to Tender (ITT)   | Third Party Framework  |                                    | NO   | Contracts Finder           | YES (Framework Suppliers)           | YES         | YES           | YES                            |
|   |            |   |   | Open Restricted DPS Competitive Dialogue Competitive Procedure with Negotiation Innovation Partnership |                                    | ProContract OJEU Contracts Finder                  | OJEU Contracts Finder      | NO                                  |             |               |                                |
| £181,302  | +          | Goods Services  | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Third Party Framework Agreement or Invitation to Tender (ITT)   | Third Party Framework  |                                    | NO   | Contracts Finder           | YES (Framework Suppliers)           | YES         | YES           | YES                            |
|   |            |   |   | Open Restricted DPS Competitive Dialogue Competitive Procedure with Negotiation Innovation Partnership |                                    | ProContract OJEU Contracts Finder                  | OJEU Contracts Finder      | NO                                  |             |               |                                |
| £4,551,413  | +          | Works   | 1st - IHS (In-house Supplier)<br>2nd - Corporate Contract or Framework Agreement<br>3rd – Third Party Framework Agreement or Invitation to Tender (ITT)   | Third Party Framework  |                                    | NO   | Contracts Finder           | YES (Framework Suppliers)           | YES         | YES           | YES                            |
|   |            |   |   | Open Restricted DPS Competitive Dialogue Competitive Procedure with Negotiation Innovation Partnership |                                    | ProContract OJEU Contracts Finder                  | OJEU Contracts Finder      | NO                                  |             |               |                                |

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## Doncaster Council

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**Date: 17<sup>h</sup> May 2019**

**To the Chair and Members of the Council**

### **MEMBER DEVELOPMENT PROGRAMME 2019/20**

| <b>Relevant Cabinet Member(s)</b> | <b>Wards Affected</b> | <b>Key Decision</b> |
|-----------------------------------|-----------------------|---------------------|
| Councillor Jane Nightingale       | All                   | None                |

### **EXECUTIVE SUMMARY**

1. This report provides feedback on the 2018/19 Member training and development programme and proposes the 2019/20 programme (attached at Appendix A).

### **EXEMPT REPORT**

2. This report is not exempt.

### **RECOMMENDATIONS**

3. That Council
  - Receive and note the update on Member training and development activities undertaken during 2018/19; and
  - Endorse the programme of Member Development activities and seminars scheduled for 2019/20 at Appendix A.

### **BACKGROUND**

4. A planned and co-ordinated approach to Member Development assists Councillors in undertaking their roles effectively. This also supports good governance by ensuring Councillors understand how they can support the delivery of Council and Borough's priorities. At its meeting on 19th May 2017, Council endorsed an approach to Member Development and Training that would support them through their current four-year term 2017/18 – 2020/21.

## Review of Training and Development Programme 2018/19

5. The following provides a brief overview of progress during 2018/19.
6. **Mandatory training for all Members.** Once undertaken this is valid for the current four-year term of office unless significant policy or legislative changes would require a refresh. All sessions have been held on at least 5 occasions since 2017, except for Child Criminal Exploitation, which was introduced as a new module in 2018, a further session will be held during 2019/20. As well as targeted reminders to individual Councillors, attendance details are forwarded to political Groups and published on the Council website to encourage attendance. Completion of Mandatory Training by Councillors is as follows:
  - Induction 100%
  - Understanding Equalities 98%
  - Corporate Parenting & Children's Safeguarding 98%,
  - Health & Safety 96%
  - Adult Safeguarding 100%
  - General Data Protection Regulations 100%
  - Spam & Phishing 100%
  - Child Criminal Exploitation 85%
7. A further session will be scheduled for those who have yet to complete the mandatory training. Members will be aware that as data controllers and data processors they are required to undertake General Data Protection Regulations (GDPR) on an annual basis. This is in accordance with the requirements of the Information Commissioners Office and is consistent with the requirement for officers to undertake this training.
8. **Mandatory training for specific Roles –** Council agreed that mandatory training will be required before Members can undertake specific roles on regulatory committees e.g. Licensing and Planning Committee. This is also mandatory for members of the Audit Committee and for Members appointed as Chairs or Vice-Chair of a Committee. This will ensure a consistent standard of training and awareness for those Members who are involved in regulatory decision making and Charing. Once undertaken, this training lasts for the current term (up to 2021). This training takes place annually to take account of any changes to Committee membership following Annual Council.
9. **Developing Councillors as Community Leaders –** This encompasses a range of skills, knowledge and experiences that will ensure Members have the skills and support necessary to undertake their roles effectively by being responsive to the needs of communities, developing a vision for their area and supporting the delivery of the Borough's priorities. During 2018/19, the Local Government Association ran a number of sessions on Neighbourhood Engagement and Community Leadership and Influencing skills and Personal Resilience. There have also been further skills development for Councillors such as public speaking and presentation skills and use of social media.
10. The Digital Training Team have supported Councillors in effectively using digital devices including the My Doncaster app to assist in reporting service issues and the Modern Gov App which is used for accessing, reading and annotating agendas. Officers in the Digital Training Team and Members Support are available to assist Members with any queries or issues they may

have in respect of using their devices. Greater understanding and use of ICT can assist Members in engaging efficiently and effectively with their communities.

11. **Members Seminars and Briefings** – Throughout the year, a number of seminars and briefings were held to ensure Members are kept up to date on important topics such as Town Centre Issues, Major Projects, Every Conversation Counts and Emergency Planning.
12. **Reviewing and Monitoring** – The Member Development Working Group (MDWG) reviews and monitors the effectiveness of the programme, identifies further opportunities for development and reviews attendance. Membership consists of Councillors: Jane Nightingale (Chair), Sue Wilkinson, Jane Cox and Andy Pickering. Following each training event Members are asked to complete an evaluation form and these are reviewed and monitored by the MDWG. Feedback is provided to facilitators to ensure the sessions remain relevant and appropriate for Councillors.

### **Training and Development Programme 2019/20**

13. The draft 2019/20 Training and Development Programme is attached at Appendix A. This has been developed in consultation with the MDWG and has been informed by feedback from a questionnaire issued to all Members. The questionnaire identified the Political Skills Framework developed by the Local Government Association and provided an opportunity for Members to identify any gaps in the positive skills and behaviours required to effectively fulfil their role. A total of 23 forms were returned (40%).
14. The Key areas for development identified through the questionnaire were:
15. **Communication skills and ICT** – including use of social media to engage with communities and better understand ward issues, requests for access to more e-learning courses and continued ICT support. There were a range of suggestions with some respondents wanting more advanced ICT training and others requiring more basic support to assist them in using digital devices effectively. During the course of the year, further work will be undertaken by the MDWG to identify any additional support that may be required and how this could be undertaken.
16. **Scrutiny & Challenge** – a number of references were made to improving Scrutiny skills, particularly around advanced questioning skills and reviewing evidence. This has been incorporated in to the training programme.
17. **Regulating & Monitoring** – A number of issues linked with Scrutiny and Challenge in terms of reviewing evidence, evaluating and monitoring and effective questioning were also identified in this section. Reference was also made to the recent Peer Review undertaken by the Planning Advisory Service and the need for training to assist Members in undertaking this role. Training has been arranged to assist Members in their Planning role including understanding the application of the Code of Conduct whilst sitting as a member of the Planning Committee.

18. **Timing of Training** – Training and development sessions are usually held during the day and repeated as an evening session to allow working Councillors to attend. This approach was supported by the feedback.
19. **Quality of Training** – Evaluation forms received following training sessions are fed back to the trainers and are monitored by the MDWG. Feedback from the questionnaire identified that Members preferred more interactive sessions and clear aims and objectives of the sessions to be set out prior to attending the session. This information will be fed back to trainers and provided to Members in advance of any future training sessions.
20. **Review and Monitoring** – Outstanding dates for training and development sessions detailed at Appendix A, will be completed once the draft programme has been agreed and Members' interest and availability has been established. Once agreed, the programme will be regularly reviewed by the MDWG and where necessary, amended to ensure it remains up to date and relevant to the needs of Councillors. The training programme is a living document and is updated and amended as required by officers in the Governance Team in consultation with the MDWG. Training is mainly delivered in-house although some training is commissioned and delivered externally where this provides better value for money or requires specific expertise.

## **OPTIONS CONSIDERED**

21. Option 1- To develop a planned and co-ordinated Member Development Programme. Training to undertake a specific role e.g. Planning, Licensing Member or Committee Chair has already been scheduled to ensure Members can take up these roles quickly. Other training will be arranged over the next month subject to Council approval and identified dates will take account of Members' availability.

Option 2 - To develop a training plan this is ad hoc programme of development and reactive to Members needs as they arise.

## **REASONS FOR RECOMMENDED OPTION**

22. Option 1 - this option is a planned approach aimed at meeting the development needs of Members now and in the future. Identifying mandatory training serves to support Members in their role ensuring clarity and identifying any risks or corporate/personal liabilities. The MDWG will continue to monitor the effectiveness of the training programme.

## **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

23. Ensuring Members receive the necessary training and development to undertake their duties effectively will impact on all of the priority outcomes, in particular it will support Councillors in providing effective leadership and Governance.

## **RISKS AND ASSUMPTIONS**

24. Mandatory training for all Members on areas such as Data Protection, Equalities and Health and Safety will ensure Members have a clear understanding of their roles and responsibilities and are aware of any significant risks including any corporate or personal liabilities. There is a risk to the Council if Members do not engage with this training and do not fully understand their responsibilities. The MDWG and officers will work with Members and Groups to ensure attendance at these sessions.
25. The MDWG will continue to monitor development activities including attendance, feedback and evaluation from events. This will provide the opportunity to further encourage participation within political groups and review the effectiveness of courses.

## **LEGAL IMPLICATIONS [Officer Initials: HMP 3.5.19]**

26. The Council has the legal power to arrange training for Members by virtue of both S111 Local Government Act 1972 (which gives Local Authorities the power to do anything “which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions” and S1 Localism Act 2011 (the general power of competence:) “a local authority has power to do anything that individuals generally may do unless restricted by law).

## **FINANCIAL IMPLICATIONS [Officer Initials: AT Date: 07/05/19]**

27. A budget of £7k exists to support Member Training and Development, which will mainly be used to support external provision. This budget has been sufficient during 2018/19, and is expected to be for the indicative 2019/20 programme.

## **TECHNOLOGY IMPLICATIONS [Officer Initials: PW Date: 3/5/19]**

28. There are no specific technology implications associated with this report. The Digital Training Team will continue to promote and facilitate access to technology for Members and provide the necessary support and guidance to assist them in utilising technology in undertaking their roles and duties. Consideration should be given to how technology can be utilised to support the development and delivery of the Member Development Programme.

## **HUMAN RESOURCE IMPLICATIONS [Officer Initials RH Date 08.05.19.]**

29. There are no specific HR implications associated with this report, however where the need for external training is identified, due regard must be given to the Council’s Contract Procedure Rules for the procurement of works, supplies and services.

## **HEALTH IMPLICATIONS [Officer Initials: CEH. Date 02.05.19.]**

30. The completion of training by Members (in particular the health related sessions) will provide a greater understanding around the complexity of addressing Doncaster's health challenges. Improving knowledge and awareness will support Members to deliver their role effectively to address the wider health and wellbeing for Doncaster residents.

## **EQUALITY IMPLICATIONS [Officer Initials: AS Date 30.04.19.]**

31. To ensure Members are aware of the Council's responsibility under the Equality Act 2010, mandatory training is provided to all Members. Officers in the Governance Services team are available to support and make suitable arrangements for Members who may not be able to access training because they have a protected characteristic e.g. due to disability.

## **CONSULTATION**

32. The MDWG has been consulted in the development of the programme of training scheduled. The programme of training has been informed by the results of a questionnaire issued to all Councillors. Training dates and minor changes to the programme will continue to be made as appropriate in consultation with the MDWG.

## **BACKGROUND PAPERS**

33. There are no specific background papers associated with this report.

## **REPORT AUTHOR & CONTRIBUTORS**

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## MEMBER TRAINING & DEVELOPMENT PROGRAMME 2019/20

**Mandatory Training – once undertaken will be valid for the  
4 year period (2017/18 – 2020/2021)**

**All training is scheduled for 2 hours maximum unless otherwise stated.**

**Dates and times for sessions yet to be arranged will be finalised once the programme is approved and Members availability and/or /interest has been identified.**

| No.   | Topic   | Date   |
|---|---|--|
| 1   | <b>New Member Induction - Mandatory for newly elected Councillors.</b>              | Not required unless new Councillors are elected. Induction is undertaken over 3 days to ensure consideration of key areas. |
| <b>ANNUALLY - MANDATORY TRAINING – ALL MEMBERS</b>  |   |  |
| 2   | <b>GDPR e-learning (There is a requirement to complete this training annually).</b> | TBA  |
| <b>MANDATORY TRAINING FOR ALL MEMBERS WHO HAVE NOT ALREADY UNDERTAKEN DURING 2017/18 or 2018/19. RELEVANT MEMBERS WILL BE NOTIFIED BY MEMBER SUPPORT</b>  |   |  |
| 3   | <b>Equalities Training</b>  | TBA  |
| 4   | <b>Children's Services Safeguarding and Corporate Parenting (COMBINED)</b>          | TBA  |
| 5   | <b>Child Criminal Exploitation</b>  | TBA  |
| 6   | <b>Spam &amp; Phishing</b>  | This has been completed by all Members   |
| 7   | <b>Health &amp; Safety for Elected Members</b>                                      | TBA  |
| 8   | <b>Adult Safeguarding</b>   | This has been completed by all Members   |
| <b>MANDATORY FOR COMMITTEE MEMBERS UNDERTAKING SPECIFIC ROLES - This is compulsory for all Committee Members (once undertaken this is valid for 4 years) non-Committee Members may also attend.</b> |   |  |
| 9   | <b>Planning Induction (for new Committee Members)</b>                               | Wednesday 22 <sup>nd</sup> May, 2019 at 11am (Rm Council Chamber)  |

|  |   |   |
|--|---|---|
| 9a   | <b>Application of Code of Conduct for Planning Members</b>  | TBA (July)  |
| 10   | <b>Licensing Induction</b>  | Thursday 20th June, 2019 at 11am (following Licensing Cttee) (Council Chamber)  |
| 11   | <b>Audit Induction</b>  | Wednesday, 12th June, 2019. 10am (Council Chamber)  |
| 12   | <b>Chairing Skills compulsory for Chairs &amp; Vice Chairs of Committees</b>  | Tuesday 28 <sup>th</sup> May 2019, 10am (Rm 210)  |
| <b>MANDATORY FOR IDENTIFIED GROUPS</b>                     |   |   |
| 13   | <b>Performance Management –</b><br>Mandatory for Cabinet & Scrutiny Members   | TBA   |
| 14   | <b>Local Government Finance</b><br>Mandatory for Cabinet & Scrutiny Members   | TBA   |
| 15   | <b>Understanding Overview &amp; Scrutiny–</b><br>Mandatory for Overview and Scrutiny Members (providing an overview of the function)  | TBA   |
| 16   | <b>Understanding Your role on Outside Bodies –</b><br>Mandatory for Councillors appointed to Outside Bodies.  | TBA   |
| <b>DEVELOPMENT SKILLS</b>                                  |   |   |
| 17.  | Developing Community Leadership   | TBA   |
| <b>Communication Skills/Engaging with your Communities</b> |   |   |
| 18.  | <b>ICT &amp; Digital Support</b> including <ul style="list-style-type: none"> <li>• <b>Emails</b></li> <li>• <b>Outlook Calendar</b></li> <li>• <b>Internet</b></li> <li>• <b>Modern GovMyDoncaster App.</b></li> </ul> | <p>Day to day support available through Members Support or the Digital Training Team. The Digital Training Team are available in the Members Area on Floor 2 before Council meetings to assist Members with any ICT issues.</p> <p>Dates and information relating to E-Learning courses to be provided.</p> |

|                                    |  |  |
|------------------------------------|--|--|
| <b>18b.</b>                        | <b>Social Media</b>  | TBA  |
| <b>Regulatory &amp; Monitoring</b> |  |  |
| <b>19.</b>                         | <b>Scrutiny &amp; Challenge</b> <ul style="list-style-type: none"> <li>• Advanced Questioning Skills</li> <li>• Evaluating evidence</li> <li>• Adding value and influencing</li> </ul> | TBA  |
| <b>SEMINARS &amp; BRIEFINGS</b>    |  |  |
| <b>20</b>                          | <b>Domestic Abuse</b>  | TBA  |
| <b>21</b>                          | <b>Children's Services Issues:</b> <ul style="list-style-type: none"> <li>• Attendance</li> <li>• Exclusions</li> <li>• Admissions</li> <li>• Safeguarding</li> </ul>                  | TBA  |
| <b>22</b>                          | <b>Food and the Healthy weight declaration</b>   | TBA  |
| <b>23</b>                          | <b>Age friendly Doncaster</b>  | TBA  |
| <b>24</b>                          | <b>End Of Life Care</b>  | TBA  |
| <b>25</b>                          | <b>Update on Ten Point Action Plan for the Town Centre and update on Major Projects</b>  | TBA (July)   |
| <b>26</b>                          | <b>Joint Commissioning Strategy</b>  | 15 <sup>th</sup> July 2019 at 2pm (Rm Council Chamber) |

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