

## **Governance and Ethics Committee**

**Tuesday, 18 December 2018 at 13:00**

**County Hall, West Bridgford, Nottingham, NG2 7QP**

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### **AGENDA**

1	Minutes of last meeting held on 6 November 2018	3 - 6
2	Apologies for Absence	
3	Declarations of Interests by Members and Officers:- (see note below) (a) Disclosable Pecuniary Interests (b) Private Interests (pecuniary and non-pecuniary)	
4	Local Government and Social Care Ombudsman Annual Review Letter	7 - 14
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### **Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 977 2590) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting **GOVERNANCE AND ETHICS COMMITTEE**

Date **Tuesday 6 November 2018 (commencing at 1.00 pm)**

**membership**

Persons absent are marked with 'A'

**COUNCILLORS**

Bruce Laughton (Chairman)  
Andy Sissons (Vice-Chairman)

Chris Barnfather  
Nicki Brooks  
Richard Butler  
Steve Carr **A**

Jim Creamer  
Kate Foale  
John Handley  
Phil Rostance

**OTHER COUNCILLORS IN ATTENDANCE**

John Longdon

**OFFICERS IN ATTENDANCE**

Glen Bicknell  
Rob Disney  
Keith Ford  
Laura Mulvany-Law  
Nigel Stevenson  
Marjorie Toward

Chief Executive's Department

John Gregory

Grant Thornton External Auditors

**1. MINUTES**

The Minutes of the last meeting held on 26 September 2018, having been previously circulated, were confirmed and signed by the Chairman.

**2. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Rachel Madden (illness).

The following temporary changes of membership, for this meeting only, were reported:-

- Councillor Jim Creamer had replaced Councillor Errol Henry JP;
- Councillor Chris Barnfather had replaced Councillor Mike Quigley;
- Councillor Richard Butler had replaced Councillor Keith Walker.

### **3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

None

### **4. INTRODUCTION TO THE NEW EXTERNAL AUDITORS**

John Gregory of Grant Thornton introduced himself to the Committee and explained the background to his company, his own previous relevant audit experience for local authorities and the planned approach for the future. He added that he would be supported in this work by Lorraine Noake. Members welcomed Mr Gregory and his planned approach.

#### **RESOLVED: 2018/054**

That Grant Thornton's appointment as the Council's new external auditors be noted.

### **5. UPDATE ON LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN DECISIONS**

Laura Mulvany-Law, Senior Complaints Practitioner, introduced the report which informed the Committee of the outcomes of recent Local Government and Social Care Ombudsman (LGSCO) decisions.

#### **RESOLVED: 2018/055**

That no further actions were required in relation to the issues contained within the report.

### **6. INTERNAL AUDIT 2018-19 TERM 1 REPORT AND 2018-19 TERM 3 PLAN**

Rob Disney, Group Manager - Assurance, introduced the report which detailed the work carried out by Internal Audit in Term 1 and sought Members' views on the planned activity in Term 3 of the Internal Audit Plan.

With reference to the financial difficulties faced by Northamptonshire County Council and the Local Government Association (LGA)'s advice that Corporate Peer Challenges (CPCs) should be undertaken every three years, Members suggested that the Council invite the LGA to arrange a CPC for the Council in 2019. The Chair agreed to discuss this suggestion with the Council's Corporate Leadership Team who would be responsible for agreeing the terms of reference and scope of any such Challenge exercise.

#### **RESOLVED: 2018/056**

- 1) That the Chair refer the Committee's suggestion of a Corporate Peer Challenge for the Council in 2019 to the Council's Leadership Team.
- 2) That the planned coverage of work by Internal Audit in Term 3 would deliver assurance to the Committee in priority areas.

### **7. MEMBER DEVELOPMENT AND TRAINING**

Keith Ford, Team Manager, Development Services, introduced the report which underlined the existing training offer, sought Members' views on other possible

development areas and requested approval for the attendance of the Committee's Chair or Vice-Chair at the Local Audit Quality Forum event in Manchester on 3 December.

During discussions, Members requested further update training on their audit responsibilities and also on recruitment and selection. John Gregory mentioned that Grant Thornton had provided half hour briefings on specific topics ahead of Audit Committee meetings at other Councils. Members also requested that the Councillor Development Days earmarked in the Council Diary be utilised wherever possible for planned development events.

**RESOLVED: 2018/057**

- 1) That further training be arranged for Members of the Committee on aspects of their audit role and that recruitment and selection training be developed for relevant County Councillors.
- 2) That the Chair or Vice-Chair and a relevant officer from the Internal Audit team attend the Public Sector Audit Appointments Local Audit Quality Forum Event in Manchester on 3 December 2018.

**8. DISCUSSION ABOUT THE PREVIOUSLY CIRCULATED COMMITTEE EFFECTIVENESS QUESTIONNAIRE AND KNOWLEDGE AND SKILLS FRAMEWORK FOR MEMBERS**

Rob Disney, Group Manager – Assurance, introduced this item, facilitating the discussions in order to collate a Committee response to the nine areas contained within the effectiveness self-evaluation matrix.

**RESOLVED: 2018/058**

That the Committee's response to the effectiveness self-evaluation questionnaire be finalised by the Group Manager - Assurance, in consultation with the Chair, based on the discussions at the meeting.

**9. WORK PROGRAMME**

**RESOLVED: 2018/059**

That the work programme be agreed.

The meeting closed at 2.10pm.

CHAIRMAN



**18 December 2018****Agenda Item: 4****REPORT OF THE MONITORING OFFICER****LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN ANNUAL REVIEW  
LETTER****Purpose of the Report**

1. The purpose of this report is to inform the Committee about the Local Government and Social Care Ombudsman's (LGSCO) Annual Letter, and decisions made by the LGO, relating to the Council, in the year ending 31 March 2018.

**Information and Advice**

2. The Local Government and Social Care Ombudsman (LGSCO) provides a free, independent and impartial service to members of the public. It looks at complaints about councils and other organisations. It will consider complaints when they have first been investigated by the Council and the complainant remains dissatisfied. The LGSCO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the LGSCO finds that something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the LGSCO aims to get the Council to put it right by recommending a suitable remedy.
3. The LGSCO publishes its decisions on its website ([www.lgo.org.uk/](http://www.lgo.org.uk/)). The decisions are anonymous but the website can be searched by Council name or subject area.
4. The LGSCO's letter is attached to this report as Appendix A. This details the number of complaints received for the year ending 31/03/18. In addition, the table shows the decisions made during the same period and the outcome of those complaints which involved detailed investigations.
5. As members will see, the LGO made decisions on 106 complaints and enquiries relating to Nottinghamshire County Council for the year ending March 2018. Detailed investigations were carried out in 45 cases, as the rest were closed after initial enquiries, or referred back to the Council for local resolution (cases where the complainant has not been through the Council's process). Those that were closed after initial enquiries included cases where the LGO is satisfied that the Council has already taken appropriate action or that the issues raised do not merit further investigation.
6. There was an uphold rate of 56%, with a total of 25 complaints upheld and 20 were not upheld. Although this is an increase from the previous year where 27 detailed investigations

were carried out with an uphold rate of 41% (11 complaints), it is equivalent to the year 2015-2016 and just below the national average of 57%.

7. The Ombudsman's letter refers to one public report which was issued during the year. This was presented by the relevant Service Director to Adult Social Care and Public Health Committee on 11 September 2017. Members will see that the Ombudsman confirmed that he was satisfied that the Council had accepted and actioned all the recommendations concerning this complaint.
8. Of the 25 complaints which were upheld 12 concerned adult social care services, 11 related to education and children's services and 2 were corporate complaints. In 6 of these cases the Ombudsman discontinued any involvement as the investigator was satisfied the Council had already taken action to remedy the fault or there was no injustice to the complainant. No particular themes were identified to show any widespread concerns. Four upheld complaints concerned the school appeals process and a lack of clarity in the clerk's notes to show how the panel decision had been reached in each case. However, three complaints related to one hearing so did not indicate a widespread issue. Action was taken to address this by reminding panel members of the importance of careful recording the reasons for their decision.
9. The LGSCO recommendations have all been accepted and implemented by the Council. These have included further letters of apology, offers of new care assessments, new financial assessments and new school admission appeals. In 9 cases financial remedies were offered. These include payments of between £100-£500 for time and trouble, distress, uncertainty and inconvenience and failures of service by independent providers. Larger financial remedies were offered in individual case including £1000 involving a data breach, a waiver of £5500 towards fees for care home failures and £3000 to a complainant as back payment during the period she was caring for a grandchild. Additional recommendations have also included reviewing individual procedures where fault has been found.
10. As the Committee has previously reviewed the final decision letters from the Ombudsman, they have not been included with this report. It is worth noting however that once the final decision letters have been issued, the Ombudsman does request evidence from the Council to show that all recommendations have been completed.

## **Statutory and Policy Implications**

11. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Data Protection and Information Governance**

12. The decisions attached are anonymised and are publically available on the LGO's website.



## **Financial Implications**

13. The financial remedies recommended by the Ombudsman for the relevant upheld complaints totalled £12,880. These costs were funded from departmental budgetary provision.

## **Implications for Service Users**

14. All of the complaints were made to the LGO by service users, who have the right to approach the LGO once they have been through the Council's own complaint process.

## **RECOMMENDATION/S**

That members consider:-

1. whether there are any actions they require in relation to the issues contained within the report.

**Marjorie Toward**

**Monitoring Officer and Service Director – Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Laura Mulvany-Law Team Manager – Complaints and Information team.

### **Constitutional Comments [HD 29/11/18]**

Governance & Ethics Committee is the appropriate body to consider the content of this report. If the Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments (SES 30/11/18)**

The financial implications are set out in paragraph 12 of the report

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

## **Electoral Division(s) and Member(s) Affected**

- All



# Local Government & Social Care OMBUDSMAN

18 July 2018

*By email*

Anthony May  
Chief Executive  
Nottinghamshire County Council

Dear Anthony May,

## **Annual Review letter 2018**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

### **Complaint statistics**

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

During the year we issued one public report against your Council relating to a man who was banned from visiting his partner's mother at her care home. The care was commissioned by the Council and the care provider failed to follow a structured process over the ban. The Council accepted it was at fault because it: did not involve the resident properly in the decision to ban the complainant from visiting her; did not carry out a risk assessment; did not review the ban; and failed to tell the care provider when it lifted the ban. The council agreed to remedy the complaint by considering what action it needs to take to ensure it and its care providers deal with such matters properly in the future. I am pleased that all the recommendations have now been actioned.

There have been three occasions over the last year where there have been difficulties with complaints referred to the Council as premature. The issues concern how these requests are logged and have involved the Ombudsman's office having to chase the Council for a response. I hope we can avoid similar issues in the year ahead.

### **Future development of annual review letters**

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new [corporate strategy](#) for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will be seeking views from councils on the future format of our annual letters early next year.

### **Supporting local scrutiny**

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at [www.lgo.org.uk/scrutiny](http://www.lgo.org.uk/scrutiny). I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

### **Learning from complaints to improve services**

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the [reports](#) and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

**Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M King', with a stylized flourish at the end.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Local Authority Report:** Nottinghamshire County Council  
**For the Period Ending:** 31/03/2018

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
31	0	2	55	3	10	0	0	1	102

## Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
3	0	26	32	20	25	56%	106

### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.  
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
18	4

**18 December 2018****Agenda Item: 5****REPORT OF THE MONITORING OFFICER****LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN DECISIONS  
OCTOBER- NOVEMBER 2018****Purpose of the Report**

1. The purpose of this report is to inform the Committee about the Local Government & Social Care Ombudsman's (LGSCO) decisions relating to the Council in the period 10<sup>th</sup> October - 26<sup>th</sup> November 2018.

**Information**

2. The Committee has asked to see LGSCO decisions regularly and promptly after the decision notice has been received. This report therefore gives details of all the decisions received since the last report to this Committee on November 6<sup>th</sup> 2018.
3. The LGSCO provides a free, independent and impartial service to members of the public. It looks at complaints about Councils and other organisations. It only looks at complaints when they have first been considered by the Council and the complainant remains dissatisfied. The LGSCO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the Ombudsman finds that something has gone wrong, such as poor service, a service failure, delay or bad advice and that a person has suffered as a result, the LGSCO aims to get the Council to put it right by recommending a suitable remedy.
4. The LGSCO publishes its decisions on its website ([www.lgo.org.uk/](http://www.lgo.org.uk/)). The decisions are anonymous but the website can be searched by Council name or subject area.
5. A total of 8 decisions relating to the actions of this Council have been made by the Ombudsman in this period (attached at annex A). Following initial enquires in 6 cases, the LGSCO decided not to continue with any further investigation. The reasons given were that one complaint was out of timescale, one showed no evidence of injustice to the complainant, and the evidence supplied for the remaining 4 complaints showed that it would be unlikely the Council would be found at fault.
6. In two complaint investigations concerning the Adult Social Care and Health department fault (maladministration) was found resulting in some recommendations which were accepted by the Council.

7. The first complaint was partially upheld. The investigation did not find fault with the department's decision to end a financial contribution waiver for care provided to the complainant. The fault found related to an assessment carried out in 2016 which was incomplete. The recommendations which have all been actioned included an apology, the offer of a new care assessment, a new financial assessment and a financial remedy of £200 for the delay and uncertainty.
8. The second complaint concerned the quality of the home care service the complainant's late father received and the impact this had on the complainant's son during a four month period. Fault was found with the quality of service offered by the care provider and a failure to carry out spot checks which had been agreed with the service user's son. As the Council arranged for the care, the LGSCO made recommendations which have been accepted and actioned by the department. These include a written apology to the complainant and a reduction of £500 against the outstanding care charges. The Council's Quality Marketing Management Team are in the process of reminding all home care providers to ensure they carry out spot checks and will be monitoring this during routine quality monitoring activity they undertake.

## **Statutory and Policy Implications**

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Data Protection and Information Governance**

10. The decisions attached are anonymised and will be publically available on the Ombudsman's website,

## **Financial Implications**

11. Two recommendations to the Council included financial remedies; a £200 payment and a £500 reduction to an invoice for care charges. These costs were funded from departmental budgetary provision.

## **Implications for Service Users**

12. All of the complaints were made to the Ombudsman by service users, who have the right to approach the LGSCO once they have been through the Council's own complaint process.

## **RECOMMENDATION/S**

That members consider:-



1. Whether there are any actions they require in relation to the issues contained within the report.

**Marjorie Toward**

**Monitoring Officer and Service Director – Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Laura Mulvany-Law, Temporary Team Manager – Complaints and Information team

### **Constitutional Comments SLB (Standing)**

Governance & Ethics Committee is the appropriate body to consider the content of this report. If the Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments (SES 30/11/18)**

The financial implications are set out in paragraph 11 of the report

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All



## **The Ombudsman's final decision**

Summary: The Ombudsman does not have grounds to investigate this complaint about the Council's refusal to accept an application to extinguish a public right of way. This is because there is no sign of fault in the way the Council dealt with the matter.

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## **The complaint**

1. The complainant, who I shall call Mr B, complained that the Council had unreasonably refused to accept his application to extinguish a public footpath on his land, or to refer the application to the courts for a decision. Mr B also said that, in doing so, the Council was failing to comply with a previous decision by the Ombudsman in his case.

## **The Ombudsman's role and powers**

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word 'fault' to refer to these. We provide a free service, but must use public money carefully. We may decide not to start an investigation if, for example, we believe it is unlikely we would find fault.  
*(Local Government Act 1974, section 24A(6), as amended)*
3. We cannot question whether a council's decision is right or wrong simply because the complainant disagrees with it. We must consider whether there was fault in the way the decision was reached.  
*(Local Government Act 1974, section 34(3), as amended)*

## **How I considered this complaint**

4. I considered the information Mr B provided with his complaint, and his comments in response to a draft of this decision. I also took account of relevant legislation and guidance regarding the extinguishing of public footpaths.

## **What I found**

5. Mr B bought his property in the 1990's. There is a paved footway along the southern edge of Mr B's garden, which borders the road which serves the housing development where he lives. The Council installed the footway in the 1980's and adopted it as a public right of way.

- 
6. In the past few years Mr B discovered that the footpath was not included in the plans for the development which were granted planning permission in the 1980's. In the circumstances Mr X said the Council had wrongly appropriated part of the land he owned for use as a public footpath and, as a result, the footpath and the extent of his property title had been misrepresented in Land Registry and other official documents.
  7. Mr B complained to the Ombudsman about this matter. But after an investigation we found no fault by the Council in Mr B's case. In particular we concluded the Council had not taken Mr B's land for the footpath as the land was still within his title boundary. We also found no fault by the Council for not taking enforcement about any breach of the original planning permission given that the footpath had been in use for 30 years.
  8. However we also noted that it was open to Mr B to apply to the Council for the extinguishment of the public right of way on his land, if he wished to do so.
  9. Following our decision on his complaint Mr B asked the Council to extinguish the public footpath. But the Council declined to do this, or to refer the matter to the magistrates' court for a decision. Mr B then complained again to the Ombudsman.

## **Analysis**

10. We have already investigated and decided Mr B's complaint about the Council's alleged misappropriation of his land and misrepresentation of official documents. Therefore I will not comment on these matters again.
11. As regards Mr B's new complaint, I consider we do not have grounds to start an investigation as there is no sign of fault by the Council.
12. The Highways Act 1980 ("the Act") provides for a landowner to apply to a council for a public path extinguishment order in relation to any footpath crossing their land. The council in question may then make an order if it appears expedient that the path should be stopped up on the basis it is not needed for public use.
13. The Act also allows councils to apply to the magistrates' court for an order to extinguish a public highway, although the Secretary of State has advised that councils generally should not use this power in respect of footpaths.
14. In its response to Mr B's application, the Council said it had considered the location of the footway in question but concluded that it was necessary to protect the safety of pedestrians.
15. Mr B evidently disagrees with the Council's view about this matter. However the Ombudsman may not question the merits of a council's decision if there is no fault in the way that decision was made. In Mr B's case I see no sign of fault in the process the Council followed in considering and deciding about his application.
16. It is clear that the Council had considerable discretion under the relevant legislation about whether or not to proceed with a public path order or refer matters to the magistrates' court. I consider the Council made a decision it was reasonably entitled to make in Mr B's case in the circumstances.
17. I also considered Mr B's complaint that the Council had not complied with our decision about his previous complaint. But I am not convinced we would find grounds to fault the Council on that basis.

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18. In particular I do not see that our previous decision made any recommendations about action the Council was to take in Mr B's case. Furthermore, our only reference to a public footpath extinguishment order was to say that it was open to Mr B to apply for one. We did not say how the Council should respond in that case and, in any event, we have no power to direct it to make an order.

### **Final decision**

19. The Ombudsman does not have grounds to start an investigation of Mr B's complaint about the Council's refusal to accept his application to extinguish a public footpath on his land. This is because there is no sign of fault in the way the Council dealt with this matter.

### **Investigator's final decision on behalf of the Ombudsman**

## **The Ombudsman's final decision**

Summary: The complainant says the Council failed to carry out reviews of his care and support plans without delay or properly assess his finances resulting in an avoidable increase in his contributions. The Council says it followed the correct procedures and waived contributions for two years to allow the complainant to improve his budgeting skills. The Ombudsman finds the Council acted without fault in deciding to end the contributions waiver but with fault in failing to complete a review in 2016.

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## **The complaint**

1. In brief, the complaint is when providing support to a client the Council failed to:
  - Properly carry out a care plan review without delay;
  - Properly carry out a financial assessment of the client's contribution to his care costs resulting in an avoidable increase.
2. The complainant, whom I shall refer to as Mr X, says he felt under pressure to accept the Council's view that he should increase his contribution which he says he cannot afford. Mr X says this may result in him reducing the hours of service he receives but which his care plan shows he needs. Having waived two years increases Mr X is concerned he will have to pay the current year (2017/2018).

## **The Ombudsman's role and powers**

3. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. If satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)

## **How I considered this complaint**

5. In considering this complaint I have:
  - Spoken with Mr X and reviewed the information presented with his complaint;

- Put enquiries to the Council and reviewed its response;
- Researched the relevant law, guidance and policy
- Shared with Mr X and the Council a draft of this decision and reflected on any comments received.

## What I found

6. Direct Payments to cover care and support costs are governed by the Guidance on Direct Payments England 2009. The Guidance promotes the use of direct payments to help people take control of their care and support. It recognises the need for support for some people and encourages councils to fund or provide support to help people manage their direct payments. Anyone receiving direct payments will manage employing personal assistants and must account for the use of the money. Some find that difficult and need help in doing that.
7. Councils must assess a person's finances to decide what contribution he or she should make to a personal budget for care. The scheme must comply with the principles in law and guidance, including that charges should not reduce a person's income below Income Support plus 25%. The Council can take a person's capital and savings into account subject to certain conditions. If a person incurs expenses directly related to any disability he or she has, the Council should take that into account when assessing his or her finances. (*Care Act 2014 Department for Health, 'Fairer Charging Guidance' 2013, and 'Fairer Contributions Guidance' 2010*)

## What happened

### Assessment of need and contributions to care costs

8. People receiving services from the Council to help with social care are subject to a financial assessment to decide what, if any, contribution they can afford to make towards their social care costs. The Council assesses the contribution on affordability. So, contributions will not necessarily increase if the person receiving the service has those services increased. Increased contributions arise only where the service user's finances change for example where they receive more benefit because of government increases in benefit payments.
9. In December 2014, the Council assessed Mr X's social care needs. It issued a support plan under which Mr X received direct payments to help him fund personal care in the morning and evening, household tasks and access to the community. Mr X's care or support plan should be reviewed each year and the Council should tell him after the review if there is any increase or decrease to his care services and what contribution he must pay.
10. The Council reviewed the care and support plan in March 2015. It decided to increase Mr X's direct payment to cover increased hours of domestic support to help him to remain safe in his home.
11. In October 2016, the Council tried to complete a further annual review but unfortunately it says Mr X disagreed with the person supporting him in the review. That meant the review could not be completed. The care and support plan issued in March 2015 therefore continued to govern the services he received.
12. In May 2017, the Council successfully reviewed the care and support plan. This resulted in an increase in Mr X's direct payment to provide more hours of support to help him stay safe in his home.

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13. The Council says the increase in direct payments did not affect Mr X's contribution to his care costs. That assessment is based on his income. Mr X's income changed because the Department of Work and Pensions (DWP) transferred him to Employment and Support Allowance. Before that Mr X received Income Support and Incapacity benefit in 2015. Mr X also began receiving the middle rate Disability Living Allowance Care and Mobility components. This change increased Mr X's income and so the Council had to consider it as part of the financial assessment which decided Mr X's contribution to his social care costs. The Council has explained this does not mean a pound for pound change, but the overall increase in benefits may result in an increased contribution. The Council also considers increases in allowances too.
  14. To help Mr X understand the procedure the Council says Mr X received support from the Direct Payments Support Service. The Service provided someone to attend the reviews with Mr X and help him understand the procedure and decisions made. The Council offered to carry out reviews of the care and support plans at its offices, Mr X's home or his supporter's home. Alternatively, he could have the papers sent to him by post for completion by him and his supporter or personal assistant. Mr X chose this latter option.
  15. Mr X struggled to pay his contributions to care costs assessed in February 2015. At a meeting in October 2016 Mr X expressed concerns and anxiety about his contribution and disability related expenditure. At this meeting, the officer says Mr X agreed to work with his personal assistant to reduce expenditure. They agreed once Mr X and his personal assistant had completed this work a further financial assessment would take place. However, the Council says it did not hear from Mr X again about reducing his expenditure. The Council says Mr X did not express any concerns about his social care needs at the meeting, only concerns about his expenses and covering his contribution to his care costs. This meant Mr X's care and support plan was not reviewed in 2016.
  16. The Council contacted Mr X again in March 2017 and a new officer spoke with him on 26 April 2017. As requested, the Council sent Mr X the review paperwork for self-completion which he returned on 19 May 2017.
  17. During the 2017 review Mr X said his social care needs had increased. The Council assessed his personal budget as still meeting those needs. It referred Mr X to the Nottinghamshire Enabling Service for support in becoming more independent, helping him with budgeting and reducing his expenditure. Having met with the service twice the records show Mr X said he did not need this service. The service says he told officers he had worked with his personal assistant and Citizens Advice Bureau and did not need their services.
  18. Mr X transferred to Employment and Support Allowance in February 2015 which increased his income. As a result, he had to contribute towards his care and support. In April 2018 Mr X's contribution increased again due to increases in his income received through benefits paid by the DWP.

#### **Waiver of contributions**

19. Mr X appealed against the decision on his contribution to care costs in February 2015. In response, the Council decided to waive the contributions because of the financial hardship they would cause. In its letter confirming the waiver the Council said Mr X could ask for a further review on financial hardship grounds the following year. Officers met with Mr X and believed he needed some help and advice on how to reduce some of his disability related expenditure that would



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make it easier for him to meet the contributions. The Council signposted Mr X to the Money Advice Service for further financial support.

20. The Council decided to waive contributions to allow Mr X time to access this advice and help and time for the advice to restore his finances. The Council waived contributions between February 2015 and April 2016. The Council again waived the contributions for a further year so Mr X became liable to contribute towards his care costs from 26 April 2017. Mr X is in arrears with those contributions.

### **Help with reviews**

21. The Council says before arranging a review of Mr X's social care needs (and his financial assessment for a contribution towards the cost) it discusses with him what support he may need to contribute to the review. For the reviews in 2014 and 2015 the Council agreed to an officer from the Direct Payment Support Service attending and helping Mr X with the review. In 2016 the Council agreed to Mr X's request that he engage an independent supporter to help him. The Council did not complete that review. The Council also considered his needs as a wheelchair user in offering venues for the review including offering to complete it in Mr X's home. The Council agreed to Mr X having an independent supporter to help him present his views to the 2017 social care needs review.

### **Delivery of social care service**

22. Mr X told me social workers told him if he did not pay his contributions he may lose the service or face a reduction in the services he receives. He says confusion over whether he should pay contributions added to his anxiety and other health problems. Mr X says he cannot afford to pay contributions and so may face losing services he needs to manage his degenerative conditions.
23. In recognising Mr X's need for services and his financial difficulties the Council says it has never suggested to him that if he did not pay his contributions he would lose services. Mr X has never been in danger of losing his support services. His contribution is not based on the number of hours support he receives. Therefore, officers have explained to him that simply reducing the hours for which he uses the direct payments will not lessen his contribution. The Council has explained to Mr X that failing to pay his contribution may mean it changes how the Council delivers his support. He may lose the right to manage the support directly through direct payments and receive a managed service where the Council delivers and arranges the services for him.
24. Mr X receives his direct payments net of his contribution. Mr X must then deposit his contribution into the bank account to cover his support costs. Mr X has found it difficult to manage and feels he is still experiencing financial hardship because of the Council's decision on how much he must contribute. He has appealed against his contribution and that has led to those contributions being waived but the Council believes its calculations are correct.

### **Mr X's view**

25. In speaking with me Mr X says the Council's enabling team only met him once in 2016 and did not tell him he could make smaller contributions to pay off arrears on his contributions to his costs. Mr X says the loss of the Disability Living Allowance resulted in him having to pay contributions towards his costs and this is unfair. He needed time to adjust to this new expenditure. In commenting on my draft decision, the Council says Mr X still receives Disability Living Allowance he has not lost it. Mr X has changed energy supplier to reduce costs and changed

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his local taxi firm to reduce travel costs for medical and other appointments. Mr X says his medical conditions have worsened and that he needs further help possibly up to one and a half hours per day to help him.

26. The case notes show in September 2017 Mr X reported to the Council he had taken advice from Citizens Advice Bureau and was putting a budgeting plan in place to help him with his food shopping and transportation costs. The notes say Mr X felt he would not benefit from a Personal Independence Worker's visit so the Council closed the case.

**Analysis – has there been fault leading to injustice?**

27. My role is to decide if the Council has acted without fault in its assessment and review of Mr X's social care needs and financial contributions to his social care costs. It is not to decide what those needs are, what services he should receive or how much he should make as a contribution. I must also consider if it offered him help with understanding the assessment procedure and in managing the direct payments.
28. The Council assessed Mr X's needs, and at reviews in March 2015 and May 2017 it decided he needed increased services. Therefore, it increased the direct payments so Mr X could pay for those services. It correctly assessed his financial contributions by including in its calculations any increase in income. Mr X's contributions did not increase because the services he received increased.
29. The Council recognised Mr X experienced difficulties in managing his finances. This resulted in the Council waiving contributions to his care costs for two years to enable him to seek help and advice on managing his budget. The objective was to help Mr X start contributing to his social care costs as he is liable to do, from April 2017. Staff in deciding to waive the contributions and in discussing the decision with Mr X explained the reasons for the waiver and what he needed to do. The Council wrote to him saying the waiver would last a year at a time and told him he could apply for further waivers on grounds of financial hardship.
30. Mr X suffers anxiety and the concerns about his contributions and general disability living costs have contributed to his anxiety. This led the Council to recognise his financial hardship and the difficulties he faced. To help him it referred him to these free services:
- The Nottinghamshire Enabling Service,
  - Citizens Advice Bureau;
  - The Money Advisory Service
31. To help with reviews the Council agreed to Mr X being supported at the review meetings and in completing review paperwork by an officer from the Direct Payments Support Service, and latterly an independent support worker.
32. Therefore, while Mr X found it difficult to manage his finances and budget, and experienced financial hardship the Council ensured he had advice and support during the two-year waiver period to improve his budgeting skills. When it decided in May 2017 Mr X's personal budget would still cover his increased service needs it also decided he should, as in the previous reviews, pay contributions to the service costs. It assessed his finances and told him the contribution he would need to pay.
33. Mr X knew that from April 2017 he may have to pay the contributions. He had time to prepare for that with the help of his support workers. The lack of a completed review in October 2016 raises the question of whether he missed any

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services he was now assessed as needing in May 2017. We shall never know but the failure to complete the assessment cannot simply be left with Mr X. I recognise he did not report to the Council on the progress made with working on reducing his debt, or raising social care needs. However, the Council is responsible for managing and completing the review. The review should have been properly completed and the documentation issued. It was not. The failure to follow that up and complete the annual review may have led to Mr X missing services he later was found to need and some remedy should be provided for that.

34. I find no delay in the Council's review of Mr X's social care needs in 2017. It told him of its decision in May 2017 and confirmed he would need to make contributions for his care from 26 April 2017.
35. I find that but for the fault identified in the paragraph 33, the Council acted without fault in deciding to offer the waiver for two years and signposted Mr X or offered enough advice to help him deal with his budgeting concerns before deciding to collect contributions. The Council will need to offer help in managing the payment of arrears and current contributions.
36. Mr X says he cannot reduce his expenditure further and the contributions cause financial hardship. He can ask the Council to review those finances again. However, it can only agree to waive contributions if it believes they will cause Mr X unavoidable financial hardship.

### **Recommended and agreed action**

37. To remedy the injustice arising from the failure to complete the October 2016 review I recommend and the Council agrees within six weeks of this decision to:
- Apologise to Mr X for the omission;
  - Offer Mr X a review of his financial circumstances and to consider if his contributions would result in financial hardship;
  - Pay Mr X £200 in recognition of the doubt over whether but for the delay his services may have been increased earlier;
  - Offer a repayment plan to help Mr X pay the current arrears.

### **Final decision**

38. I find the Council acted without fault in deciding not to continue the waiver of financial contributions but acted with fault in not completing the review of social care needs and support in 2016.

### **Investigator's decision on behalf of the Ombudsman**

## **The Ombudsman's final decision**

Summary: Mr X complained about the Council's refusal to provide parking restrictions on his street to prevent access to his driveway being obstructed. The Ombudsman should not investigate this complaint. This is because there is insufficient evidence of fault by the Council which would warrant an investigation.

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## **The complaint**

1. The complainant, whom I shall call Mr X, complains about the Council refusing to paint parking restrictions on his street or to provide signs preventing parking opposite driveways. He says that his access from his property is often restricted by cars parked opposite and he wants the Council to take action to prevent this.

## **The Ombudsman's role and powers**

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. We provide a free service, but must use public money carefully. We may decide not to start or continue with an investigation if we believe:
  - it is unlikely we would find fault, or
  - it is unlikely we could add to any previous investigation by the Council, or
  - it is unlikely further investigation will lead to a different outcome, or
  - we cannot achieve the outcome someone wants.

*(Local Government Act 1974, section 24A(6), as amended)*

## **How I considered this complaint**

3. I have considered all the information which Mr X submitted with his complaint. I have also considered the Council's response and Mr X has commented on the draft decision.

## **What I found**

4. Mr X lives in a cul-de-sac which has a narrow entrance road. He says that sometime cars park opposite his driveway which makes it difficult for him to reverse out safely. He asked the Council to provide double yellow lines down one

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side of the road to prevent this restriction. An alternative suggestion was that it provide signs instructing drivers not to park opposite driveways or to remove the footpath from one side and widen the road.

5. The Council told Mr X that his street had a low volume of traffic use and that it would be a low priority for its limited budget for traffic regulation orders. It told him that consultation with residents was likely to be unpopular as would removal of a footway. The Council prioritises its limited resources and this is aimed at higher volume, more dangerous traffic circumstances.
6. We investigate complaints of injustice caused by 'maladministration' and 'service failure'. I have used the word 'fault' to refer to these. We cannot question whether a council's decision is right or wrong simply because the complainant disagrees with it. We must consider whether there was fault in the way the decision was reached. In this case the Council considered Mr X's requests but did not believe that it was a significant traffic management problem. This is a matter for the Council as highway authority to decide.

### **Final decision**

7. The Ombudsman should not investigate this complaint. This is because there is insufficient evidence of fault by the Council which would warrant an investigation.

### **Investigator's decision on behalf of the Ombudsman**

## **The Ombudsman's final decision**

Summary: We will not investigate Mr X's complaint about the Council's failure to notify him about highways works along his road and its alleged delay in constructing a dropped kerb. This is because he has not suffered significant injustice.

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## **The complaint**

1. The complainant, who I have called Mr X, complained that Nottinghamshire County Council failed to notify him of planned highways works along his road, and did not give him an opportunity to get a dropped kerb. He also complained that the Council delayed in constructing the dropped kerb.

## **The Ombudsman's role and powers**

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. We provide a free service, but must use public money carefully. We may decide not to start or continue with an investigation if we believe the injustice is not significant enough to justify our involvement. (*Local Government Act 1974, section 24A(6), as amended*)

## **How I considered this complaint**

3. I considered the information provided by Mr X. I considered the complaint documents provided by the Council. And I invited Mr X to comment on a draft of this decision.

## **What I found**

### **Key facts**

4. In April 2018 the Council started planned maintenance works along Mr X's road. He complained to the Council as it had not told him about the works or given him an opportunity to ask for a dropped kerb.
5. A Highways Officer visited Mr X, accepted Mr X had not been told about the works, and agreed to delay them until he could get planning permission for a dropped kerb. The Officer said it could take six to eight weeks to get permission and expected the works could start in June.

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6. Mr X later emailed the Council to say he was unable to remove a hedge with nesting birds, so he could not construct his hardstanding until September.
  7. Mr X was granted planning permission for a dropped kerb in June. He thought the Council would construct it that month. That did not happen.
  8. Mr X telephoned the Council in June and twice in July. The Highways Officer visited Mr X again in July and explained that the job was not a priority. He later confirmed that the dropped kerb would be constructed in September. It has now been constructed.
  9. Mr X is unhappy that the Council did not construct the dropped kerb when it said it would. He said this caused him stress and inconvenience.

### **Analysis**

10. We will not investigate this complaint.
11. The Council accepted it did not notify Mr X of the planned maintenance along his road. However, it agreed to delay the works while Mr X applied for planning permission for a dropped kerb. So he did not suffer significant injustice because of the Council's failure to notify him.
12. Mr X thought the Council would construct the dropped kerb in June. It should, perhaps, have told him sooner that it was unlikely to be constructed in June because it was not a priority. However, by this time, Mr X had told the Council he could not construct his hardstanding until September. Without the hardstanding Mr X could not use the dropped kerb. And in any event, the injustice Mr X suffered because of the Council's alleged delay and the time and trouble he experienced is not significant enough to justify an investigation.

### **Final decision**

13. We will not investigate Mr X's complaint. This is because he has not suffered significant injustice.

### **Investigator's decision on behalf of the Ombudsman**



## **The Ombudsman's final decision**

Summary: Mrs B complains the Council over-charged her late husband for residential care. We have ended our investigation. This is because Mrs B has not complained within 12 months and there are not good reasons to investigate the complaint now.

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## **The complaint**

1. The complainant, who I will refer to as Mrs B, complains that the Council did not correctly calculate her late husband's residential care costs in 2014 and 2015. Mrs B says the Council continued to charge her husband the full care costs even when his savings fell below the savings threshold. Mrs B says as a result she has been asked to pay a debt of £6,000, which she should not have to pay.

## **The Ombudsman's role and powers**

2. The Local Government Act 1974 sets out our powers but also imposes restrictions on what we can investigate.
3. We cannot investigate late complaints unless we decide there are good reasons. Late complaints are when someone takes more than 12 months to complain to us about something a council has done. (*Local Government Act 1974, sections 26B and 34D, as amended*)

## **How I considered this complaint**

4. I have considered the information Mrs B has provided to the Ombudsman and the Council's responses to the complaint. I have also shared a draft version of this statement with Mrs B and the Council, and have invited their comments.

## **What I found**

### **Background – charging for residential care**

5. The charging rules for residential care are set out in the "*Care and Support (Charging and Assessment of Resources) Regulations 2014*", and the "*Care and Support Statutory Guidance 2014*". When the Council arranges a care home placement, it has to follow these rules when undertaking a financial assessment to decide how much a person has to pay towards the costs of their residential care.
6. The rules state that people who have over the upper capital limit (£23,250) are expected to pay for the full cost of their residential care home fees.



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7. However, once their capital has reduced to less than the upper capital limit, they only have to pay an assessed contribution towards their fees.
  8. The council must assess the means of people who have less than the upper capital limit, to decide how much they can contribute towards the cost of the care home fees.

### **What happened**

9. After being discharged from hospital, Mrs B's late husband moved into a care home in December 2014. Mrs B says at this point her husband's savings were only just over the upper capital limit of £23,250.
10. During this period Mrs B paid the care costs herself. Mrs B was in the process of applying to the Court of Protection to be able to access her husband's finances due to his dementia.
11. By February 2015 Mrs B obtained permission from the Court of Protection to access her husband's bank account. This meant the Council wrote to Mrs B directly about her husband's care costs.
12. In March and April 2015 the Council sent Mrs B invoices for her husband's care costs totalling over £6000. Mrs B says she complained to the Council about this because by this point her husband's savings were well below the upper capital limit. Mrs B says she did not get a satisfactory response.
13. In response to our enquiries the Council said its records show Mrs B challenged the invoices in November 2014 but there is no record of a formal complaint to the Council during this period.
14. Mrs B's husband died in March 2018. Mrs B says after her husband died she considered the Council had in effect stolen from him which was not acceptable. During this period the Council sent Mrs B a final invoice for the unpaid care costs.
15. In April 2018 Mrs B wrote to the Council saying the Council had not charged her correctly in 2015. Mrs B also put in a complaint to the Council. The Council responded in May 2018. The Council explained how it calculated Mrs B's husband's care costs. The Council said it would revise the outstanding balance to reflect information provided by Mrs B about her husband's pension.
16. The Council responded to Mrs B's complaint by saying she had not complained within 12 months so the Council would not consider her complaint.
17. Mrs B then complained to the Ombudsman in July 2018.

### **Analysis**

18. Mrs B was aware of the Council's assessment of her husband's care costs in April 2015. But, Mrs B did not complain to the Ombudsman until July 2018. So, Mrs B has not complained to the Ombudsman within 12 months of becoming aware of the issue she complains about.
19. As explained at paragraph 3 of this statement, the Ombudsman does not investigate late complaints unless there are good reasons to do so. My view is there are not good reasons to investigate Mrs B's late complaint.
20. I consider Mrs B could have complained before now. I understand it was a difficult and stressful time for Mrs B. But, Mrs B was able to contact the Council to challenge the care charges she had been asked to pay.
21. I consider Mrs B could have pursued a complaint to the Council, and then the Ombudsman, within the following 12 months.

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22. Also, because the events complained about took place around four years ago, it is unlikely we could make sound findings about what happened.

### **Final decision**

23. Mrs B has not complained within 12 months and there are not good reasons to investigate now. So, I have ended my investigation.

### **Investigator's decision on behalf of the Ombudsman**

## **The Ombudsman's final decision**

Summary: Mr X complained about the poor quality of home care the Council arranged for his late father Mr Y. There was fault in the care provided to Mr Y causing injustice to him. This fault also caused Mr X distress, time and trouble because he had to complain about the problems and deal with their consequences between February and June 2017. The care provider did not carry out spot checks it had agreed to after then. The Council has agreed to apologise to Mr X, reduces the amount he owes for outstanding care fees by £500 and ensures care providers carry out and document agreed spot checks in future.

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## **The complaint**

1. Mr X complained about the poor quality of home care the Council arranged for his late father Mr Y. He says he complained several times about the quality of care provided. He says he should not have to pay the outstanding bill for this care.

## **The Ombudsman's role and powers**

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
3. Where local councils arrange or commission care services from an adult social care provider we can treat the actions of the care provider as if they were the actions of the council. (*Local Government Act Part 3, section 25(6) and (7)*)
4. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)
5. Under the information sharing agreement between the Local Government and Social Care Ombudsman and the Care Quality Commission (CQC), we will share this decision with CQC.

## **How I considered this complaint**

6. I spoke to Mr X about the complaint.

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7. I asked the Council questions and considered evidence it provided including:
    - Care records
    - Complaint correspondence
  8. I considered the Ombudsman's guidance on remedies before making my recommendations.
  9. I gave the Council, the care provider and Mr X the opportunity to comment on my draft decision. I considered their comments before making my final decision.

## **What I found**

### **Background**

10. Mr Y was an elderly gentleman living in his own home. He had a range of physical health problems and care needs. Mr X is Mr Y's son who lived nearby and was the Council's main contact in relation to his care.
11. The Council assessed Mr Y's care needs in January 2017 while he was briefly staying in hospital. It developed a care plan and arranged a package of home care so he could return to live at home when discharged at the end of the month. The care package included four care visits per day to help with personal care, house cleaning and medication.
12. The Council carried out a financial assessment which said Mr Y needed to pay towards some of his care. In discussion with Mr X the Council agreed it would manage Mr Y's care rather than use direct payments. It arranged for the care provider, Direct Health, to begin caring for Mr Y at the start of February.
13. Mr X first reported problems with the care package to the Council at the beginning of February. Its records show he said the carer did not arrive on the first day until 1100, missing the morning call. He said the carer did not seem to know anything about Mr Y's care package or needs. He said subsequent carers were not supervising Mr Y to eat his food. This meant he was spilling food on his clothes. He said carers were leaving Mr Y without continence pads or in dirty ones. They were preparing poor meals such as microwave chips which were not suitable or appropriate for a diabetic. They were not changing his bed sheets and were leaving dirty plates and rubbish on the floor.
14. Mr X continued to record problems to the Council during February and March 2017. He reported, in early March that carers were leaving Mr Y in soiled clothing, and that bags of dirty washing were piling up, Mr Y's bed linen was soiled and bed rails left down. He referred to problems with specific care workers. He wanted a different care provider. The Council told Mr X about the complaint procedure. Its record says Mr X decided not to formally complain at this stage to see because he wanted to see if things improved after raising concerns. The Council agreed to raise these issues with Direct Health. It arranged a meeting between Mr X and the care provider to discuss his concerns.
15. This meeting took place in mid March 2017. The Council's record of the meeting states all accepted there had been initial problems with the care package. This was partly because Mr Y's washing machine had not worked and there were limited cleaning materials. It had now been replaced. Care workers had been spoken to about the problems.
16. However the Council's record showed Mr X thought care had recently improved, a regular care team was now in place and he was satisfied. The Council asked Mr X

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to speak direct to Direct Health if he had future concerns so it could take prompt action.

17. A Council occupational therapist was working with Mr Y during this time to consider making his bath more accessible. A Council care record for 27 March shows Mr X told the therapist about continued problems with the care package. He said Mr Y was being left in dirty pyjamas, continence pads were not being positioned properly, wet washing was being left in the dryer, and carers were not properly supporting Mr X with personal washing leading to infection. These concerns were not passed on.
18. In May 2017 Mr X asked for a further meeting with the care provider about his continued concerns about his father's care. In its later response to Mr X's complaint the care provider recalled this meeting did not take place because Mr X told it care was improving again. Mr X does not agree that he said he was satisfied with care at this point.
19. After Mr Y spent a short stay in hospital in June, Mr X complained again to the Council about the care. The Council suggested a joint visit with the care provider. It says Mr X declined this offer, wanting to discuss the matter by phone. Mr X says he just suggested it would be easier to go through the issues by phone.
20. Records of the conversation in mid June 2017 show Mr X raised concerns about the poor condition of Mr Y's home, smelling of urine and faeces because Mr Y's commode was left unemptied by carers for long periods. He said carers were putting continence pads loose in the recycling bin causing smell and damage from effluent. He said carers were leaving Mr Y in vomit covered clothes.
21. The Council explained it could not change the care provider unless Mr X used direct payments which neither he or Mr Y wanted. It did not explain why this was not possible. It said as a result of Mr X's concerns it had asked the care provider to draw up an action plan to make improvements, including updating Mr Y's care plan. This included agreement to a minimum number of workers involved with Mr Y's care. It asked for the care provider to carry out monthly spot checks to ensure standards improved and were not slipping back again. The Care Provider did not arrange a meeting of Mr Y's care workers or carry out the spot checks as it had agreed to.
22. The Council has no record of subsequent concerns from Mr X. It says Direct Health also had no other contact from Mr X. Mr Y went into hospital in September and died later that month.

### **Mr X's complaint to the Council**

23. Mr X complained to the Council in November 2017 having been sent an invoice for care charges. He referred to his previous complaints about the standard of care. He said Mr Y had been left in his own vomit, the property constantly smelt of faeces, carers had sometimes forgotten to give medication. He said since Mr Y had died he had found packets of medication dropped around the house. He said the care provider had not taken his concerns seriously despite committing to making improvements. The Council asked Direct Health to respond to Mr X's concerns.
24. The Care Provider replied in January 2018. It said initial problems were because Mr X did not have a working washing machine. This had been promptly sorted out. It had discussed Mr X's concerns at the meeting in March 2017 when he told it things had improved. He had asked for a meeting in May but said there were no new concerns so this had not happened. It offered a meeting in June which he

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- declined and discussed concerns over the phone. It said it had agreed with the Council to provide a core team of carers. It had no record of other concerns. It apologised if Mr X felt the service fell short of his expectations.
25. Mr X continued to complain to the Council. It responded to Mr X in April 2018. It accepted that after care started, and until March 2017, there had been issues with the care staff provided. It had put measures in place to try to ensure good and consistent care. When it met with Mr X in March he said there had been problems but then had no current concerns.
26. It said Mr X had raised concerns again in June 2017 but declined a meeting. The Council said it had agreed an action plan with Direct Health over the telephone, involving making spot checks and meeting with care workers.
27. It said Direct Health had no further record of concerns and that Mr X had said care had improved.
28. However it said there were clearly *“issues with the quality of care provided... that Direct Health addressed these issues... and put measures in place to effectively tackle the problems being experienced”*
29. It said further investigation was not warranted. It said it would not waive care fees but was prepared to reduce them by 10% (£200) to £1,808.46 in light of Mr Y’s experiences as a good will gesture. It referred Mr X to the Ombudsman.
30. When I spoke to Mr X as part of my investigation he told me that after reporting the initial problems in early 2017, Direct Health persuaded him it would take steps to improve things. He felt things did improve for a time, but problems quickly returned because of constant changes to the carers.
31. Mr X says he did not refuse to meet in June, he just thought it was easier to discuss the matter by phone. He wanted the Council to be involved in conversations because they were independent. He strongly feels that he should not have to pay for the inadequate care for his father.
32. When I asked Mr X for the carer log books he said there was nothing in the log book which he said had been left blank by his father’s carers.

### **My findings**

33. The Council arranged the care provided to Mr Y by Direct Health. That means I can treat fault by the care provider as if it was fault by the Council.
34. I am satisfied the Council took appropriate action in March 2017 when Mr X raised his concerns with it. It contacted and raised concerns with Direct Health, then met Mr X and the provider to discuss them further. Records of that meeting shows it recognised there had been faults in the care provided to Mr X at the start of the package although this had improved by the time of the meeting.
35. Based on the outcome of that meeting with Mr X, the Council decided to take no further action at that time as the problems seemed to have been resolved. There was no fault in this decision.
36. However, the occupational therapist case record later in March shows Mr X still had serious concerns he had raised with the Council. There is no record it shared these with the care provider or required action. It had agreed that Mr X would raise concerns direct with Direct Health. However I would have expected it to have also raised Mr X’s concerns direct. This was fault.

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37. After Mr X's further report to it in June, the Council was sufficiently concerned about care quality to require the care provider to draw up an action plan and for it to carry out monthly spot checks on progress.
38. The care provider did not carry out the spot checks. This is fault. Even though Mr made no further reports this not reduce the impact of this fault. Mr X believed the agreed checks were being carried out.
39. In the absence of any detailed care records I cannot say what medication Mr Y received. I cannot make a finding on this matter.
40. I cannot remedy injustice caused to the late Mr Y by these faults. However they also caused Mr X injustice. He had to repeatedly raise concerns with the Council between January and June 2017 as well as dealing with the consequences for Mr Y. He was put to avoidable distress, time and trouble. Evidence suggests care improved after Mr X raised concerns and then declined again requiring the Council to require Direct Health to take further action.
41. The Council's goodwill gesture to reduce Mr Y's outstanding care fees by 10% is not enough to remedy injustice caused to Mr X. It should apologise to him for the faults identified and offer to reduce the care charges by £500 to remedy the distress, time and trouble caused.

### **Agreed action**

42. Within one month of my final decision the Council has agreed to:
- Apologise to Mr X for the quality of care provided to Mr Y by Direct Health.
  - Reduce Mr X's outstanding balance of care charges by £500.
43. Within three months of my final decision the Council has agreed to put in place a procedure to ensure care providers carry out and document agreed spot checks. It will provide the Ombudsman with evidence of this.

### **Final decision**

44. I have completed my investigation. I have found fault causing injustice and the Council has agreed action to remedy this. It has also agreed action to prevent reoccurrence of an identified fault.

### **Investigator's decision on behalf of the Ombudsman**



## **The Ombudsman's final decision**

Summary: The Ombudsman will not investigate Mr X's complaint about the Council's response to consultation on a planning application. The complaint is late and it is unlikely we would find fault affecting the District Council's decision to grant planning permission.

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## **The complaint**

1. The complainant, Mr X, complains about the Council's response to consultation by the District Council on a planning application for development on his road. He also complains about the Council's handling of his complaint.

## **The Ombudsman's role and powers**

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. We provide a free service, but must use public money carefully. We may decide not to start or continue with an investigation if we believe:
  - it is unlikely we would find fault, or
  - the fault has not caused injustice to the person who complained, or
  - the injustice is not significant enough to justify our involvement, or
  - it is unlikely we could add to any previous investigation by the Council, or
  - it is unlikely further investigation will lead to a different outcome, or
  - we cannot achieve the outcome someone wants.

*(Local Government Act 1974, section 24A(6), as amended)*
3. We cannot question whether a council's decision is right or wrong simply because the complainant disagrees with it. We must consider whether there was fault in the way the decision was reached. *(Local Government Act 1974, section 34(3), as amended)*
4. We cannot investigate late complaints unless we decide there are good reasons. Late complaints are when someone takes more than 12 months to complain to us about something a council has done. *(Local Government Act 1974, sections 26B and 34D, as amended)*



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## **How I considered this complaint**

5. I reviewed the information provided by Mr X, including the details of his complaint and the Council's response. I shared my draft decision with Mr X and considered his comments.

## **What I found**

6. The District Council consulted the County Council on a planning application for residential development of a site on Mr X's road in early 2017. Mr X objected to the proposal but the County Council did not. The District Council considered the proposal and consultee responses and found no good reasons to refuse the application; it therefore granted planning permission.
7. Mr X is unhappy with the County Council's comments on the proposal. He says the Council's response contains an error and that it failed to consider the impact on a nearby road junction which itself is substandard. He complained to the Council but was not happy with its response.
8. The Ombudsman will not investigate this complaint. The Council commented on the planning application in early 2017 and Mr X did not bring his complaint to the Ombudsman until October 2018; his complaint is therefore late. The documents Mr X has provided shows he was aware of the Council's consultation response at the time and while the Council may have delayed at points in dealing with his complaint there are good reasons why we should not exercise our discretion to investigate this complaint.
9. The Council accepts there was a factual error in its response but says this does not affect the overall consultation response. The Council has no objection to the proposal and would not therefore have recommended refusal. The Council's recommendation is a matter of professional judgement and it did not make the decision to grant planning permission in any event. Mr X's injustice stems from the decision, which the District Council made, and not from the County Council's consultation response. It is therefore unlikely we could say any fault by the County Council affected the outcome or that we could achieve anything for Mr X by investigating his complaint about the County Council.
10. Where the Ombudsman decides not to investigate the substantive issue it is not a good use of public resources to investigate any complaint about the Council's handling of a complaint about it. Any concerns Mr X has about the way the Council dealt with his complaint are peripheral and have not caused him significant injustice.

## **Final decision**

11. The Ombudsman will not investigate this complaint. This is because the complaint is late and it is unlikely we could say any fault by the Council wrongly affected the District Council's decision to grant planning permission.

## **Investigator's decision on behalf of the Ombudsman**

## **The Ombudsman's final decision**

Summary: Ms B complained about the behaviour of young people using a Council service near her home. She said this resulted in her experiencing abuse, unpleasant incidents and disturbance. We have not found grounds to fault the Council's approach to the situation during the period we have investigated.

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## **The complaint**

1. The complainant, whom I shall refer to as Ms B, complains The Council has failed to deal effectively with users of its mobile Youth Service causing antisocial behaviour. Miss B reports that, as a result, she has experienced verbal abuse, including racial abuse, attacks on her property, indecent exposure and intimidation from groups of young people congregating outside her home on days when the Youth Service vehicle is nearby.

## **What I have investigated**

2. I investigated relevant events since March 2017. The final section of this statement contains my reasons for not investigating the rest of the complaint.

## **The Ombudsman's role and powers**

3. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. We cannot investigate late complaints unless we decide there are good reasons. Late complaints are when someone takes more than 12 months to complain to us about something a council has done. (*Local Government Act 1974, sections 26B and 34D, as amended*)
5. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)

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## How I considered this complaint

6. I considered the information Ms B provided and discussed the complaint with her. I made written enquiries of the Council and considered its response. I gave the Council and Ms B the opportunity to comment on my draft decision.

## What I found

7. The Council's youth service has a bus in which it visits areas to work with young people. This bus visits a car park near Ms B's home on one evening each week to meet local young people. Ms B is unhappy with this location because she states young people cause trouble for her before and after visiting the Council's bus.
8. Ms B told me the problems were most serious in 2016. A note she has from June 2016 indicated the events involving indecent exposure and attacking her property had happened by then, among other points. For the reasons given in paragraphs 20 to 22 below, I have not investigated events that far back.
9. I investigated events since March 2017. Ms B told me since March 2017 there have been some problems when young people leave the session and sometimes during the sessions too. Ms B says she raised any problems with Council staff.
10. The Council says its actions in response to Ms B's complaints include: reminding young people to be responsible and not make too much noise when arriving and leaving; asking young people only to arrive when the session is due to start rather than congregating in the area earlier; staff checking the young people have left the area after each session; and talking to the service users about the situation and the importance of behaving in a way that reflects well on them and the Council's youth service. Ms B said that after her complaints, staff sometimes escorted young people to and from the bus but that this seemed not to have happened more recently.
11. The Council's records of the weekly sessions refer to involvement with Ms B at six of the sessions since March 2017. I have summarised the relevant records below:
  - 2 March 2017 – A verbal confrontation was underway between young people and Ms B when youth service staff arrived. Ms B called the police, who attended while the staff and young people were still there. The police viewed a telephone recording of the incident that a young person had made. The Council staff asked young people not to provoke or engage with Ms B.
  - 27 April 2017 – A staff member noted Ms B had approached the car park then turned back.
  - 4 May 2017 – When staff arrived, 'A couple of young people from [the area] were trying to get an argument going with [Ms B] but we addressed it straight away and it was very interesting to see some of the group turning on the trouble causers.'
  - 16 November 2017 – Ms B was at the entrance when staff arrived. She then left. There was no altercation between her and the young people. Staff told the police as they understood Ms B was not supposed to approach young people using the Youth Service.
  - 23 November 2017 – Ms B complained to staff about the young people's behaviour when they had passed her home when leaving the session. Staff noted they had asked the young people to keep the music level down when going home '...but they neglected to do this and [Ms B] was not happy about this. I repeatedly explained that I will speak to them next week...' Ms B said

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she wanted the Youth Service to stop using this car park. The Council logged this incident with the police.

- 8 February 2018 – Staff stated Ms B had been verbally abusive towards them, which they reported to the police.
12. I appreciate there might well be disputed versions of what precisely happened on each of these occasions. I cannot resolve what actually happened each time. However, I consider it noteworthy that the records only show six contacts out of all the weekly visits in the period. On two occasions, 4 May and 23 November 2017, I consider the evidence shows Council staff became aware of possibly inappropriate behaviour by young people.
  13. On 4 May 2017, the incident appears to have started before staff arrived and they evidently helped end the confrontation. I do not see fault by the Council on this point.
  14. On 23 November 2017, evidently the young people had not followed the advice to avoid excessive noise when leaving. Apparently staff had not escorted the young people from the site on this occasion but I do not see the Council ever gave an undertaking this would always happen, even if Ms B saw it happening sometimes. The Council undertook to reiterate the need to leave quietly. This appears to be a single incident where the noise was problematic enough for Ms B to raise it with staff.
  15. In its letters replying to Ms B's complaints in November 2016 and early 2018, the Council advised Ms B to report further incidents to the police. From what the Council and Ms B have told me, Ms B then seems to have reported one incident in November 2016 and one, or perhaps two, in March 2017. Ms B told me she did not report anything to police in the period I am considering because she did not witness anything she thought was a crime.
  16. In February 2018, the Council advised Ms B to report further incidents to her local district council, which has some legal powers to deal with antisocial behaviour. Ms B has not done so.
  17. The Council says young people in this area need the Youth Service so its work here is important. It says it considers the current location for the weekly visits appropriate and it does not consider the current situation justifies moving the bus to a different place for its weekly visits.
  18. The Council has not ignored Ms B's concerns but appears to have taken some steps aimed at reducing problems. Overall, the impression is that there has not been a significant ongoing problem with these weekly visits in the period since March 2017. The Council was entitled to have regard to that as well as to the importance it attaches to its youth work in this area. In all the circumstances, I do not consider the Council was at fault for deciding it can currently continue its weekly visit to this location, as long as it continues the measures it has outlined to reduce the risk of problems.

## **Final decision**

19. I have ended my investigation for the reasons given above.

## **Parts of the complaint that I did not investigate**

20. Ms B complained about events dating back to 2016. The Council first told Ms B in November 2016 it would do no more than the measures it was already taking. Ms

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B first complained to the Ombudsman in March 2018. So the restriction described in paragraph 4 applies.

21. Ms B told me she did not come to us sooner because of the deaths of a friend and a close relative in the last few months of 2016. I appreciate the circumstances would have been difficult and could have led Ms B to give less priority to pursuing a complaint for a while. However, I still consider that if Ms B was very concerned about what had happened in 2016, she could have pursued the matter, including by contacting us (which was not onerous), by November 2017.
22. It could also be difficult for me to reach a clear enough view now about the earlier events. Moreover, I consider it proportionate to concentrate on more recent events as they, and the ongoing situation, are what potentially affect Ms B currently. For these reasons, I am not persuaded to investigate events before March 2017.

### **Investigator's decision on behalf of the Ombudsman**



**REPORT OF THE SERVICE DIRECTOR FOR CUSTOMERS, GOVERNANCE  
& EMPLOYEES****INFORMATION GOVERNANCE IMPROVEMENT PROGRAMME: PROGRESS  
UPDATE****Purpose of the Report**

1. To inform Governance and Ethics Committee of progress in delivering the Council's Information Governance Improvement Programme (IGIP).

**Information and Advice**Background Information

2. The Council's Information Governance Improvement Programme (IGIP) was approved by Policy Committee in June 2017. The programme was necessitated by a significant change in data protection law which was enacted in May 2018. This strengthened the rights and control that individuals have over collection and use of their personal data and, in so doing, increased the information governance and data protection obligations on the Council (and other data controlling / processing organisations).
3. The new law introduces significantly higher, 'disuasive' fines for personal data breaches and failure to evidence compliance with the law, as well as compensation for material and non-material damages suffered by individuals as a result of data mismanagement and breaches.
4. Collecting and processing personal data of service users, employees and others is core to business, there is not a part of the Council's operations that IGIP does not touch. The programme is therefore multifaceted and broad in scope and so, to make it achievable, a phased and risk based approach has been used to prioritise tasks.
5. The Programme has two complementary and sequential phases. Phase One focuses on compliance with the new data protection law, whilst Phase Two focuses upon a Council-wide approach to document management. An additional driver for the second phase was issues associated with the retrieval of records needed to inform the Inquiry into Child Sexual Abuse (IICSA) as well as the findings of previous audit reports which commented on the Council's approach to document management.

6. At its meeting in December 2017, Governance and Ethics Committee agreed that it wanted a progress update on the IGIP on a six monthly basis, this report being the most recent such periodic update.

### Phase One of the Programme

7. A report to Governance and Ethics Committee in June 2018 contained an assessment of progress in achieving planned changes and improvements on Phase One of the Programme and outlined next steps.
8. The most significant development since then has been the appointment of an Information Governance Team in August 2018 to provide the Council with additional expertise and capacity in this specialist area. The Team operates a business partner approach with each department having a nominated Information Governance Advisor. The Team also supports the work of the Data Protection Officer (DPO) in providing the Council with advice on compliance with the law.
9. Since its commencement, the Team has focused its efforts on working with departments to undertake Data Protection Impact Assessments (DPIAs) (assessments which aim to increase data protection and security by reducing information risk within projects and business systems and processes). Under the new law, DPIAs are mandatory in certain circumstances and there are a significant number to be undertaken across the Council. This will need to be a focus of the Team's work for the foreseeable future.
10. The IGIP has put in place many policies, procedures, processes, training and other measures to strengthen the Council's approach to information governance. There remains more to be done but, now that the Team is in place, work on maintaining and improving compliance with the law will transition from the Programme to the Team and become part of business as usual.
11. However, it is important that there is continued visibility of the Council's IG efforts. This would complement a requirement under the new law for the Council to evidence that appropriate data protection and security measures are being taken.
12. With this in mind, Information Governance Group considered whether the governance arrangements which currently work successfully for health and safety, could also apply to the IG agenda. This, and other efficiency measures, would include:
  - approval by, and monitoring of an annual Information Governance Action Plan by Governance and Ethics Committee;
  - Information Governance Group becoming Information Governance Board and adopting a new terms of reference
  - The creation of a Sub-Group of Information Governance Board to approve those standards and procedures which are more technical in nature or limited in reach across the Council.
13. Information Governance Group was supportive of this approach. Therefore, an Information Governance Action Plan will be brought for approval in March 2019, with a quarterly performance update against that plan thereafter. This would mean that future progress



update reports on the Information Governance Improvement Programme would focus solely on Phase Two, document management.

14. Over the past three months, Internal Audit has been carrying out an audit on the completion of actions arising from previous information governance audits and on the IGIP (particularly on progress reported to Governance and Ethics Committee in June 2018). The formal audit report is to be issued imminently and will comprise the following key observations:
  - There has been sufficient work to ensure the completeness of Phase One of the Programme and progress on all significant aspects of it were accurately reported to Committee in June 2018.
  - Whilst there has been some slippage, in part due to an increased scope as issues were identified during implementation, progress on the Programme is considered satisfactory.
  - The most significant area requiring attention is the implementation of four actions recommended in previous audit reports, although it is acknowledged that most of these are in hand or are planned as part of Phase Two of the Programme.
  - A further recommendation is to revisit the information governance audit undertaken by Essex County Council in October / November 2018 to ensure all recommended actions have been undertaken.
15. Members of Governance Ethics Committee will be updated on the outcome of this audit as part of the normal audit process.

#### Phase Two of the Programme

16. With an Information Governance Team in place and assuming responsibility for taking forward the improvements put in place by the IGIP, the Programme Team is now turning its attention to Phase Two. A partner organisation, QbitKloud, has been engaged to provide specialist expertise as, designing and putting in place a defined document management approach and system for a large and complex organisation like the Council, is a significant undertaking and likely to bring considerable challenges..
17. QbitKloud are a Microsoft Gold partner company specialising in supporting organisations to exploit opportunities afforded by Sharepoint. SharePoint is a key Microsoft product which provides tools for securely sharing documents and data within and across organisations and enables collaborative working. It comes with functionality that could greatly improve the Council's control and governance of information (e.g. security classification of documents etc). Because the Council's is already in a partnership with Microsoft as part of the migration to the Cloud and is adopting Office 365 (of which Sharepoint is a part), Sharepoint potentially offers the Council's a readily available and cost effective document management system solution.
18. In November QbitKloud started a three month discovery and design exercise to inform the Council's approach to document management using Sharepoint. This exercise will deliver:
  - A diagnostic of the Council's current information landscape (document volumes; flow; currency; ownership; duplication; structure, repositories etc.)
  - business requirements for the future document management approach / system

- a high level design for the future document management approach / system
- Recommendations which will inform the development of a business case and enable decisions to be made on next steps based on proposed costs / benefits / timelines.

19. The business requirements will be informed by stakeholder input balanced by constraining factors such as technology capabilities, timelines and cost to arrive at an acceptable, organisation-wide approach. There are a number of staff workshops planned over the duration of the company's engagement to understand current working practices and requirements. Consideration is also being given as to how elected members may best contribute to the design given their discrete role and needs. It is imperative that stakeholders are engaged and bought into the case for change from the outset as the successful implementation of any document management system will require everyone who uses it to change their working practices.
20. A document management system is integral to enabling the Council to be comply with data protection law in a cost effective way (e.g. automated rather than manual application of document retention periods etc.). It will also enable greater business productivity as documents are more easily searched for and retrieved (estimates suggest that non-manual workers can waste around 20% of their time searching for documents<sup>1</sup>). Finally, a document management system will enable the Council to preserve its records for the appropriate amount of time and use information to improve its organisational memory and decision making now, and for generations to come.

### **Other Options Considered**

21. This report advises on progress in delivering the Information Governance Improvement Programme at the request of Governance and Ethics Committee.

### **Reason/s for Recommendation/s**

22. Governance and Ethics Committee has asked for periodic updates reporting progress in delivering improvements in information governance across the Council.

### **Statutory and Policy Implications**

23. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) That members agree to receive a follow up/update report in the next 6 months on the Information Governance Improvement Programme and that this be included in the work programme.

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<sup>1</sup> [Various Survey Statistics: Workers Spend Too Much Time Searching for Information](#)

- 2) That an Information Governance Action Plan be brought for approval in March 2019, with a quarterly performance update against that plan thereafter and that this be included in the work programme.

**Marjorie Toward**

**Service Director for Customers, Governance and Employees**

**For any enquiries about this report please contact: Caroline Agnew**

#### **Constitutional Comments [SLB 29/11/18]**

15. Governance and Ethics Committee is the appropriate body to consider the content of this report.

#### **Financial Comments [SES 29/11/18]**

16. There are no specific financial implications arising directly from this report.

#### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Establishing and Implementing an Information Governance Improvement Programme – Policy Committee (June 2017)
- Information Governance Improvement Programme Update – Governance and Ethics Committee (December 2017)
- Information Governance Improvement Programme Progress Update – Governance and Ethics Committee (June 2018)

#### **Electoral Division(s) and Member(s) Affected**

All



**REPORT OF THE SERVICE DIRECTOR FOR FINANCE,  
INFRASTRUCTURE AND IMPROVEMENT****NATIONAL AUDIT OFFICE CYBER SECURITY AND INFORMATION RISK  
GUIDANCE FOR AUDIT COMMITTEES****Purpose of the Report**

1. To provide Members with a review of the advice for audit committees on cyber security provided by the national audit office, an assessment of the current state for Nottinghamshire County Council against this advice and to brief Members on the current activity to strengthen the Authority's position where required.

**Information and Advice****Background**

2. The County Council's approach to cyber security has traditionally been addressed by the ICT function and delivered through a combination of a strength in depth technical security posture combined with compliance to certification programmes such as PSN (Public Services Network).
3. This approach has recently been complemented by the formation of the Information Governance (IG) Team and the work of the IG improvement programme.
4. The National Audit Office (NAO) guidance for audit committees (Appendix 1) recognises that effective cyber security cannot be assured through technical defence alone and must include people (culture, behaviour and skills), process, technology and governance. This mirrors the approach adopted by the Authority through the IG improvement programme, the implementation of the new General Data Protection Regulations (GDPR) and the technical defences deployed.
5. In order to support committees in their oversight and governance of cyber defence capabilities with their organisations, the guidance recommends a number of questions are posed and the responses monitored. A current state assessment conducted by the ICT architecture team has been included in this report along with a summary of the rationale for the RAG status where this is other than green. A more detailed question breakdown used to inform this summary has been included as appendix 2.

**Current state assessment**

6. The guidance groups the questions into three sections:

- a. Section 3. High level questions
- b. Section 4. More detailed areas to explore
- c. Section 4. Additional questions

3. High Level Questions	
1. Has the organisation implemented a formal regime or structured approach to cyber security which guides its activities and expenditure?	Amber
2. How has management decided what risk it will tolerate and how does it manage that risk?	Red
3. Has the organisation identified and deployed the capability it needs in this area?	Amber

**Assessment summary:**

- 7. Question 3.1 is rated as amber due to the assessment that existing regimes and approaches are not formalised. At present, activity and resulting expenditure are focused on obtaining and maintaining compliance to national standards and best practice. Many of the component parts exist but these need formalising into an organisation wide information security management system (ISMS). Work currently underway by ICT and the Data Protection Officer to agree how this is delivered and managed in the future will strengthen this assessment.
- 8. Question 3.2 is rated as red due to the current risk management processes identifying and mitigating risk on an individual or departmental risk basis. Recommendations are being considered by Information Governance Group to strengthen the governance of information risk and consideration of these recommendations overlap the presentation of this report.
- 9. Question 3.3 is rated as amber. There are dedicated security roles in the ICT structure that design, manage and update the security policies and procedures for the Authority. The Authority has a nominated data protection officer and an information governance team. The ICT function also has a 'flex' model as part of the structure that allows temporary resource to be brought in for specific purposes as and when the needs arise. Tools that automate some of the threat prevention capability are assessed regularly in order to maximise the effectiveness of the resources available and the use of the higher end tools would strengthen the assessment. However, there is a significant cost implication that has to be balanced with the likelihood of the mitigated risk materialising.

<b>4. More detailed areas to explore</b>	
1. Information risk management regime	Amber
2. Secure configuration	Green
3. Network Security	Green
4. Managing User Privileges	Amber
5. User education and awareness	Green
6. Incident management	Green
7. Malware protection	Green
8. Monitoring	Amber
9. Removable media controls	Green
10. Home and mobile working	Green

#### **Assessment summary:**

10. Question 4.1 is currently assessed as amber but plans are in place to both exploit new tools available once migration to the new cloud based services is complete in 2019 and this will strengthen the position and hence the assessment.
11. Question 4.4 is currently assessed as amber only because audit logs are not routinely analysed for unusual behaviour, logs are analysed on a per incident basis. Other controls concerning user privileges are conducted in line with industry best practice and funding streams via the LGA are being explored to enable routine log analysis.
12. Question 4.8 is assessed as amber as a Protective Monitoring Standard ensures that logs can be monitored to detect attacks and for subsequent forensic analysis. Log analysis is currently manual and therefore quite limited. ICT Services are investigating funding opportunities from the Local Government Association cyber security stocktake to supplement the logging and monitoring capability.

<b>5. Additional questions</b>	
1. Using Cloud Services	Green
2. Development of new services or technology	Green

#### **Summary**

13. The NAO guidance provides a sound blueprint for the management of information and cyber security. The assessment of the current state indicates that there are improvements to be made but we are starting from a sound footing.

14. From a technical perspective, our current protection methods and infrastructure have remained resilient and currently successfully defend over 65,000 malicious emails, approx. 26,000 attempts to exploit known vulnerabilities and 3,500 attempted virus outbreaks on a weekly basis.
15. The Authority's standards and guidance on information and IT security have been refreshed and are due for publication in December 2019.
16. The establishment of an information governance team and information improvement programme have greatly improved the management of our sensitive data.
17. There are however, improvements that can be considered to improve how information and cyber risk should be governed and managed by the Authority as a whole and an update report to this committee on progress will be presented at a later date.

## **Statutory and Policy Implications**

18. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

It is recommended that:

- 1) Members agree to receive an update report in 6 months' time and consider what further action they wish to take.

**Nigel Stevenson**

**Service Director Finance, Infrastructure and Improvement**

**For any enquiries about this report please contact:**

**Adam Crevald, Group Manager Design (ICT)**  
**(0115 9772839)**

### **Constitutional Comments (HD 7/12/18)**

The recommendations fall within the remit of the Governance and Ethics Committee by virtue of its terms of reference.

### **Financial Comments: (CSB 10/12/2018)**



**There are no specific financial implications arising directly from this report.**

**Background Papers**

None

**Electoral Division(s) and Member(s) Affected**

All



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**Good practice guide**

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**Cyber and information security**

# Cyber security and information risk guidance for Audit Committees

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This report can be found on the  
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# 1 Introduction

Our interactions with audit committees across the public sector suggest that, alongside rising awareness of the risks associated with cyber security, there is still considerable uncertainty about how committees can best exercise their responsibilities in this area. We have therefore produced this guidance to help them consider the issues involved and structure their discussions with management representatives.

## Why this issue requires attention

Information is a critical business asset that is fundamental to the continued delivery and operation of any government service. Departments and public bodies must have confidence in the confidentiality, integrity and availability of their data. Any personal data collected, stored and processed by public bodies are also subject to specific legal and regulatory requirements.

Cyber incidents pose an increasing threat to public bodies' management of their information, with hacking, ransomware, cyber fraud and accidental information losses all present throughout the public sector. A realistic understanding of cyber issues is essential to protecting public services and users, particularly as the drive to making public services digital continues. In many organisations, the capability of staff to deal with this issue has not kept pace with the risks.

An additional complexity arises when public bodies need to share data. Organisations need to have mutual trust in each other's ability to keep data secure and take assurance from each other's risk management and information assurance arrangements for this to happen successfully. Not getting this right means that either government fails to deliver the benefits of joining up services or puts its information at increased risk by sharing it across a wider network.

## Why audit committees need to monitor cyber risks

As government's guidance to audit committees makes clear, cyber security is now an area of management activity that audit committees should scrutinise.<sup>1</sup> Together with the rapidly changing nature of the risk, this means that there is an important role for audit committees in understanding whether management is adopting a clear approach, if they are complying with their own rules and standards and whether they are adequately resourced to carry out these activities.

## What we have found through our work

In September 2016, we published our report on *Protecting information across government*.<sup>2</sup> The report describes this devolution of the government's approach to cyber and information security and the lack of coherence between the various bodies responsible for governance, oversight and incident response.

In separate pieces of work on digital skills and online fraud, we have also noted the considerable challenge the public sector has in recruiting and retaining staff with the right experience and the lack of coordination across government and law enforcement agencies in dealing with criminal cyber activity.

Through our financial audits we routinely find weaknesses in financial system controls. We conducted detailed system audits on 30 bodies in 2017, of which 24 had access control weaknesses. We also frequently find issues in system change controls, business continuity, and third party oversight.

## How government policy has changed in this area

In the past much of the guidance, governance, mandatory standards and compliance regimes were provided by the centre of government. The 2014 Government Security Policy framework remains the primary reference point for central government in this area.<sup>3</sup> But the centre of government is increasingly stepping away from prescribing how individual departments and bodies should approach cyber risk, believing that each organisation's operating model and risk appetite should drive its own, separate response.

While this approach gives individual organisations freedom to make decisions, it also means that it is their responsibility to make their own assessments of what standards or frameworks they wish to adopt. Government has issued various sets of standards or guidance, from *10 Steps to Cyber Security*, to *Cyber Essentials*, *Get Safe Online* and *Cyber Aware*, but has not always made clear who should use which of these. In addition, bodies in some sectors, such as defence, have developed specific approaches which they use with suppliers. Others are using industry standards such as ISO 27001.

The newly established National Cyber Security Centre is bringing together some guidance and advice, but it often relates to a specific area such as the use of passwords or principles for cloud security, rather than providing an overall framework. All of this means it is vital for public bodies to decide what overall framework or approach is most suitable for them.

<sup>2</sup> [www.nao.org.uk/report/protecting-information-across-government/](http://www.nao.org.uk/report/protecting-information-across-government/)

<sup>3</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/316182/Security\\_Policy\\_Framework\\_-\\_web\\_-\\_April\\_2014.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/316182/Security_Policy_Framework_-_web_-_April_2014.pdf)



## 2 Our guidance

### How this guidance links to other standards

We do not wish to add to the problem described above by producing yet another set of guidance. The guidance set out in Part 4 is therefore based on the government's *10 Steps to cyber security*. We have however supplemented it in two ways. Firstly, in this section, we have considered some over-arching questions that may help audit committees address strategic issues before getting into areas of detail. Secondly, in Part 5, we have listed some other challenges not covered by the *10 Steps* guidance, to cover newer or emerging areas of technology.

### What this guidance covers

What we mean by cyber security is the activity required to protect an organisation's computers, networks, software and data from unintended or unauthorized access, change or destruction via the internet or other communications systems or technologies. Effective cyber security relies on people and management processes as well as technical controls.

Cyber security is part of the wider activity of information security. Information security is a broad term that encompasses electronic, physical and behavioural threats to an organisation's systems and data, covering people and processes. Data can of course be stored both electronically and physically (e.g. on paper).

In focusing on cyber security, this guidance largely considers the security of electronic data and related processes and transactions. For some organisations with large volumes of paper records or which need to secure physical access, however, wider information security activity can be just as important to safeguard their operational performance or reputation.





### 3 High-level questions

In engaging with management to explore the issue of cyber security, audit committees may wish to consider various high-level issues first before discussing points of detail or technical activity. From our experience of auditing the performance of a number of different client bodies, we think the following issues represent a good set of initial topics for discussion.

In each case, we have set out a high level question and some aspects of what a good answer might look like, although these may vary by organisation. Overall, management should be able to describe a balanced approach which considers people (culture, behaviours, and skills), process, technology and governance to ensure a flexible and resilient information and cyber security response.

#### **1** Has the organisation implemented a formal regime or structured approach to cyber security which guides its activities and expenditure?

- a** There should be some kind of information security management system in place and under active management, covering policy, processes, governance, skills and training.
- b** This might involve formal certification through schemes such as Cyber Essentials or ISO 27001. This may have been implemented or certified by consultants or specialist bodies from government.
- c** Boards, working groups and individuals should have been allocated specific responsibilities for managing cyber risks.
- d** There should be plans for resilience and recovery in place and these should be exercised regularly.
- e** There should be a clear assessment of the potential risk arising from electronic links with any supply chain or operational partners.

## **2** How has management decided what risk it will tolerate and how does it manage that risk?

- a** The board should have discussed its overall approach, based on a clear and common understanding of the range of information assets it holds and agreeing which of those are critical to the business.
- b** There should be a clear understanding of the kind of threats and risks the organisation actually faces, based on incident reporting and relevant performance indicators.
- c** The organisation proactively manages cyber risks as an integrated facet of broader risk management, including scrutiny of security policies, technical activity, information security breach reporting, user education and testing and monitoring regimes.
- d** The organisation may be involved in sector or peer information exchange mechanisms to improve its understanding.

## **3** Has the organisation identified and deployed the capability it needs in this area?

- a** There is either sufficient staff capability to deal with cyber security issues or formal arrangements made to secure this capability from external providers.
- b** There may be actively managed plans in place for the recruitment and retention of staff with specialist security skills.
- c** There should be clear policies on the handling and storage of data, based on relevant legal requirements, such as the General Data Protection Regulation.
- d** There is training available for all staff to ensure appropriate levels of awareness and compliance.
- e** Testing may be conducted to measure the effectiveness of controls.



## 4 More detailed areas to explore

The National Cyber Security Centre has identified 10 steps for cyber security to help organisations manage cyber risks. Based on these 10 steps we have set out below a series of more detailed questions that audit committees may wish to ask management in order to gain assurance that effective controls are in place.

As part of its assessment, audit committees should consider the quality of the evidence underpinning the assurances provided by management, including whether there is good evidence that the policies and procedures are well designed, consistently implemented, and operating effectively with an appropriate compliance regime, in all relevant areas of the business.

### 1 Information risk management regime

- Are the governance arrangements for managing information risk based on the importance of data?
- Do information professionals liaise with central government, stakeholders and suppliers to understand the threat?
- Does senior management understand and engage with risk mitigation processes and promote a risk management culture?

### 2 Secure configuration

- Does a system inventory exist?
- Are security patches applied regularly?
- Are vulnerability scans conducted regularly?
- Is there a minimum defined security requirement included in the baseline build for all devices?
- Have higher risk device users (e.g. non-executive board members, temporary staff) been identified and managed?

### 3 Network security

- Is the network perimeter managed?
- Do information professionals identify, group and protect critical business systems?
- Are security controls monitored and tested?

### 4 Managing user privileges

- Are there effective account management processes, with limits on privileged accounts?
- Are user privileges controlled and monitored on the basis of policies for user authentication and access?
- Is access to activity and audit logs controlled? Are these logs reviewed for unusual behaviour?

### 5 User education and awareness

- Does the organisation have security policies covering acceptable and secure use of data?
- Are there grade and role appropriate levels of staff training covering secure processes and use of systems?
- Are staff aware of information security and cyber risks?
- Do staff know how to report issues and incidents?

### 6 Incident management

- Does the organisation have an incident response and disaster recovery capability, with suitably trained staff?
- Are there incident management plans and are these tested?
- Are potential criminal incidents reported to law enforcement bodies and relevant data breaches reported to the Information Commissioner's Office?

## 7 Malware protection

- Are there effective anti-malware defences in place across all business areas?
- Is there regular scanning for malware?
- Are there controls to filter access from web browsers?
- What changes have been made as a result of monitoring results?

## 8 Monitoring

- Is there a monitoring strategy in place for all ICT systems and networks?
- Do logs and other monitoring activities enable the identification of unusual activity that could indicate an attack?
- Can logs support investigations by showing who accessed what, when they did so and what they did to the information?

## 9 Removable media controls

- Is there a policy on the use of removable media (e.g. flash drives)?
- Is data encrypted before storage on removable media?
- Are media scanned for malware before being linked to the system?

## 10 Home and mobile working

- Is there a clear policy on mobile working, with associated training?
- Is a secure baseline build applied to all mobile devices?
- Are data protected outside formal work environments, including in transit?



## 5 Additional questions

Because technology has developed since the 10 Steps guidance was published and continues to evolve, we have added below some additional questions on two critical areas which are increasingly having an impact on organisations' cyber security postures: using cloud services and developing new technology or services.

### 1 Using cloud services

- Has the organisation followed recognised guidance, such as the National Cyber Security Centre's cloud security principles, before committing to using cloud services?
- Does the organisation have a strategy for the use of cloud services, based on a clear understanding of personal data privacy and consent implications, as well as in-depth analysis of how cloud services will interface securely with existing services, systems and processes?
- Has the organisation undertaken due diligence on proposed cloud suppliers? This might include assessing:
  - their security accreditation and protocols;
  - contract liability for data losses or service unavailability;
  - whether they have a reputable in-house security team;
  - their approach to proactive testing and historical evidence of how they have responded to security issues;
  - whether the organisation is allowed to perform its own security testing; and
  - the organisation's ability to retain control of information when leaving the cloud provider.
- Has the technical architecture of the system, or the supplier's system, been reviewed by an appropriate security expert, providing an independent assessment of the system's design to ascertain whether the system provides a reasonable level of mitigation for potential attacks?
- Where cloud services are already being used, does the organisation have processes for checking performance against agreed security practices?
- Are plans to mitigate data loss in place, for example using point-in-time backups?

## 2 Development of new services or technology

- Have security considerations been formally assessed as part of new product or service development?
- Have decision-makers understood security and risk trade-offs through business cases and investment decision processes?
- How far has the organisation relied on others' research versus its own to understand the security of the new technology?
- Are system development activities undertaken in a separate environment from live services?
- How has the proposed network been designed to ensure control and, if necessary, separation of devices from other parts of the organisation's network?



## 6 Further resources

Below is a selection of guidance and insights that may be useful.

### Government guidance

- 1 2014 Government Security Framework:  
[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/316182/Security\\_Policy\\_Framework\\_-\\_web\\_-\\_April\\_2014.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/316182/Security_Policy_Framework_-_web_-_April_2014.pdf)
- 2 Cloud guidance:  
[www.ncsc.gov.uk/guidance/how-confident-can-you-be-cloud-security](http://www.ncsc.gov.uk/guidance/how-confident-can-you-be-cloud-security)  
[www.ncsc.gov.uk/guidance/cloud-security-standards-and-definitions](http://www.ncsc.gov.uk/guidance/cloud-security-standards-and-definitions)
- 3 Security frameworks:  
[www.ncsc.gov.uk/guidance/summary-risk-methods-and-frameworks](http://www.ncsc.gov.uk/guidance/summary-risk-methods-and-frameworks)  
[www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf](http://www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf)
- 4 Assessment of organisations information security maturity – previously centrally mandated but still used by many departments:  
[www.ncsc.gov.uk/articles/hmg-ia-maturity-model-iamm](http://www.ncsc.gov.uk/articles/hmg-ia-maturity-model-iamm)  
[www.ncsc.gov.uk/content/files/guidance\\_files/GPG40%20-%20Information%20Assurance%20Maturity%20Model%20-%20issue%202.1%20Oct%202015%20-%20NCSC%20Web.pdf](http://www.ncsc.gov.uk/content/files/guidance_files/GPG40%20-%20Information%20Assurance%20Maturity%20Model%20-%20issue%202.1%20Oct%202015%20-%20NCSC%20Web.pdf)

### NAO work on information and cyber security

- 1 The digital skills gap in government: Survey findings  
[www.nao.org.uk/report/the-digital-skills-gap-in-government-survey-findings/](http://www.nao.org.uk/report/the-digital-skills-gap-in-government-survey-findings/)
- 2 Protecting Information across government  
[www.nao.org.uk/report/protecting-information-across-government/](http://www.nao.org.uk/report/protecting-information-across-government/)
- 3 Online fraud  
[www.nao.org.uk/report/online-fraud/](http://www.nao.org.uk/report/online-fraud/)



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National Audit Office

# Appendix 2

## Cyber security and information risk guidance for Audit Committees

National Audit Office – Good practice guide.

### 3. High Level Questions

1. *Has the organisation implemented a formal regime or structured approach to cyber security which guides its activities and expenditure?*

There is no organisation wide Cyber Security Strategy, but IT are developing a Cyber Security investment roadmap, informed by multiple external audits and reports, to improve this area.

- a. *There should be some kind of information security management system in place and under active management, covering policy, processes, governance, skills and training.*

There is no formal Information Security Management System (ISMS) in place. NCC has many components of an ISMS, such as Security Policies, procedures and technical controls, but these are not drawn together in an ISMS framework. A formal ISMS, such as ISO 27001, requires a significant investment of resources, and buy in across the business; it is not an IT function but a business management process.

For background, the following excerpts from [itgovernance.co.uk](http://itgovernance.co.uk) explain what an ISMS looks like:

- A. A centrally managed framework for keeping an organisation's information safe
- B. A set of policies, procedures, technical and physical controls to protect the confidentiality, availability and integrity of information.
- C. Includes not only technical controls but also controls to treat additional, more common risks related to people, resources, assets and processes.
- D. Based on a risk assessment across the organisation that considers internal and external risks. This means all risks are assessed, analysed and evaluated against a set of predetermined criteria before risk treatments (controls) are applied. Controls are applied based on the likelihood and potential impact of the risks.
- E. A framework that helps you make appropriate decisions about the risks that are specific to your business environment.
- F. Dependent on support and involvement from the entire business – not just the IT department – from the cleaner right up to the CEO.
- G. Not an IT function but a business management process.

- b. This might involve formal certification through schemes such as Cyber Essentials or ISO 27001. This may have been implemented or certified by consultants or specialist bodies from government.*

NCC are Cyber Essentials certified. ISO 27001 takes a more comprehensive approach, focussed on organisational risk management.

- c. Boards, working groups and individuals should have been allocated specific responsibilities for managing cyber risks.*

ICT Services has a risk management process, IT Security Team and Security Architect, and the business has a Data Protection Officer, Information Governance Team, Information Governance Group and G&E committee.

- d. There should be plans for resilience and recovery in place and these should be exercised regularly.*

The organisation completes business continuity exercises, and ICT has a Major Incident process which is tested frequently.

- e. There should be a clear assessment of the potential risk arising from electronic links with any supply chain or operational partners.*

Supply Chain risks are mitigated as part of the ongoing supplier and third party management processes which have recently been strengthened as part of the work done by NCC to ensure it is GDPR compliant. All contracts also require suppliers to be Cyber Essentials certified.

## *2. How has management decided what risk it will tolerate and how does it manage that risk?*

There is no formal statement of NCC's risk appetite.

- a. The board should have discussed its overall approach, based on a clear and common understanding of the range of information assets it holds and agreeing which of those are critical to the business.*

Cyber Security risks have typically been assessed and prioritised within ICT Services rather than at board level.

- b. There should be a clear understanding of the kind of threats and risks the organisation actually faces, based on incident reporting and relevant performance indicators.*

Cyber Security KPIs are collated within ICT Services.

- c. The organisation proactively manages cyber risks as an integrated facet of broader risk management, including scrutiny of security policies, technical activity, information security breach reporting, user education and testing and monitoring regimes.*

Cyber risks are managed within ICT Services rather than part of broader organisational risk management but security policies, information security breach reporting and user education are managed organisation wide.

- d. The organisation may be involved in sector or peer information exchange mechanisms to improve its understanding.*

The IT Security Team are part of the NCSC Cyber Security Information Sharing Partnership (CiSP) and chair the East Midlands Group Warning Advice Reporting Point (EMGWARP).

### *3. Has the organisation identified and deployed the capability it needs in this area?*

- a. There is either sufficient staff capability to deal with cyber security issues or formal arrangements made to secure this capability from external providers.*

Cyber security threats are increasing, and so must the technical and procedural controls required to protect NCC from them. ICT Services are looking at ways to automate more cyber security threat prevention to reduce the pressure on the limited resources.

- b. There may be actively managed plans in place for the recruitment and retention of staff with specialist security skills.*

ICT Services utilises cyber security contractors to fill any skills gaps.

- c. There should be clear policies on the handling and storage of data, based on relevant legal requirements, such as the General Data Protection Regulation.*

A completely updated set of IT Security policies covering the handling and storage of data have been written and are due to be published in December.

- d. There is training available for all staff to ensure appropriate levels of awareness and compliance.*

Cyber security training is provided to all staff, with supplemental training provided to staff who handle particularly sensitive data, such as Social Care staff.

- e. Testing may be conducted to measure the effectiveness of controls.*

Staff are tested on their understanding as part of their cyber security training. Other controls are audited as part of NCC's Cyber Essentials, IG Toolkit/DSP Toolkit and PSN compliance.

## *4. More detailed areas to explore*

### *1. Information risk management regime*

- Are the governance arrangements for managing information risk based on the importance of data?*

Increasingly, the classification data affects the way the information risk is handled, throughout IT and IG security standards and related controls.

- *Do information professionals liaise with central government, stakeholders and suppliers to understand the threat?*

ICT Services work with the National Cyber Security Centre (NCSC and CiSP), as well as through external consultancy, to understand the threats.

- *Does senior management understand and engage with risk mitigation processes and promote a risk management culture?*

Cyber Security risk management is conducted by ICT Services. Information risks are managed by the Information Governance Team. There is no overarching or dedicated Cyber Security Risk Management process or group.

## 2. Secure configuration

- *Does a system inventory exist?*
- *Are security patches applied regularly?*
- *Are vulnerability scans conducted regularly?*
- *Is there a minimum defined security requirement included in the baseline build for all devices?*
- *Have higher risk device users (e.g. non-executive board members, temporary staff) been identified and managed?*

ICT Services use Microsoft's System Center Configuration Manager (SCCM) to provide a system inventory in conjunction with a Patching Standard to direct patching frequency. ICT Services are working towards running regular vulnerability scans to supplement the annual vulnerability scans conducted as part of compliance regimes. All builds are based on National Cyber Security Centre best practice and devices are configured to mitigate security risks regardless of the user.

## 3. Network Security

- *Is the network perimeter managed?*
- *Do information professionals identify, group and protect critical business systems?*
- *Are security controls monitored and tested?*

Next Generation firewalls are used to manage the network perimeter. Currently, all systems are protected equally, and key security controls are monitored and tested.

## 4. Managing User Privileges

- *Are there effective account management processes, with limits on privileged accounts?*
- *Are user privileges controlled and monitored on the basis of policies for user authentication and access?*
- *Is access to activity and audit logs controlled? Are these logs reviewed for unusual behaviour?*

Account management processes exist that limit and monitor the assignment of privileged accounts and policies exist that cover the assignment of other user privileges. Log monitoring is not routinely

undertaken, but ICT Services are investigating funding opportunities from the Local Government Association cyber security stocktake to supplement the logging and monitoring capability.

5. User education and awareness

- Does the organisation have security policies covering acceptable and secure use of data?
- Are there grade and role appropriate levels of staff training covering secure processes and use of systems?
- Are staff aware of information security and cyber risks?
- Do staff know how to report issues and incidents?

Security policies cover the acceptable and secure use of data. Specific application training is provided to staff for some systems or with particular roles, and all staff receive general cyber security training which includes who to report issues to.

6. Incident management

- Does the organisation have an incident response and disaster recovery capability, with suitably trained staff?
- Are there incident management plans and are these tested?
- Are potential criminal incidents reported to law enforcement bodies and relevant data breaches reported to the Information Commissioner's Office?

An IT Security Incident Response Standard ensures that key third parties are informed, such as the Police or ICO, and a IT Major Incident Process covers disaster recovery. Cyber Security Incident Response processes for common incidents are fully documented and tested. The Security Incident Response Standard details who to report incidents to, including the Police and the ICO.

7. Malware protection

- Are there effective anti-malware defences in place across all business areas?
- Is there regular scanning for malware?
- Are there controls to filter access from web browsers?
- What changes have been made as a result of monitoring results?

Sophos anti-virus provides real time protection to all devices combined with firewalls configured to detect and prevent malware at the network level and to filter malicious content from the internet. Full activity logs are kept to investigate any issues.

8. Monitoring

- Is there a monitoring strategy in place for all ICT systems and networks?
- Do logs and other monitoring activities enable the identification of unusual activity that could indicate an attack?
- Can logs support investigations by showing who accessed what, when they did so and what they did to the information?

A Protective Monitoring Standard ensures that logs can be monitored to detect attacks and for subsequent forensic analysis. Log analysis is currently manual and therefore quite limited. ICT Services are investigating funding opportunities from the Local Government Association cyber security stocktake to supplement the logging and monitoring capability

#### 9. Removable media controls

- *Is there a policy on the use of removable media (e.g. flash drives)?*
- *Is data encrypted before storage on removable media?*
- *Are media scanned for malware before being linked to the system?*

The use of removable media is included as part of the Anti-malware and Encryption Standards, ensuring that removable media data is always encrypted and scanned for malware.

#### 10. Home and mobile working

- *Is there a clear policy on mobile working, with associated training?*
- *Is a secure baseline build applied to all mobile devices?*
- *Are data protected outside formal work environments, including in transit?*

The Remote Access Standard provides the mobile working policy. NCC uses a VPN solution for remote working, providing protection for data in transit that is securely built into all devices requiring no user intervention and therefore no training to be able to use it securely. A baseline build from the National Cyber Security Centre is used for all mobile devices which includes full disk encryption, protecting data at rest.

## 5. Additional questions

#### 1. Using Cloud Services

- *Has the organisation followed recognised guidance, such as the National Cyber Security Centre's cloud security principles, before committing to using cloud services?*
- *Does the organisation have a strategy for the use of cloud services, based on a clear understanding of personal data privacy and consent implications, as well as in-depth analysis of how cloud services will interface securely with existing services, systems and processes?*
- *Has the organisation undertaken due diligence on proposed cloud suppliers? This might include assessing:*
  - *their security accreditation and protocols;*
  - *contract liability for data losses or service unavailability;*
  - *whether they have a reputable in-house security team;*
  - *their approach to proactive testing and historical evidence of how they have responded to security issues;*
  - *whether the organisation is allowed to perform its own security testing; and*
  - *the organisation's ability to retain control of information when leaving the cloud provider.*
- *Has the technical architecture of the system, or the supplier's system, been reviewed by an appropriate security expert, providing an independent assessment of the system's design to ascertain whether the system provides a reasonable level of mitigation for potential attacks?*
- *Where cloud services are already being used, does the organisation have processes for checking performance against agreed security practices?*
- *Are plans to mitigate data loss in place, for example using point-in-time backups?*

NCC has used the NCSC's cloud security principles to guide the use of cloud services. A cloud first strategy is underpinned by a Cloud Security Standard and related procedures and processes, such as the DPIA process, that ensure the security of information is maintained within the cloud.



All cloud service providers are comprehensively assessed before being utilised, in proportion to the information classification being stored or processed. Where OFFICIAL-SENSITIVE information is involved, external security accreditation and penetration testing is used as part of the assessment.

Cloud service providers are not periodically rechecked for performance against agreed security practices.

## 2. *Development of new services or technology*

- *Have security considerations been formally assessed as part of new product or service development?*
- *Have decision-makers understood security and risk trade-offs through business cases and investment decision processes?*
- *How far has the organisation relied on others' research versus its own to understand the security of the new technology?*
- *Are system development activities undertaken in a separate environment from live services?*
- *How has the proposed network been designed to ensure control and, if necessary, separation of devices from other parts of the organisation's network?*

Security controls are assessed for all internal system developments, including vulnerability scans and external independent penetration testing where the data classification and risk require it, as described by the System Configuration and Management Standard. New systems, especially those with a specific cyber security purpose or risk, are assessed by referring to external testing reports, such as those provided by Gartner or the NCSC.

System development is separated from live at a functional level whilst firewall segmented networks ensure network access is only provided where required.



18 December 2018

Agenda Item: 8

## **REPORT OF SERVICE DIRECTOR – FINANCE, INFRASTRUCTURE AND IMPROVEMENT.**

### **EXTERNAL AUDIT – PROGRESS REPORT**

#### **Purpose of the Report**

1. To present to Members the External Auditors' latest Progress Report.

#### **Information and Advice**

2. Public Sector Audit Appointments Limited (PSAA) carried out a procurement exercise in 2017 to appoint external auditors to 484 (98%) eligible authorities. Grant Thornton have been appointed the external auditors for Nottinghamshire County Council and the Nottinghamshire Pension Fund for the period 2018/19 to 2022/23.
3. The attached progress report from Grant Thornton provides an overview of the progress made to date with regard to delivering their responsibilities. It also highlights a number of emerging issues that are impacting upon local government nationally. The Audit Engagement Lead and the Audit Engagement Manager from Grant Thornton will be in attendance to present the report and respond to Members' queries.

#### **Reason/s for Recommendation/s**

4. To provide information to Members on the External Auditors' latest Progress Report.

#### **Statutory and Policy Implications**

5. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) That Members comment upon the External Auditors' latest Progress Report.

**Nigel Stevenson**

**Service Director – Finance, Infrastructure & Improvement**

**For any enquiries about this report please contact:**

Nigel Stevenson tel. 0115-9773033

### **Constitutional Comments (SLB 05/12/2018)**

6. Governance and Ethics Committee is the appropriate body to consider the content of this report.

### **Financial Comments (GB 03/12/2018)**

7. The total audit fees for the 2018/19 external audit are £75,624 for Nottinghamshire County Council and £23,043 for the Nottinghamshire Pension Fund.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All

# Audit Progress Report and Sector Update

Nottinghamshire County Council  
Nottinghamshire Pension Fund  
Year ending 31 March 2019

18 December 2018



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# Introduction



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This paper provides the Governance & Ethics Committee with a report on progress in delivering our responsibilities as your external auditors.

The paper also includes:

- a summary of emerging national issues and developments that may be relevant to you as a local authority; and
- includes a number of challenge questions in respect of these emerging issues which the Committee may wish to consider (these are a tool to use, if helpful, rather than formal questions requiring responses for audit purposes)

Members of the Governance & Ethics Committee can find further useful material on our website, where we have a section dedicated to our work in the public sector. Here you can download copies of our publications [www.grantthornton.co.uk](http://www.grantthornton.co.uk).

If you would like further information on any items in this briefing, or would like to register with Grant Thornton to receive regular email updates on issues that are of interest to you, please contact either your Engagement Lead or Engagement Manager.

# Progress at December 2018

## 2018/19 Audit

We have begun our planning processes for the 2018/19 financial year audits of the County Council and the Pension Fund, and have completed the handover process from your previous auditors, KPMG.

We have met with KPMG and have also reviewed their files and findings and have drawn some assurance from their work.

We have met with your Corporate Directors as well as other key officers and with the Chair of the Governance and Ethics Committee, in order to obtain a better understanding of the Council and the issues you are facing.

Our detailed work and audit visits will begin early in 2019 and we have discussed the timing of these visits with management. In the meantime we will:

- continue to hold regular discussions with management to inform our risk assessment for the 2018/19 financial statements and value for money audits;
- review minutes and papers from key meetings; and
- continue to review relevant sector updates to ensure that we capture any emerging issues and consider these as part of audit plans.

## Other areas

### Certification of claims and returns

We will undertake the certification of the Teachers Pension Claim for 2018/19 and any further claims and returns as required.

## Communication

### Meetings

We have quarterly liaison meetings in place with your key finance staff, including Internal Audit, and continue to be in discussions with them regarding emerging developments and to ensure the audit process is smooth and effective.

### Events

We provide a range of workshops, along with network events for members and publications to support the Council. Our next event is a Chief Accountants Workshop which your finance staff have received invitations to attend. Further details of the publications that may be of interest to the Council are set out in our Sector Update section of this report.



# Audit Deliverables

2018/19 Deliverables	Planned Date	Status
<b>Fee Letter</b> Confirming audit fee for 2018/19.	April 2018	Complete
<b>Accounts Audit Plan</b> We are required to issue a detailed accounts audit plan to the Audit Committee setting out our proposed approach in order to give an opinion on the Council's 2018-19 financial statements.	January 2019	Not yet due
<b>Interim Audit Findings</b> We will report to you the findings from our interim audit and our initial value for money risk assessment within our Progress Report.	April 2019	Not yet due
<b>Audit Findings Report</b> The Audit Findings Report will be reported to the July Audit Committee.	July 2019	Not yet due
<b>Auditors Report</b> This is the opinion on your financial statement, annual governance statement and value for money conclusion.	July 2019	Not yet due
<b>Annual Audit Letter</b> This letter communicates the key issues arising from our work.	August 2019	Not yet due

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# Sector Update

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Local government finances are at a tipping point. Councils are tackling a continuing drive to achieve greater efficiency in the delivery of public services, whilst facing the challenges to address rising demand, ongoing budget pressures and social inequality.

Our sector update provides you with an up to date summary of emerging national issues and developments to support you. We cover areas which may have an impact on your organisation, the wider NHS and the public sector as a whole. Links are provided to the detailed report/briefing to allow you to delve further and find out more.

Our public sector team at Grant Thornton also undertake research on service and technical issues. We will bring you the latest research publications in this update. We also include areas of potential interest to start conversations within the organisation and with audit committee members, as well as any accounting and regulatory updates.

- **Grant Thornton Publications**
- **Insights from local government sector specialists**
- **Reports of interest**
- **Accounting and regulatory updates**

More information can be found on our dedicated public sector and local government sections on the Grant Thornton website

# CIPFA consultation – Financial Resilience Index

The Chartered Institute of Public Finance and Accountancy (CIPFA) has consulted on its plans to provide an authoritative measure of local authority financial resilience via a new index. The index, based on publically available information, will provide an assessment of the relative financial health of each English council.

CIPFA has designed the index to provide reassurance to councils who are financially stable and prompt challenge where it may be needed. To understand the sector's views, CIPFA invited all interested parties to respond to questions it has put forward in the consultation by the 24 August.

The decision to develop an index is driven by CIPFA's desire to support the local government sector as it faces a continued financial challenge. The index will not be a predictive model but a diagnostic tool – designed to identify those councils displaying consistent and comparable features that will highlight good practice, but crucially, also point to areas which are associated with financial failure. The information for each council will show their relative position to other councils of the same type. Use of the index will support councils in identifying areas of weakness and enable them to take action to reduce the risk of financial failure. The index will also provide a transparent and independent analysis based on a sound evidence base.

The proposed approach draws on CIPFA's evidence of the factors associated with financial stress, including:

- running down reserves
- failure to plan and deliver savings in service provision
- shortening medium-term financial planning horizons.
- gaps in saving plans
- departments having unplanned overspends and/or undelivered savings.

Conversations with senior practitioners and sector experts have elicited a number of additional potential factors, including:

- the dependency on external central financing
- the proportion of non-discretionary spending – e.g. social care and capital financing - as a proportion of total expenditure
- an adverse (inadequate) judgement by Ofsted on Children's services
- changes in accounting policies (including a change by the council of their minimum revenue provision)
- poor returns on investments
- low level of confidence in financial management.

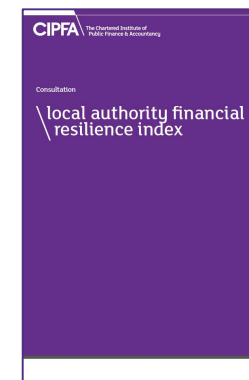
The consultation document proposes scoring six key indicators:

1. The level of total reserves excluding schools and public health as a proportion of net revenue expenditure.
2. The percentage change in reserves, excluding schools and public health, over the past three years.
3. The ratio of government grants to net revenue expenditure.
4. Proportion of net revenue expenditure accounted for by children's social care, adult social care and debt interest payments.
5. Ofsted overall rating for children's social care.
6. Auditor's VFM judgement.

## CIPFA Consultation

### Challenge question:

Has your Head of Finance briefed members on the Council's response to the Financial Resilience Index consultation?



# MHCLG – Social Housing Green Paper

The Ministry of Housing, Communities and Local Government (MHCLG) published the Social Housing Green Paper, which seeks views on government's new vision for social housing providing safe, secure homes that help people get on with their lives.

With 4 million households living in social housing and projections for this to rise annually, it is crucial that MHCLG tackle the issues facing both residents and landlords in social housing.

The Green Paper aims to rebalance the relationship between residents and landlords, tackle stigma and ensure that social housing can be both a stable base that supports people when they need it and also support social mobility. The paper proposes fundamental reform to ensure social homes provide an essential, safe, well managed service for all those who need it.

To shape this Green Paper, residents across the country were asked for their views on social housing. Almost 1,000 tenants shared their views with ministers at 14 events across the country, and over 7,000 people contributed their opinions, issues and concerns online; sharing their thoughts and ideas about social housing,

The Green Paper outlines five principles which will underpin a new, fairer deal for social housing residents:

- Tackling stigma and celebrating thriving communities
- Expanding supply and supporting home ownership
- Effective resolution of complaints
- Empowering residents and strengthening the regulator
- Ensuring homes are safe and decent

Consultation on the Green Paper is now underway, which seeks to provide everyone with an opportunity to submit views on proposals for the future of social housing and will run until 6 November 2018.

The Green Paper presents the opportunity to look afresh at the regulatory framework (which was last reviewed nearly eight years ago). Alongside this, MHCLG have published a Call for Evidence which seeks views on how the current regulatory framework is operating and will inform what regulatory changes are required to deliver regulation that is fit for purpose.

The Green Paper acknowledges that to deliver the social homes required, local authorities will need support to build by:

- allowing them to borrow
- exploring new flexibilities over how to spend Right to Buy receipts
- not requiring them to make a payment in respect of their vacant higher value council homes

As a result of concerns raised by residents, MHCLG has decided not to implement at this time the provisions in the Housing and Planning Act to make fixed term tenancies mandatory for local authority tenants.

The Green Paper is available on the MHCLG's website at:  
<https://www.gov.uk/government/consultations/a-new-deal-for-social-housing>

## Social Housing Green Paper Consultation



### Challenge question:

What does the Social Housing Green Paper mean for your local authority?



# MHCLG – Business rate pilots

The Secretary of State has invited more councils to apply for powers to retain the growth in their business rates under the new pilots. The pilots will see councils rewarded for supporting local firms and local jobs and ensure they benefit directly from the proceeds of economic growth.

From April 2019, selected pilot areas will be able to retain 75% of the growth in income raised through business rates, incentivising councils to encourage growth in business and on the high street in their areas. This will allow money to stay in communities and be spent on local priorities - including more funding to support frontline services.

This follows the success of previous waves of business rates retention pilots, launched in a wide range of areas across country in 2017 and 2018.

The current 50% business rates retention scheme is yielding strong results and in 2018 to 2019 it is estimated that local authorities will keep around £2.4 billion in business rates growth.

Findings from the new round of pilots will help the government understand how local authorities can smoothly transition into the proposed system in 2020.

Proposals will need to show how local authorities would 'pool' their business rates and work collaboratively to promote financial sustainability, growth or a combination of these.

Alongside the pilots, the government will continue to work with local authorities, the Local Government Association, and others on reform options that give local authorities more control over the money they raise and are sustainable in the long term.

The invitation is addressed to all authorities in England, excluding those with ongoing business rates retention pilots in devolution areas and London. Due to affordability constraints, it may be necessary to assess applications against selection criteria, which will include:

- Proposed pooling arrangements operate across a functional economic area
- Proposal demonstrates how pooled income from growth will be used across the pilot area to either boost further growth, promote financial sustainability or a combination of these
- Proposal sets out robust governance arrangements for strategic decision-making around management of risk and reward and outlines how these support the participating authorities' proposed pooling arrangements

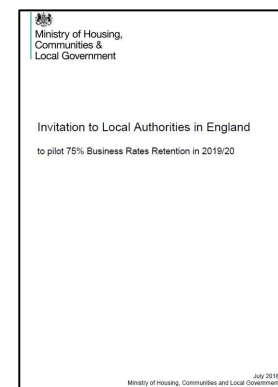
Any proposals will need to show that all participating authorities have agreed to become part of the suggested pool and share additional growth as outlined in the bid. The Section 151 officer of each authority will need to sign off the proposal before submission.

Proposal for new pilots must be received the MHCLG by midnight on Tuesday 25<sup>th</sup> September 2018.

## Business Rates pilots 2019/20

### Challenge question:

Has your authority considered applying to be a Business Rates pilot?



# Institute of Fiscal Studies: Impact of ‘Fair Funding Review’

The IFS has published a paper that focuses on the issues arising in assessing the spending needs of different councils. The government’s ‘Fair Funding Review’ is aimed at designing a new system for allocating funding between councils. It will update and improve methods for estimating councils’ differing abilities to raise revenues and their differing spending needs. The government is looking for the new system to be simple and transparent, but at the same time robust and evidence based.

## Accounting for councils’ spending needs

The IFS note that the Review is seeking a less subjective and more transparent approach which is focused on the relationship between spending and needs indicators. However, like any funding system, there will be limitations, for example, any attempt to assess needs will be affected by the MHCLG’s funding policies adopted in the year of data used to estimate the spending needs formula. A key consideration will be the inherently subjective nature of ‘spending needs’ and ‘needs indicators’, and how this will be dealt with under any new funding approach. Whilst no assessment of spending needs can be truly objective, the IFS state it can and should be evidence based.

The IFS also note that transparency will be critical, particularly in relation to the impact that different choices will have for different councils, such as the year of data used and the needs indicators selected. These differentiating factors and their consequences will need to be understood and debated.

## Accounting for councils’ revenues

The biggest source of locally-raised revenue for councils is and will continue to be council tax. However, there is significant variation between councils in the amount of council tax raised per person. The IFS identify that a key decision for the Fair Funding Review is the extent to which tax bases or actual revenues should be used for determining funding levels going forward.

Councils also raise significant sums of money from levying fees and charges, although this varies dramatically across the country. The IFS note that it is difficult to take account of these differences in a new funding system as there is no well-defined measure of revenue raising capacity from sales, fees and charges, unlike council tax where the tax base can be used.

## The overall system: redistribution, incentives and transparency

The IFS also identify that an important policy decision for the new system is the extent to which it prioritises redistribution between councils, compared to financial incentives for councils to improve their own socio-economic lot. A system that fully and immediately equalises for differences in assessed spending needs and revenue-raising capacity will help ensure different councils can provide similar standards of public services. However, it would provide little financial incentive for councils to tackle the drivers of spending needs and boost local economics and tax bases.

Further detail on the impact of the fair funding review can be found in the full report <https://www.ifs.org.uk/uploads/publications/comms/R148.pdf>.



# National Audit Office – The health and social care interface

The NAO has published its latest ‘think piece on the barriers that prevent health and social care services working together effectively, examples of joint working in a ‘whole system’ sense and the move towards services centred on the needs of the individual. The report aims to inform the ongoing debate about the future of health and social care in England. It anticipates the upcoming green paper on the future funding of adult social care, and the planned 2019 Spending Review, which will set out the funding needs of both local government and the NHS.

The report discusses 16 challenges to improved joint working. It also highlights some of the work being carried out nationally and locally to overcome these challenges and the progress that has been made. The NAO draw out the risks presented by inherent differences between the health and social care systems and how national and local bodies are managing these.

**Financial challenges** – include financial pressures, future funding uncertainties, focus on short-term funding issues in the acute sector, the accountability of individual organisations to balance the books, and differing eligibility criteria for access to health and social care services.

**Culture and structure** – include organisational boundaries impacting on service management and regulation, poor understanding between the NHS and local government of their respective decision-making frameworks, complex governance arrangements hindering decision-making, problems with local leadership holding back improvements or de-stabilising joint working, a lack of co-terminus geographic areas over which health and local government services are planned and delivered, problems with sharing data across health and social care, and difficulties developing person-centred care.

**Strategic issues** – include differences in national influence and status contributing to social care not being as well represented as the NHS, strategic misalignment of organisations across local systems inhibiting joint local planning, and central government’s unrealistic expectations of the pace at which the required change in working practices can progress..

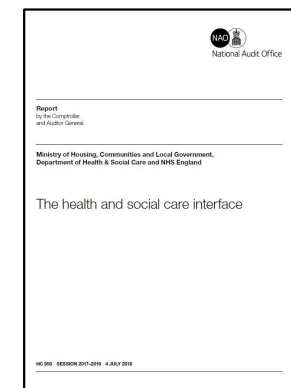
This ‘think piece’ draws on the NAO’s past work and draws on recent research and reviews by other organisations, most notably the Care Quality Commission’s review of health and social care systems in 20 local authority areas, which it carried out between August 2017 and May 2018. The NAO note that there is a lot of good work being done nationally and locally to overcome the barriers to joint working, but often this is not happening at the scale and pace needed.

The report is available to download from the NAO’s website at:  
<https://www.nao.org.uk/report/the-health-and-social-care-interface/>

## The health and social care interface

### Challenge question:

Has the Governance & Ethics Committee considered the 16 challenges to joint working and what can be done to mitigate these?





# A Caring Society – bringing together innovative thinking, people and practice

The Adult Social Care sector is at a crossroads. We have yet to find a sustainable system of care that is truly fit for purpose and for people. Our Caring Society programme takes a step back and creates a space to think, explore new ideas and draw on the most powerful and fresh influences we can find, as well as accelerate the innovative social care work already taking place.

We are bringing together a community of influencers, academics, investors, private care providers, charities and social housing providers and individuals who are committed to shaping the future of adult social care.

At the heart of the community are adult social care directors and this programme aims to provide them with space to think about, and design, a care system that meets the needs of the 21st Century, taking into account ethics, technology, governance and funding.

We are doing this by:

- hosting a 'scoping sprint' to determine the specific themes we should focus on
- running three sprints focused on the themes affecting the future of care provision
- publishing a series of articles drawing on opinion, innovative best practices and research to stimulate fresh thinking.

Our aim is to reach a consensus, that transcends party politics, about what future care should be for the good of society and for the individual. This will be presented to directors of adult social care in Spring 2019, to decide how to take forward the resulting recommendations and policy changes.

## Scoping Sprint

This took place in October. Following opening remarks by Hilary Cottam (social entrepreneur and author of *Radical Help*) and Cllr Georgia Gould (Leader of Camden Council), the subsequent discussion brought many perspectives but there was a strong agreement about the need to do things differently that would create and support a caring society. Grant Thornton will now take forward further discussions around three particular themes:

1. Ethics and philosophy: What is meant by care? Should the state love?
2. Care in a place: Where should the power lie? How are local power relationships different in a local place?
3. Promoting and upscaling effective programmes and innovation

## Sprint 1 – What do we really mean by 'care'?

This will take place on 4 December. Julia Unwin, Chair of the Civil Societies Futures Project, former CEO of the Joseph Rowntree Association and author on kindness will provide her insight to spark the debate on what we really mean by 'care'

## Find out more and get involved

- To read the sprint write-ups and opinion pieces visit: [grantthornton.co.uk/acaringsociety](http://grantthornton.co.uk/acaringsociety)
- Join the conversation at [#acaringsociety](https://twitter.com/acaringsociety)

### Challenge question:

How is your authority engaging in the debate about the future of social care?





# Care Homes for the Elderly – Where are we now?

It is a pivotal moment for the UK care homes market. In the next few months the government is to reveal the contents of its much-vaunted plans for the long-term funding of care for older people.

Our latest Grant Thornton report draws together the most recent and relevant research, including our own sizeable market knowledge and expertise, to determine where the sector is now and understand where it is heading in the future. We have spoken to investors, providers and market consultants to showcase the diversity and innovation that care homes can offer.

Flourishing communities are not a 'nice to have' but an essential part of our purpose of shaping a vibrant economy. Growth simply cannot happen sustainably if business is disconnected from society. That is why social care needs a positive growth framing. Far from being a burden, the sector employs more people than the NHS, is a crucible for technological innovation, and is a vital connector in community life. We need to think about social care as an asset and invest and nurture it accordingly.

There are opportunities to further invest to create innovative solutions that deliver improved tailored care packages to meet the needs of our ageing population.

The report considers a number of aspects in the social care agenda

- market structure, sustainability, quality and evolution
- future funding changes and the political agenda
- the investment, capital and financing landscape
- new funds and methods of finance
- future outlook.

The decline in the number of public-sector focused care home beds is a trend that looks set to continue in the medium-term. However, it cannot continue indefinitely as Grant Thornton's research points to a significant rise in demand for elderly care beds over the coming decade and beyond.

A strategic approach will also be needed to recruit and retain the large number of workers needed to care for the ageing population in the future. Efforts have already begun through education programmes such as Skills for Care's 'Care Ambassadors' to promote social care as an attractive profession. But with the number of nurses falling across the NHS as well, the Government will need to address the current crisis.

But the most important conversation that needs to be had is with the public around what kind of care services they would like to have and, crucially, how much they would be prepared to pay for them. Most solutions for sustainable funding for social care point towards increased taxation, which will generate significant political and public debate. With Brexit dominating the political agenda, and the government holding a precarious position in Parliament, shorter-term funding interventions by government over the medium-term look more likely than a root-and-branch reform of the current system. The sector, however, needs to know what choices politicians, and society as a whole, are prepared to make in order to plan for the future.

Copies of our report can be requested on our website



Grant Thornton

Challenge question:

How effective is the Council's engagement with the social care sector?



# The Vibrant Economy Index

## a new way to measure success

Our Vibrant Economy Index uses data to provide a robust, independent framework to help everyone understand the challenges and opportunities in their local areas. We want to start a debate about what type of economy we want to build in the UK and spark collaboration between citizens, businesses and place-shapers to make their places thrive.

Places are complex and have an intrinsic impact on the people and businesses within them. Economic growth doesn't influence all of the elements that are important to people's lives – so we shouldn't use GDP to measure success. We set out to create another measure for understanding what makes a place successful.

In total, we look at 324 English local authority areas, taking into account not only economic prosperity but health and happiness, inclusion and equality, environmental resilience, community and dynamism and opportunity. Highlights of the index include:

- Traditional measures of success – gross value added (GVA), average workplace earning and employment do not correlate in any significant way with the other baskets. This is particularly apparent in cities, which despite significant economic strengths are often characterised by substantial deprivation and low aspiration, high numbers of long-term unemployment and high numbers of benefit claimants
- The importance of the relationships between different places and the subsequent role of infrastructure in connecting places and facilitating choice. The reality is that patterns of travel for work, study and leisure don't reflect administrative boundaries. Patterns emerge where prosperous and dynamic areas are surrounded by more inclusive and healthy and happy places, as people choose where they live and travel to work in prosperous areas.
- The challenges facing leaders across the public, private and third sector in how to support those places that perform less well. No one organisation can address this on their own. Collaboration is key.

Visit our website ([www.granththornton.co.uk](http://www.granththornton.co.uk)) to explore the interactive map, read case studies and opinion pieces, and download our report **Vibrant Economy Index: Building a better economy**.

### Vibrant Economy app

To support local collaboration, we have also developed a Vibrant Economy app. It's been designed to help broaden understanding of the elements of a vibrant economy and encourage the sharing of new ideas for – and existing stories of – local vibrancy.

We've developed the app to help people and organisations:

- see how their place performs against the index and the views of others through an interactive quiz
- post ideas and share examples of local activities that make places more vibrant
- access insights from Grant Thornton on a vibrant economy.

We're inviting councils to share it with their employees and the wider community to download. We can provide supporting collateral for internal communications on launch and anonymised reporting of your employees' views to contribute to your thinking and response.

To download the app visit your app store and search 'Vibrant Economy'

- Fill in your details to sign up, and wait for the verification email (check your spam folder if you don't see it)
- Explore the app and take the quiz
- Go to the Vibrant Ideas section to share your picture and story or idea



# In good company: Latest trends in local authority trading companies

Our recent report looks at trends in LATC's (Local Government Authority Trading Companies). These deliver a wide range of services across the country and range from wholly owned companies to joint ventures, all within the public and private sector.

## Outsourcing versus local authority trading companies

The rise of trading companies is, in part, due to the decline in popularity of outsourcing. The majority of outsourced contracts operate successfully, and continue to deliver significant savings. But recent high profile failures, problems with inflexible contracts and poor contract management mean that outsourcing has fallen out of favour. The days of large scale outsourcing of council services has gone.

## Advantages of local authority trading companies

- Authorities can keep direct control over their providers
- Opportunities for any profits to be returned to the council
- Provides suitable opportunity to change the local authority terms and conditions, particularly with regard to pensions, can also bring significant reductions in the cost base of the service
- Having a separate company allows the authority to move away from the constraints of the councils decision making processes, becoming more agile and responsive to changes in demand or funding
- Wider powers to trade through the Localism act provide the company with the opportunity to win contracts elsewhere

## Choosing the right company model

The most common company models adopted by councils are:

Wholly  
owned

Joint  
Ventures

Social  
Enterprise

Wholly owned companies are common because they allow local authorities to retain the risk and reward. And governance is less complicated. Direct labour organisations such as Cormac and Oxford Direct Services have both transferred out in this way.

JVs have become increasingly popular as a means of leveraging growth. Pioneered by Norse, Corserv and Vertas organisations are developing the model. Alternatively, if there is a social motive rather than a profit one, the social enterprise model is the best option, as it can enable access to grant funding to drive growth.

## Getting it right through effective governance

While there are pitfalls in establishing these companies, those that have got it right are: seizing the advantages of a more commercial mind-set, generating revenue, driving efficiencies and improving the quality of services. By developing effective governance they can be more flexible and grow business without micromanagement from the council.

## LATC's need to adapt for the future

- LATC's must adapt to developments in the external environment
  - These include possible changes to the public procurement rules after Brexit and new local authority structures. Also responding to an increasingly crowded and competitive market where there could be more mergers and insolvencies.
- Authorities need to be open to different ways of doing things, driving further developments of new trading companies. Relieving pressures on councils to find the most efficient ways of doing more with less in today's austere climate.

Overall, joint ventures can be a viable alternative delivery model for local authorities. Our research indicates that the numbers of joint ventures will continue to rise, and in particular we expect to see others follow examples of successful public-public partnerships.



[Download the report here](#)

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# Links

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## Grant Thornton website links

<https://www.grantthornton.co.uk/>

<http://www.grantthornton.co.uk/industries/publicsector>

<https://www.grantthornton.co.uk/en/insights/a-caring-society/>

<https://www.grantthornton.co.uk/en/insights/care-homes-where-are-we-now/>

<https://www.grantthornton.co.uk/en/insights/the-rise-of-local-authority-trading-companies/>

## National Audit Office link

<https://www.nao.org.uk/report/the-health-and-social-care-interface/>

## Ministry of Housing, Communities and Local Government links

<https://www.gov.uk/government/news/social-housing-green-paper-a-new-deal-for-social-housing>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728722/BRR\\_Pilots\\_19-20\\_Prospectus.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728722/BRR_Pilots_19-20_Prospectus.pdf)

## Institute for Fiscal Studies

<https://www.ifs.org.uk/uploads/publications/comms/R148.pdf>





18 December 2018

Agenda Item: 9

## **REPORT OF SERVICE DIRECTOR FOR FINANCE, INFRASTRUCTURE & IMPROVEMENT**

### **COUNTER FRAUD PROGRESS REPORT**

#### **Purpose of the Report**

1. To update the Governance and Ethics Committee (G&E) of the Counter Fraud work undertaken in the first two Terms of the 2018/19 Internal Audit Plan.
2. To endorse the proposed policy statement for preventing facilitation of tax evasion.

#### **Information**

3. The report brings together work undertaken in relation to:
  - National Fraud Initiative (NFI) - to report the outcomes of NFI 2016-2018, both in terms of the national outcomes and for this Council. The report also identifies developments that will impact on the 2018-2020 NFI exercise.
  - Serious Organised Crime Audit – to provide an update on progress made against the agreed actions from this report.
  - Criminal Finances Act 2017: Preventing Tax Evasion – to propose a policy statement.
  - Counter fraud e-learning and other activities – to provide an update on recent, pro-active work
  - Fraud Response Plan and Annual Governance Statement – to provide an update on progress made against the action plan items in these documents.

#### ***National Fraud Initiative***

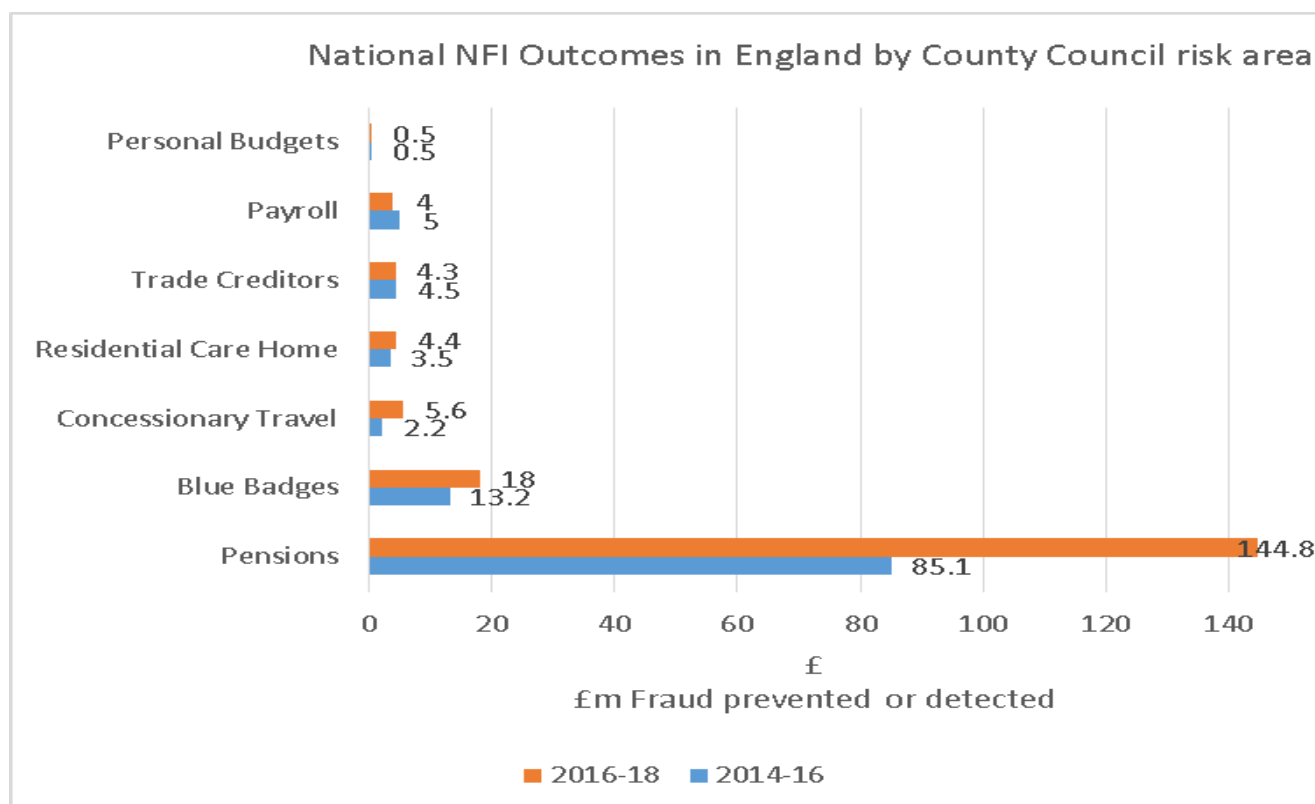
4. The Council pays £3,750 every two years to participate in the compulsory NFI exercise. Key statistics from NCC's participation in the 2016-18 exercise are the following:
  - 32 data matching reports were generated from the exercise comparing NCC data to data sources such as DVLA, Mortality Data, and DWP etc.
  - This generated 16,918 matches and 6,561 matches recommended for high priority review
  - The key contacts within the Council examined a total of 8,304 matches on a risk based approach which included all of the 6,561 recommended matches
  - £7,366.62 of outcomes were identified from the matches examined. **(See Table 1 below).**

5. In terms of the national outcomes, the success of the 2016-18 exercise is summarised in the following quotation from the national report:

*'The National Fraud Initiative, the Cabinet Office's data matching service, has enabled participating organisations to prevent and detect over £300 million fraud and error in the period April 2016 to March 2018. This is a record for the NFI in any reporting period since its creation in 1996, and brings cumulative outcomes to £1.69 billion. This is a signal of how seriously the government is taking the challenge that it set itself - to find and tackle fraud in the public sector and protect vital public services.'*

Chloe Smith – Minister for the Constitution

6. The 2016-18 exercise cost £2.8m and enabled £301.2m of outcomes to be prevented or detected. This included significant amounts of fraud relating to District Council functions, such as Council Tax Single Person Discount (£32.6m in 2016-18) and Housing Benefit (£24.9m in 2016-18). With regards to County Council functions, the following chart depicts a comparison between the value of outcomes for 2016-18 with the 2014-16 exercise.





7. The 2016-18 national outcomes in the headline categories of fraud for County Councils are shown below in **Table 1** alongside the NCC outcomes.

**Table 1 – Headline Categories of Fraud for County Councils 2016-18**

Category	NFI	NCC
Pension Fraud and Overpayments	£144.8m	£0
Personal budgets	£0.5m	£5,848
Trade Creditors	£4.3m	£1,498
<b>Other significant results</b>		
Blue Badges revoked or withdrawn (no's)	31,223	0
Concessionary Travel Passes Cancelled (no's)	234,154	2
Payments to Private Care Homes for Deceased Persons (no's)	275	0

8. The Council has implemented a number of measures to counter fraudulent activity that are linked to the NFI categories. Those relating to direct payment misuse were reported to members in September 2018. Measures include:
- Routine pension mortality screening, life certification and use of NFI recheck (see below);
  - Joint responses with District Councils to review Council Tax Single Person Discounts to ensure the correct Council Tax Base;
  - The pro-active use of prepayment cards to manage direct payments;
  - Robust assessment criteria for blue badge qualification that include Personal Independence Payments and High Rate Disability Living;
  - Challenging trade creditor vetting processes utilising pre-payment software to identify potential fraudulent payments;
  - Payroll payment approval and BACS credit returns reviews;
  - Robust processes for establishing and amending trade creditor bank mandate records; and
  - Parking enforcement patrol checks for loan or misuse of blue badges.
9. A more detailed analysis of each risk area and how they can provide intelligence for the 2018-20 exercise is provided in **Appendix A**. A summary of the key issues from **Appendix A** are:
- Pensions – cases of failure to notify deaths continue to rise and result in overpayment of pensions. NCC are engaging in a Recheck exercise to increase the frequency of reviewing data matches.
  - Blue Badges – there has been an increase in the number of blue badge cancellations and the value of outcomes. NCC has limited results in this area which will be reviewed during the 2018-20 exercise.
  - Concessionary Travel – the volume and value of matches doubled for this exercise but the Council's results were limited. This is an area that will be reviewed as part of the 2018-20 exercise.
  - Residential Care Home – the volume of cases continues to rise along with the average case value. The Council are exploring how mortality data can be used to assist our work.

- Trade Creditors – cases continue to be identified but the Council has implemented preventative measures which has stopped £34,080 of duplicate payments in 2017/18.
  - Personal Budgets – these cases continue to be reported mainly because of late death notification. The Council is exploring the use of mortality data to identify issues for investigation.
10. The Cabinet Office have been developing products offered to Local Government as a result of the 2016-18 NFI, such as the Recheck facility. This provides the opportunity to resubmit data sets for matching against more recent data sources, thus providing more up-to-date match records. One common criticism of NFI is that its biennial timeframe means that matches may be out of date or not provide for prompt action to the data concerned.
11. The Council participated in this exercise for matching pension records to mortality data. As a result of the Recheck exercise 154 matches were identified where, potentially, deaths had not been notified. These have been checked by Pensions staff and have identified 23 cases involving potential overpayments to the value of £13,484.63. Work continues to recover the overpayments and this pro-active work assists the Nottinghamshire Pension Fund fulfil its mortality checking obligations.
12. NCC will be participating in the 2018-20 NFI exercise and has published privacy notices and submitted data sets to enable the generation of data matching reports due early 2019. The Cabinet Office have provided clearer guidance on how it interprets outcomes which will be used by NCC to refine how it records its own outcomes. This will assist in ensuring that NCC captures all outcomes in a complete and consistent way. **(Further details are provided in Appendix A).**

### ***Serious and Organised Crime Audit***

13. The final audit report was issued in Term 1. Since completion we have followed up the implementation of the four recommendations made. Each of the recommendations have been implemented although further work is required in relation to engagement with taxi licensing authorities to routinely update the Disclosure and Barring Service (DBS) status of employees. Details are shown below in **Table 2** and these actions will also be included in Internal Audit's next scheduled update to the Committee on the implementation of agreed management actions (January 2019).

**Table 2 – Serious and Organised Crime Audit – Implementation of Recommendations**

<b>Recommendation</b>	<b>Response</b>	<b>Implementation</b>
The Transport Team should engage with the local taxi licensing authorities and taxi companies to put in place arrangements for the County Council to be routinely updated on the DBS status of the employees of taxi companies with which the Council contracts.	Agreed. We will work the licensing authorities to monitor the DBS information received.	Partly – work is on-going with taxi companies.
The Transport Services Team	Agreed. Awareness material for	Partly – material is

Recommendation	Response	Implementation
should refresh awareness material provided to users in order to encourage them to come forward and raise any concerns regarding the service provided.	taxi users will be refreshed and re-issued.	being refreshed and reissued.
The Group Manager - Procurement should consider sharing information for sensitive and vulnerable procurement processes with the Police so that any connection with known serious and organised crime groups can be kept under periodic review.	Agreed. The Group Manager – Procurement will share concerns and intelligence with the Head of Internal Audit and the Single Point of Contact (SPOC) at Nottinghamshire Police using the established communication channels.	Implemented – these continue to be considered and none have arisen to date.
The Group Manager Business Support Centre should ensure that staff engaged in roles that require receiving payments from, and processing refunds to, paying customers should receive anti-money laundering awareness training.	Training has been provided to staff within the Business Services Centre, however specific training has not been provided to all front-line staff. Awareness materials and reference to the action to be taken in the event of concerns in line with the Anti-Money Laundering Policy will be made available to staff involved in cash receipting and debt management.	Implemented – materials have being provided and refresh provided to key staff.

14. We have continued to develop relationships with Nottinghamshire Police and through the Single Point of Contact we have worked with the Police Intelligence Analysis Team to undertake a 'data washing' exercise. We have provided data in relation to NCC contractors to identify any matches with known targets that could assist the Police or ourselves with further lines of enquiry. The 'data washing' exercise continues to be analysed and we will respond to any subsequent request for information from Nottinghamshire Police.

### ***Criminal Finances Act 2017 – Preventing Tax Evasion***

15. There is a new statutory requirement for the Council to prevent the facilitation of tax evasion by staff and "contractual associates". Contractual associates are persons who perform services for or on behalf of the Council or who are acting in the capacity of persons performing such services. This includes the adoption of a corporate policy statement.

16. Part 3 of the Criminal Finances Act 2017 creates a new criminal offence where a corporate body fails to prevent the facilitation of tax evasion by its staff and contractual associates. Governance procedures are already in place that should meet the Act's requirements; and there is no suggestion that the Council tolerates tax evasion, or that staff engage in such behaviour. However, adopting an explicit, corporate policy will help the Council defend any future allegation that it has facilitated tax evasion.

17. The policy attached at **Appendix B** reiterates that staff and contractual associates must:
- always follow Council policies, procedures and guidance;
  - never help anyone else evade tax;
  - tell management if criminal activity is suspected;
  - attend any appropriate training offered.
18. It is a requirement that the policy on preventing the facilitation of tax evasion has top level commitment. The policy has been endorsed by the Corporate Leadership Team and is now referred to this Committee to request its recommendation to the policy Committee for approval and adoption. Once approved, the policy should be communicated to current staff and included in induction training for new members of staff. The policy should also be published on the Council's public website.
19. Following adoption of the policy it is envisaged that Internal Audit will undertake an exposure risk assessment to the Criminal Finance Act based on the current fraud risk assessment areas. As a result of this, on-line training will be developed for staff with the highest risk of exposure, for example in the areas of: invoice processing; property transactions; BACS payments; payroll and pensions processing, etc. This would be supported through general awareness training through Team Talk.
20. It is hoped that the policy can be adopted over the winter period of 2018/19 and training for high risk staff would be completed by the spring of 2019 and subsequently made available to all staff.

### ***Counter Fraud E-learning and Other Activities***

21. The Counter Fraud E-learning materials were released to all staff through the intranet in July 2018. Since its release, the training package has been completed by 177 staff. **Table 3** below shows the breakdown of completions across departments.

**Table 3 – Completion of Counter Fraud E-learning**

Department	Completions
ASCH	56
Chief Executives	65
C&F	44
Place	12
<b>Total</b>	<b>177</b>

22. We have continued to monitor the completion of the training and have undertaken a re-launch of the e-learning materials as part of International Fraud Awareness Week which ran from 11 – 17 November 2018. We will then be in a position to monitor take-up and follow up completion with individual departments. The re-launch involved a Team Talk article to raise awareness of fraud and to remind staff of the training available, how to protect the Council and themselves from fraud.
23. On the 15 October 2018 the Council's insurers, Zurich Municipal, attended the Council offices and provided an hour long fraud update to the Council's claims handlers. The training built on the fraud procedures that the team has in place, but gave an insight into some of the current tactics being used by fraudulent claimants. Some of the tips picked up included

doing more checks on dates of birth, NI numbers, using Google to establish the provenance of photographs and being more robust with claimants' solicitors.

### ***Fraud Response Plan and Annual Governance Statement Action Plan Update***

24. We have reviewed the implementation of actions within the Fraud Response Plan and provide an update on progress for each in **Appendix C**.
25. We have reviewed the Council's Counter Fraud and Counter Corruption Policy and Strategy and Fraud Response Plan. Revisions to the Fraud Response Plan were reported to the Governance & Ethics Committee in July 2018 and only minor amendment was needed to the Counter Fraud and Counter Corruption Policy and Strategy; to make reference to the Governance and Ethics Committee Chairman. These documents have been updated and refreshed on the intranet.

### **Other Options Considered**

26. The Audit Section is working to the Public Sector Internal Audit Standards and the contents of the Fraud Response Plan. This report follows the requirements of the Standards to undertake a risk-based approach to counter fraud work and report progress and outcomes of such work. No other option was considered.

### **Reason/s for Recommendation/s**

27. To report the progress made by the Head of Internal Audit in undertaking counter fraud work and to endorse the policy statement for preventing facilitation of tax evasion to protect the Council.

### **Statutory and Policy Implications**

28. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

#### **Crime and disorder**

The Council's Counter Fraud Policy provides for a zero tolerance approach to fraud and corruption. The Fraud Response Plan provides for all suspected cases being considered for referral to the Police for investigation.

#### **Human Resources implications**

Under the zero tolerance approach in the Council's Counter Fraud Policy, all suspected cases involving members of the Council's staff are investigated and consideration given to disciplinary proceedings.

## **Financial Implications**

Any money lost to fraud is money that cannot be spent delivering critical public services to the citizens of Nottinghamshire. The Annual Fraud Report for 2017/18 was presented to the Governance & Ethics Committee in June 2018 and identified that the value of detected or prevented fraud in that year amounted to approximately £228,000.

## **RECOMMENDATIONS**

- 1) The draft policy statement on the 'Facilitation of Tax Evasion' is endorsed and recommended to the Policy Committee for adoption
- 2) Committee considers whether it wishes to see any additional actions put in place to tackle fraud or to receive further reports on the actions already being taken within the Council.

**Nigel Stevenson**

**Service Director for Finance, Infrastructure & Improvement**

**For any enquiries about this report please contact:**

Rob Disney

Group Manager - Assurance

### **Human Resources Comments (GME 06/12/2018)**

29. The prevention of fraud is a priority issue for the Council and requires a joined up approach in the recruitment and development of suitable staff engaged in areas where this is an identifiable risk. Stringent adherence to the various policies and procedures in place to avoid such episodes occurring is an expectation and management requirement. In the eventuality of breaches occurring, these will be followed up with robust action using the Council's agreed relevant employment procedures where there is an individual or management failing to effectively identify, manage and mitigate against any such risks.

### **Constitutional Comments (SLB 05/12/2018)**

30. Governance and Ethics Committee is the appropriate body to consider the content of this report. If Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments [RWK 05/12/2018]**

31. There are no specific financial implications arising directly from the report.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

## **Electoral Division(s) and Member(s) Affected**

- All





**Pensions: £144.8 million**

***Individuals obtaining the pension payments of a dead person***

Pensions has seen a significant increase in outcomes to £144.8 million, an increase from £85.1 million in 2014-16. This can be attributed to an increase in the numbers of deceased person cases identified as well as work with large public sector pension schemes to improve the frequency and quality of outcomes reporting. Some bodies have also opted to undertake more regular matching through the NFI mortality screening service.

The ratio of actual overpayments to estimated savings from preventing overpayments has changed since 2014-16, with actual overpayments £4 million lower than the previous exercise and future losses prevented up by £89 million.

The increase in bodies undertaking more regular matching is a key factor in this, although improvements to deceased matching have also contributed, including:

- reducing the time between data submission and match release, enabling incorrect pension payments to be identified and stopped more quickly
- enhancing match reports to enable users to action the best quality matches more easily

***NCC has opted to undertake more routine matching through the NFI mortality screening service in addition to actions such as Tell us Once, life certificates and Department of Works and Pensions tracing services.***

**Blue badges: £18 million**

***Potential misuse of blue badge parking passes belonging to someone who had died***

As at 31 March 2017 there were 2.38 million Blue Badges in England, 887,000 of these were issued between 1 April 2016 and 31 March 2017. Fraudsters exploit the Blue Badge scheme by forging badges and stealing badges from cars. Abuse also occurs when badges remain in use, or are renewed by someone after a badge holder has died. In England, there was a total of 1,131 individuals prosecuted in 2016/17. The majority of prosecutions (98%) in England were targeted at a non-badge holder using another person's badge.

During this reporting period, the number of blue badges cancelled significantly increased to 31,223 from 23,063 in 2014-16. The estimated value of blue badges cancelled between reporting periods has also increased, from £13.2m to £18m - an increase of 36%.

***NCC reported no outcomes through NFI which appears inconsistent with national results and will be reviewed as part of the Fraud Response Plan's Action Plan.***

**Concessionary travel: £5.6 million**

***Potential misuse of concessionary travel passes belonging to someone who has died***

The number of concessionary passes updated, cancelled or hot-listed (stopping/deactivating the deceased matched cards) in 2016/17 as a result of an NFI match was 234,154, an increase from 97,064 in 2014/15. As a result, the estimated value of fraud losses prevented in the same reporting period more than doubled from £2.2 million in 2014/15 to £5.6 million in 2016/17.

The Department for Transport reported that in 2016/17 there were 9.8 million older and disabled concessionary travel passes in circulation, a decrease of 1.1% from 2015/16, the first decrease in three years. Whilst we cannot directly link the higher number of passes cancelled, updated or hot listed to the first decrease in the total number of concessionary travel passes in circulation seen over the last three years, it is worth noting.

***NCC reported outcomes valued at £20 which appears inconsistent with national results and will be reviewed as part of the 2018/20 NFI exercise.***

**Residential care homes: £4.4 million**

***Payments to private care homes by the councils for the care of a resident where the resident had died***

The number of cases resulting in outcomes is similar to that recorded in the previous exercise. There were 275 cases in 2016/17 compared to 263 in 2014/15. However, the resulting outcomes have increased by 26% from £3.5 million to £4.4 million.

Over a quarter of the financial outcomes recorded came from councils using the NFI Recheck product to undertake more regular matching to target residential care home fraud and error.

***NCC identified no outcomes through NFI and has opted to undertake more routine matching of mortality data. How this can be applied to residential care is currently being explored.***

**Trade creditor payments: £4.3 million**

***Traders who intentionally or unintentionally submitted duplicate invoices for payment***

Creditor payment matches continue to produce significant outcomes with over £4.3 million of wrongly paid duplicate invoices identified. Although this is a slight reduction from the previous exercise the data matching exercise remains a valuable tool.

***NCC reported one outcome valued at £1,498.20 as a result of a duplicate payment. The Business Support Centre currently uses duplicate payment checking software to identify potential duplicate payments prior to processing. In 2017/18 this process identified £34,080 of duplicates and these were stopped prior to payment.***

**Personal budgets**

***Individuals claiming a personal budget who failed to declare an income or change of circumstances.***

***NCC reported two outcomes valued at £5,849.42 where the payments continued to be made after the death of the claimant.***

### **Useful developments for NCC from the national report**

One of the key areas that causes a degree of confusion is the way that projected outcomes are established, calculated and reported. The NFI report provides clarity on the interpretation of results that can be used by NCC to determine projected outcomes.

#### ***Basis of calculating estimated savings***

- Pensions – Annual pension multiplied by the number of years until the pensioners would have reached the age of 85 (*projected saving for Nottinghamshire LGPS Pension Fund*)
- Blue Badge - £575 per blue badge cancelled to reflect lost parking and congestion charge revenue (*projected saving for the public purse*)
- Trade Creditors – this only records Actual Fraud detected (*actual saving for NCC*)
- Private residential care homes - £7,000 per case based on average weekly cost of residential care multiplied by 13 weeks (*projected saving for NCC*)
- Concessionary Travel – Number of passes cancelled multiplied by £24, based on the cost of reimbursement to bus operators for journeys made under the concessionary pass scheme. (*projected saving for NCC*)
- Personal budgets – monthly reduction in personal budget payment multiplied by 3 months. (*projected saving for NCC*)

### **Future Strategy**

The Council has already embarked on the next NFI exercise and in this report we have identified how NCC can develop its own approach to support the national NFI vision.

#### ***The National Fraud Initiative vision is:***

‘To provide the best deal for the taxpayer by helping tackle fraud and error, through improved access to data and analytics techniques via sophisticated fraud prevention and detection solutions that achieve results quickly and efficiently.’

‘Operating in a fast paced, dynamic environment, we will work with customers and stakeholders across the public and private sector to provide capability to best allow them to prevent, disrupt, deter, discover and punish fraud and error.’

To support this the Council is committed to working with the NFI team to provide accurate datasets in order to obtain the most beneficial matches from the exercise. In turn NCC staff will be engaged in reviewing matches and identifying savings as a result.

Internal Audit will continue to oversee the review exercise and monitor delivery of achievements. In line with findings from the 2018 National Fraud Initiative Report Internal Audit will work with primary contacts to ensure that matches are reviewed in line with the NFI guidance and that actual and potential savings are captured and recorded in line with the national methodology.



## **1. Background**

Under the Criminal Finances Act 2017, the Council, if found to be facilitating tax evasion, could face an unlimited fine and consequent damage to its reputation. The Council will be guilty of the offence where a third party commits tax evasion, which a member of staff (or a contractual associate) has in some way assisted unless the Council can establish a defence by demonstrating that it has put suitable procedures in place.

The Council aims to conduct its financial affairs in a law abiding manner and does not tolerate either the commissioning or facilitation of tax evasion.

The Council already has a range of policies, procedures and guidance that underpin its financial activities.

To prevent tax evasion, Council staff (and contracted associates) should:

- always follow Council policies, procedures and guidance;
- tell management if any criminal activity is suspected;
- attend any appropriate training offered.

***Specifically, staff and associates must not knowingly do anything that helps someone else evade tax.***

Note in this context though that the Council is only responsible for the actions of associates in respect of things they do for, or on behalf of, the Council. Other than this the Council is not responsible for the way contractors manage their business.

## **2. The Law**

Part 3 of the Act entered into force on 30 September 2017, and creates the corporate criminal offence of failure to prevent the facilitation of tax evasion.

Tax evasion is the illegal non-payment or under-payment of taxes, usually as the result of making a false declaration (or no declaration) of taxes due to the relevant tax authorities, which results in legal penalties if the perpetrator is caught.

Tax avoidance, by contrast, is seeking to minimise the payment of taxes without deliberate deception. This is often legitimate but is sometimes contrary to the spirit of the law, e.g. involving the exploitation of loopholes.

Importantly the corporate criminal offence of facilitation only applies to tax evasion. The third party must be found guilty of tax evasion before the Council can be found to have facilitated it.

## **3. Defences**

It is a defence to the corporate criminal offence of facilitating tax evasion if the Council can prove that it has in place such prevention procedures as it is reasonable to expect in the circumstances.

Government guidance suggests an appropriate set of prevention measures which gives due recognition to the following:

- risk assessment;
- the proportionality of risk-based prevention procedures;
- top level commitment;
- due diligence;
- communication (including training);
- monitoring and review.

The Council must ensure a policy on prevention is brought to the attention of all staff. This policy is, therefore, published on the Council's Intranet.

#### **4. Obligations of Staff and Associates**

Staff and associates are reminded that they are required at all times to abide by the Council's policies, procedures and guidance. Failure to comply with these policies, procedures and guidance, including in particular failure to comply with the obligations detailed in this policy, may result in disciplinary action for staff and the termination of arrangements with associates.

Should staff or associates be concerned that another employee or associate is facilitating a third party's tax evasion, they should report this to their line manager. The whistle-blowing policy can also be engaged.

#### **5. Risk Assessment**

The Council's systems of control are designed to ensure regularity. Management should consider risks from the 'Failure to prevent the facilitation of Tax Evasion within the established risk assessment procedures. Internal Audit conducts periodic compliance checks on the completion of corporate and departmental risk registers, paying specific attention to areas of high risk.

#### **6. Proportionality of risk-based prevention procedures**

The Council has governance processes and procedures to address specific counter fraud risks. These processes include this policy and the whistle-blowing policy which are part of the counter fraud and corruption strategy. The Council also has procedures in place for segregation of duties where appropriate and to counter fraud. Members and senior officers provide the high level commitment to such risk based prevention procedures with are supported by service directors' commitment to the counter fraud agenda. The S151 officer promotes this agenda through work undertaken by the Head of Internal Audit who has a role to promote compliance with counter fraud arrangements and raise awareness amongst staff. The council operate an established Fraud Response Plan and actively promote prevention procedures through the Annual Fraud Report and active e-learning. Management assurance is provided through the assurance mapping identified in **Table 1**.

**Table 1 – Tax Evasion – Assurance Mapping**

<b>KLOE</b>	<b>1<sup>st</sup> Line</b>	<b>2<sup>nd</sup> Line</b>	<b>3<sup>rd</sup> Line</b>
<b><i>Tax Evasion</i></b>			
Corporate arrangements to prevent the facilitation of tax evasion	System procedures to prevent the facilitation of tax evasion	Management monitoring of systems and reporting	Internal Audit Review

**7. Due Diligence**

Reasonable care and caution is exercised when processing all financial transactions, particularly high value/high risk payments. Regular monitoring takes place and particular caution is exercised when making payments to new suppliers. Specific controls are maintained in relation to payments being processed through the Business Service Centre who undertake checks on vendors prior to payments.

**8. Communication and Training**

All staff, especially those identified through the Criminal Finance Act exposure assessment will be made aware of this policy via on-line training. Other staff will receive awareness training through the induction process. Training will be developed for staff with the highest risk of exposure, this may include staff involved with procurement; invoice processing; property transactions; BACS payments; Payroll & Pensions etc. Training will be provided through general awareness and the completion of specific on-line training modules. Awareness Information will also be made available to all staff on the Council's Intranet.

**9. Monitoring and Review**

The Chief Executive's Department, through the S151 Officer will consider risks associated with the 'Failure to prevent the facilitation of Tax Evasion' through its Departmental Risk register. Internal Audit will routinely review the compilation and assessment of risks that drive the risk register. The Group Manager – Financial Services will review compliance to guidance materials through the processing of payments. Internal audit will periodically review compliance with such processes. This Policy will be subject to review every two years by the S151 Officer and revisions will be reported to the Governance and Ethics Committee and the Policy Committee.

**10. Top Level Commitment**

This policy has been endorsed by the Corporate Leadership Team.

**11. Further Information**

Further information can be obtained from the Group Manager Financial Services.





**Progress against the Fraud Response Plan and Annual Governance Statement Action Plans**

**Fraud Response Plan's Action Plan**

<b>Action</b>	<b>Timescale</b>	<b>Responsibility</b>	<b>Progress &amp; revised timescales</b>
<b><i>Update on 2017/18 actions</i></b>			
1. One member of staff to complete the CIPFA Accredited Counter Fraud Specialist qualification.	March 2018	Head of Internal Audit	Achieved – one member of the internal audit team has successfully completed the qualification.
2. Develop the use of interactive, counter-fraud e-learning to promote engagement and learning among all staff.	March 2018	Head of Internal Audit and Head of Human Resources	Achieved - e-learning package released to staff.
3. Complete the refresh of the Anti-Money Laundering Policy and Procedures for consideration by the Policy Committee.	September 2017	Head of Internal Audit	Achieved – these have been refreshed with only minor amendments and reference to the new G&E chair.
4. Commence a refresh of the Counter Fraud & Counter Corruption Policy & Strategy and the Fraud Response Plan.	September 2017	Head of Internal Audit	Achieved – documents have been refreshed.
5. Provide insight and responses to fraud alerts with the dissemination of information through 'Team Talk' updates	2 releases in 2017/18	Head of Internal Audit	Achieved – fraud alerts have been disseminated and updates within 'Team Talk' completed to coincide with the release of the e-learning package.
6. Complete the referral protocol with Nottinghamshire Police for local liaison arrangements	September 2017	Head of Internal Audit and Service Director Customers & Human Resources	Achieved – liaison has been established with the Serious and Organised Crime Unit and effective use of this channel will continue to be developed throughout 2018/19.
<b><i>New actions for 2018/19</i></b>			
7. Respond to any issues identified by the data-washing exercise with Nottinghamshire Police.	March 2019	Head of Internal Audit	Ongoing – work continues with Nottinghamshire Police to identify targets.
8. Pro-active work with the Group Manager – Procurement to assess vulnerability to procurement cartels.	November 2018	Head of Internal Audit	Ongoing – work is in progress.
9. Provide a more detailed	September	Head of Internal Audit	Achieved – completed by

**Progress against the Fraud Response Plan and Annual Governance Statement Action Plans**

<b>Action</b>	<b>Timescale</b>	<b>Responsibility</b>	<b>Progress &amp; revised timescales</b>
assessment for the Governance & Ethics Committee on the Council's defences against cyber fraud.	2018	and relevant ICT Service Managers	ICT Service Manager for December G&E.
10.Pro-active work with the Travel & Transport Team to respond to the threat of Blue Badge and Concessionary Travel fraud.	January 2019	Head of Internal Audit	To be commenced in January 2019 to coincide with the release of NFI data matches
11.Work with Legal Services to develop a proposed protocol for the pursuit of private and civil prosecutions.	November 2018	Head of Internal Audit with the assistance of the Head of Legal Services	Ongoing – work is in progress.
12.Review the success of the Re-Check pilot and its potential for expansion into other areas of service.	September 2018	Head of Internal Audit	Achieved – mortality Re-Check exercise completed and proposed expansion arranged.

***Annual Governance Statement's Action Plan***

Update the Council's Counter-Fraud and Counter-Corruption Policy & Strategy, along with the Fraud Response Plan.	Head of Internal Audit	June 2018
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18 December 2018

Agenda Item: 10

## **REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND EMPLOYEES**

### **UPDATE ON USE OF THE COUNCILLORS' DIVISIONAL FUND**

#### **Purpose of the Report**

1. To present Committee with a six monthly update on the use of the Councillor's Divisional Fund (CDF) in the period April – September 2018.

#### **Information and Advice**

##### **Background**

2. The CDF is a specific budget which enables each County Councillor to put forward proposals for expenditure in their electoral divisions which accord with the strategic objectives of the Council. Such payments are subject to compliance with the requirements of the CDF Policy.
3. Each Councillor receives an annual allowance of £5,000 to spend within each financial year. Any funds remaining unspent within this budget at the end of the financial year will be returned to corporate balances.
4. As part of the revised CDF Policy agreed by Policy Committee on 18 July 2018, a new requirement was introduced for reports on the use of the CDF to be brought to this Committee on a six monthly basis. This is the first such report and Members' views are sought on the contents and the format of the report. Details of the applications received from Councillors during the period 1 April 2018 – 30 September 2018 are included at **Appendix A**.
5. The Policy also proposes that between 5-10 applications are audited annually to ensure that the monies provided have been spent in accordance with the application's proposals. The applications to be audited will be agreed with the Chairman of this Committee. The results of the audit will be included within the next six monthly update report to the Committee.

##### **Relevant Issues**

6. One other ongoing issue is the need to remind Councillors that payments must be for one-off items of expenditure rather than anything which could create an on-going financial commitment or which are, in effect, running costs of an organisation.

## **Future Developments**

7. In response to Councillors' previous requests, work is underway to introduce a new electronic 'self-serve' software package so that Councillors (or their Group support officers) can input their applications remotely in future.
8. This new system should be less resource-intensive than the current arrangements and enable payments to be made in a more cost-effective and timely manner. It will also prompt Councillors to complete all sections of the forms which will help address continuing problems with the current hard copy forms only being partially completed.
9. It is hoped that the functionality of the system can be developed further in the future so that it will be possible to give a running record of funds available at the point of making an application.

## **Other Options Considered**

10. None – the report provides an update on expenditure as required in the revised CDF policy.

## **Reason/s for Recommendation/s**

11. To update the Committee in line with the requirements of the CDF Policy and to highlight ongoing issues and future developments.

## **Statutory and Policy Implications**

12. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

- 1) That the Committee considers the CDF expenditure for the period April-September 2018 detailed in Appendix A.
- 2) That the outcomes of the planned audit exercise be included in the next six monthly update to the Committee.
- 3) That the plans to introduce a new electronic 'self-serve' system be supported.

**Marjorie Toward**

**Service Director, Customers, Governance and Employees**

**For any enquiries about this report please contact:**

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**Constitutional Comments (SLB 3/12/2018)**

Governance & Ethics Committee is the appropriate body to consider the content of the report.

**Financial Comments (RWK05/12/2018)**

There are no specific financial implications arising directly from the report.

**Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

**Electoral Division(s) and Member(s) Affected**

All



## **Appendix A**

### **CDF Applications received from Councillors - 1 April 2018 – 30 September 2018**

N.B. Payments to individuals not trading as businesses have been anonymised in line with Access to Information Rules.

<b><u>Councillor</u></b> Recipient	<b><u>Amount</u></b>	<b><u>Reason for application</u></b>
<b>Cllr Reg Adair</b>		
James Peacock Primary School	750.00	Towards leisure activities for school
St Peters Junior School	700.00	Towards books for reading lessons to develop children's reading skills
Ruddington Parish Council	300.00	For the cost of a commemorative bench for the World War 1 (WW1) Centenary
Ruddington Community Choir	300.00	Contribution towards travel costs for the Ruddington Community Choir's Concert in Grenay, France
<b>Cllr Pauline Allan</b>		
Friends of Bestwood Community Park	500.00	To support refurbishment and development of 'Andy's Playground'
<b>Cllr Chria Barnfather</b>		
Papplewick Village Fayre Group	250.00	Support the Summer Fayre 1st September 2018
Newstead Youth Club	350.00	To purchase 4 table tennis tables for the youth club
The Pit Micropub	250.00	Support charity Cricket match between Newstead & Linby villages 12 August 2018
<b>Cllr Joyce Bosnjak</b>		
Mansfield Woodhouse Community Development Group	65.00	Purchase of 2 strimmers for the Lengthsmen Scheme
Nottinghamshire Mining Museum Ltd	150.00	Contribution to help bring the 'Coal Mining Nationalisation' exhibition to the Museum
School Council Visit - Nettleworth	357.60	Transport and lunch costs for Nettleworth's School Council visit
Mr MM	100.00	For the cost of photography and promotion of YHP Summer community events, Hornby
Hettys	50.00	Support the drug / alcohol service
Tenants & residents luncheon club	125.00	Support the tenants & residents luncheon club
Triangle	100.00	Contribute towards the cost of room hire & speakers for community events
Mansfield Parks	50.00	Handrail at the Yeoman Hill Bowling Club pavilion

<b>Cllr Ben Bradley</b>		
Under One Roof	350.00	Funding for parking purposes at the Community Centre ie white paint lining
<b>Cllr Nicki Brooks</b>		
Bethesda Ministries	250.00	To purchase new trestle tables
Gedling Village Gala	100.00	To help fund Gedling Gala on 7th July 2018
Burton Joyce Parish Council	100.00	Funding for 'Picnic in the Park' event on 14th July 2018
Central Notts District Scout Council	100.00	To help scouts attend 24th World Scout Jamboree
Home Start	100.00	To support families that have specific requirement and needs
Netherfield Parents Forum	200.00	To fund summer trips and activities for families
St John the Baptist School	500.00	Towards the renovation of the craft area
Stoke Bardolph Parish Meeting	250.00	Contributions to village signs
<b>Cllr Andrew Brown</b>		
St George's Church	300.00	Towards pensioner's outings
Sutton Bonnington Parish Council	235.00	Replace Defibrillator battery
East Leake Community Care Association	350.00	To support community social events for the elderly (tea & cakes)
6th East Leake Rainbows	250.00	Provide all the girls with a 'starting Rainbows' book upon joining the group
Lantern Lane Primary School	300.00	WWI history week project
Normanton on Soar Primary School	165.00	DARE programme for year 5 & 6 pupils
Gotham Parish Council	250.00	Play Equipment for Gotham Play Park
Sutton Bonnington Parish Council	300.00	Replacement litter bin in the playing field
Gotham Pre-school Playgroup	347.95	Coat Rack for playgroup
<b>Cllr Richard Butler</b>		
Cotgrave Town Council	300.00	Help with hiring a mobile climbing wall to use as the summer festival
Kinoulton Scouts	250.00	To helps the cost of kit for the scouts to take part in Duke of Edinburgh
Absoluter Triathlon Club	275.00	To cost of trophies and equipment for Junior Triathlon event



Kinoulton Parish Council	200.00	Contribution to the cost of repairing the old parish clock for the village.
Mr J	50.00	To buy kit to enable Mr J's son to play volleyball for the UK at an international level
Normanton on the Wolds Parish Council	250.00	Support the commemoration event to remember the end of WW1
Tollerton Parish Council	632.93	Purchase a new professional quality gazebo for Village and community use
Cotgrave Women's Institute	300.00	Costs towards a Gazebo for WI events
Hollygate Park residents	100.00	Royal Wedding celebration for Hollygate Park residents
Cotgrave C of E Primary	50.00	Contribution towards prizes and games for the end of year prom
Normanton-on-the-Wolds Parish Council	50.00	Contribution of cost of decorations for the bicycle race that will go through the village
<b>Cllr Steve Carr</b>		
Via East Midlands	155.00	Grit Bin Crowborough Avenue / Coppers Green
Bramcote & Stapleford Golden Jubilee Committee	500.00	Support Hemlock Happening Arts Festival
Oxjam Beeston Music Festival	250.00	To support the Oxjam Music Festival
Beeston Camera Club	250.00	Support recruitment campaign to increase membership
Beeston Community Growers	566.00	Building raised beds for the community garden
Via East Midlands	200.00	H Bar across drive entrances on Dennis Avenue
Bramcote School PTA	679.00	To purchase outdoor table tennis tables
<b>Cllr John Clarke</b>		
Arnold Local History Group	250.00	To support the ALHG annual exhibition i.e. room hire, speakers, printing
The Daybrook Crew	500.00	To support an extended reach programme to the schools in the NG5 area
WK	200.00	Payment to help a competitor go to powerlifting championships in Czech Republic
Arnold Methodist Church	250.00	To provide services to help those suffering from Mental stress, their carer's, families and friends
Support for Survivors	200.00	Banner, leaflets, pop-up roller banners and flagship bunting for events
Carlton Forum Swimming Club - Rotenburg	200.00	Support a swimming club twinning event with Rotenburg
Gedling Borough Show	200.00	Support Gedling Horticultural and Craft Show 2018

<b>Cllr Neil Clarke MBE</b>		
Royal British Legion	100.00	Towards a one off road trip in August 2018
Newton Community Group	250.00	To purchase street festival equipment for Street Fest 2018
The Vale Market Café	86.00	To help buy tablecloths for a monthly café event
Cropwell Bishop Parish Council	150.00	To purchase promotional banners for the celebration weekend event
Bingham Heritage Trails Association	300.00	To support community events to commemorate WWI
<b>Cllr John Cottey</b>		
Upper Broughton Parish Council	500.00	Contribution to replacement windows in the village hall
Wysall Arts Group	350.00	To support the bi-annual event of Wysall's Art Fair
Keyworth Primary & Nursery School	500.00	To enable the school trip to be affordable to all
New Writers UK	150.00	Support New Writers in my division
Keyworth United Football Club	300.00	To support a trip for Under 12s team to visit F A England facilities at St George's Park
Keyworth Cricket Club	300.00	Support Junior Cricket Festival with Primary Schools
Keyworth Parish Council	300.00	Tour of Britain - decorate cardboard bikes for display along the route
Costock Parish Council	100.00	Tour of Britain - painting yellow bikes, bunting and balloons
Wysall Parish Council	100.00	Tour of Britain - painting yellow bikes, bunting and balloons
Dementia Prevention Project	417.92	Support the Dementia Prevention Project in Keyworth and surrounding area
Plumtree Parish Council	100.00	Tour of Britain - painting yellow bikes, bunting and balloons
Friends of Crossdale Primary School	200.00	Support the 11K fun run at the school
<b>Cllr Jim Creamer</b>		
Carlton War Memorial	500.00	To help with inscription on War Memorial for Carlton
Young People in Action	300.00	Youth Activities and Mentoring of Young People
Brickyard Youth Club	300.00	Equipment and external lighting for youth club
Phoenix Farm Open-door Project	600.00	New laptops for local learning project

Think Children	500.00	To provide one to one support for disadvantaged children (4-11 years) dealing with traumatic events
Honeywood Estate Action Team	600.00	Support resident summer events for the community
Friends and Bredrins	500.00	Contribution towards a 'raising awareness of prostate cancer' event 29.09.18
<b>Cllr Mrs Kay Cutts MBE</b>		
Upper Saxondale Residents Association	200.00	Contribution for Saxonbury 2018
Radcliffe on Trent Carnival	150.00	Funding towards policing and carnival kit at the 2018 Carnival
AC	100.00	Towards community work in Cambodia Summer 2019
CN	100.00	Towards community work in Cambodia Summer 2019
JS	100.00	Towards community work in Cambodia Summer 2019
Radcliffe on Trent U3A Clubs & Society Account	200.00	Contribution towards concert and exhibition costs
Rushcliffe Methodist Youth Group	500.00	Contribute towards community bus expenses
Young Radcliffe	500.00	Contribution towards RadFest 2018
Radcliffe on Trent Parish Council	300.00	Support Radcliffe-on-Trent's village show
St Edmunds Church Holme Pierrepont	220.00	Support the local poppy campaign
<b>Cllr Maureen Dobson</b>		
Coddington Community Association	250.00	To help fund a family fun day.
Collingham Parish Council	250.00	To help fund leaflets aimed to stopped people from littering dog poo
Collingham & District Cricket Club	300.00	To help with CCTV, security and lighting costs
Collingham Memorial Hall	400.00	To assist with updating the toilets
Collingham Bowling Club	130.00	To purchase a new fridge for the club house
Girton Village Hall	211.00	Replace water heater
Besthorpe Parish Meeting	500.00	New play equipment for the Besthorpe Play Park Regeneration project

<b>Cllr John Doddy</b>		
William Lilley Infant and Nursery School	450.00	To install a gate to give children direct access to the playing field
<b>Cllr Samantha Deakin</b>		
Ashfield Play Forum	250.00	Support free play days in six week holidays
New Cross Community Links	650.00	Contribution toward educational school trips and greenhouse for the community allotments
Ashfield Heritage Society	400.00	WW1 Commemoration Event
Fiona Asbury Photography	200.00	To purchase equipment to work with autistic children and get formal accreditation
Jenny Tindall Sewilicious Fabrics	500.00	For equipment and insurance to do craft work, building skills for children in schools and community
<b>Cllr Boyd Elliott</b>		
Paviors Rugby Football Club	1,000.00	To help with transport on a tour bus and sponsorships of shirts for 75 children
Spring Lane Farm Shop (Invoice R7-2018)	380.00	Christmas trees for Lambley, Woodborough & Calverton Villages + 2 schools
Calverton Cricket Club	500.00	Bowling machine and equipment, youth cricket facilities for the club
St Wilfrid's CE Primary School	500.00	Year 6 leaving party costs
Dr Karine Latter	500.00	To support the care of Cancer patients at Nottingham City Hospital
Rolls Royce Junior Football Club	100.00	Replace Home Football kit for under 13's
East Midlands Education Support to Schools	200.00	Contribution towards the KS2 Holocaust Event 2019
Cancer Research UK, Woodborough Branch	100.00	Contribution towards a 'Cream Tea' event in the village hall
Tommy's Miscarriage Awareness	100.00	To raise awareness and give support to young families who experience a miscarriage
<b>Cllr Sybil Fielding</b>		
Worksop Pride	100.00	To help fund Pride events in Worksop in July 2019
Worksop Harriers	100.00	To support the Junior Park Run Event
303 ATC Worksop Squadron	175.00	Replacement window blinds
Bassetlaw Youth Visit	40.32	Lunch for Bassetlaw Youth Visit to County Hall 05.06.2018

<b>Cllr Kate Foale</b>		
The Adam Cullen Skating Project	200.00	To raise funds for an open access, inclusive roller skating rink
Culture Learning and Libraries	250.00	'Heritage Hack' project at Beeston Library
2nd Beeston Guides	250.00	Support 'Mega Moot' joint Scout & Guide event
Beeston & District Civic Society	250.00	Support local artists participating in the Street Art Festival
Oxjam	250.00	Support fund raising events in Beeston
Beeston Football Club	300.00	To support the group to enable more young people to benefit from the facilities
Beeston Community Resource	500.00	Development of centre activities for people at risk of isolation and poor mental health
Beeston Rylands Community Association	100.00	Support the re-opening of the Layton Crescent playpark
Beeston & District Civic Society	250.00	Publicity for the heritage events booklet
Broxtowe African Caribbean Elders Group	100.00	Commonwealth meal for residents
3rd Beeston Rainbows	200.00	New resources for girl guides, joining fees for new members
<b>Cllr Stephen Garner</b>		
Walking for Health (On your Doorstep)	300.00	To assist doctors and medics to refer the elderly to this group to keep fit
St Marks PCC	150.00	For planting a community garden for children within the parish
Mansfield Pentecostal Church	150.00	For toys suitable for 0-3 year olds
Mansfield & District Childminders	150.00	For toys and play equipment for children under the age of 4
Underage Recruitment	250.00	Support a display for the Great War and transport costs for children to participate in the WWI event
St John Ambulance	300.00	Replacement defibrillation equipment for use during public events
<b>Cllr Glynn Gilfoyle</b>		
Bassetlaw Community Safety Partnership	1,000.00	To support community safety work
Carlton Flyer	100.00	For a cycle tour and social evening for former Carlton Cycles workers
Worksop Pride	200.00	To the cost of the Worksop Pride event
Redlands Primary School	200.00	Provide shirts for the table tennis team

14th Worksop St Anne's Scout Group	200.00	To support the Scouts to attend the World Jamboree
National Justice Museum	186.00	Bassetlaw School Council tour of museum
Worksop Wonders WI	100.00	Towards the bus trip in August 2018
Worksop Harriers and AC	100.00	To support the Junior (4-14 years) park run
Community Safety Team	100.00	£10 voucher for each of the children for their amazing presentations at the 'Breath' briefing
The Little Drama Group	100.00	Towards the purchase of a large screen for performances
303 ATC Worksop Squadron	175.00	Replacement window blinds
Bassetlaw Youth Visit	40.32	Lunch for Bassetlaw Youth Visit to County Hall 05.06.2018
Valley Young Peoples Centre	100.00	Support fund raising activities run by the Centre
<b>Cllr Keith Girling</b>		
Parkrun Ltd	250.00	To set up a Junior Park Run
2nd Balderton Rainbows	300.00	To support the Rainbows Skegness aquarium sleepover
Action Academies	500.00	To help LJ represent England in the World Cup Indoor Cricket tournament
<b>Cllr Kevin Greaves</b>		
Worksop Pride	100.00	To help fund Pride events in Worksop in July 2019
Worksop Harriers	100.00	To support the Junior Park Run Event
303 ATC Worksop Squadron	175.00	Replacement window blinds
Bassetlaw Youth Visit	40.32	Lunch for Bassetlaw Youth Visit to County Hall 05.06.2018
<b>Cllr John Handley</b>		
JE	250.00	The royal wedding event at church walk Brinsley
<b>Cllr Tony Harper</b>		
None		
<b>Cllr Errol Henry JP</b>		
Young People in Action	300.00	Youth Activities and Mentoring of Young People

Think Children	500.00	To provide one to one support for disadvantaged children (4-11 years) dealing with traumatic events
Brickyard Youth Club	300.00	Equipment and external lighting for the youth club
Honeywood Estate Action Team	600.00	Support resident summer events for the community
Phoenix Farm Open-door Project	600.00	Purchase laptops for local learning project
Friends and Bredrins	500.00	Contribution towards a 'raising awareness of prostate cancer' event 29.09.18
<b>Cllr Paul Henshaw</b>		
Crescent Primary school	50.00	To purchase books to encourage pupils to read at home
Nottinghamshire Mining Museum Ltd	400.00	Contribution to help bring the 'Coal Mining Nationalisation' exhibition to the Museum
Brunts Charity Community Centre Social Fund	110.00	Christmas meal and party for elderly residents of West Mansfield
Maun Refuge	500.00	English lessons for refugees in West Mansfield
Friends of Pleasley Community Orchard	265.00	Help to purchase an apple press and crusher for 'apple day' event
Mansfield Town under 14's Football Club's	150.00	To support Mansfield Town under 14s Football Club's development
KH	261.00	To support GH to achieve her coaching award with British Gymnastics
Unanima Theatre	250.00	Support West Mansfield actors during a performance for local people
The Old Mansfield Society	200.00	Contribute towards a static display relating to the history of 'Ladybrook Estate'
<b>Cllr Tom Hollis</b>		
Via East Midlands	155.00	Grit Bin Sherwood Street, Huthwaite
Via East Midlands	1,000.00	200 bags of salt for community use
Via East Midlands	155.00	Grit bin Farnsworth Grove, Huthwaite
Sutton Heritage Society	300.00	WW1 Commemoration - funding costumes and hiring memorabilia
PJ	200.00	To provide individual with equipment to improve their health and quality of life
Alzheimer's Awards event	200.00	Alzheimer's Awards event at Lama's Leisure Centre
Ashfield Heritage Society	400.00	WW1 Commemoration Event
KC	400.00	Cover the costs of a community event held on 26 October 2018



<b>Cllr Vaughan Hopewell</b>		
Crowther House (NCHA LTD)	100.00	To help towards the 25th Anniversary Celebrations
Oak Tree NMT	250.00	To help with the cost of the Oak Tree summer event
Bellamy Road Tennant & Resident Association	250.00	Help towards the Bellamy Summer Spectacular (August 2018)
Mansfield Petanque Club	200.00	Travel expenses for 3 members to attend the Home Nations Champs
Forest Town Methodist Church	75.00	Fund a commemorative feature in the church garden
Underage Recruitment	50.00	Fund resources for an exhibition explaining the impact of the 'Great War' in Mansfield
East Midlands Education Support to Schools	200.00	Contribution towards the KS2 Holocaust Event 2019
<b>Cllr Richard Jackson</b>		
Chetwynd Neighbourhood Forum	500.00	Contribution towards preparing the Neighbourhood Plan
<b>Cllr Roger Jackson</b>		
Thurgarton Parish Council	150.00	Towards the cost of Beck monitor in case of flooding
Lowdham Parish Council	250.00	To help repair damaged church headstones
RP	200.00	Contribution towards the cost of a Christmas meal for all residents at Bryon Court
Southwell Court Care Home	150.00	Purchase vinyl pictures for the walls of the dementia Unit
Caythorpe Parish Council	200.00	New noticeboard
Kings Court Community Club	200.00	Residents Christmas Party
Southwell WRVS Senior Citizens Club	150.00	Senior Citizens Christmas Lunch
Southwell Town Council	375.00	To put a 'Tommy' figure from 'There but not there' into Southwell Minster
Mr J D	300.00	Help towards the cost of hosting and trips for the Chernobyl Children
Lowdham Colts FC	150.00	Help to fund new shirts for the team
Friends of Gunthorpe School	250.00	Buy 4 Smart screens for each classroom
<b>Cllr Eric Kerry</b>		
Chetwynd Neighbourhood Forum	500.00	Contribution towards the costs of a community engagement and consultation events



<b>Cllr John Knight</b>		
C A K E (Community for Action and Kirkby Events)	300.00	To support Community events and better utilise public spaces to bring the Community together
<b>Cllr Bruce Laughton</b>		
North Muskham Parish Council	46.50	Cromwell Parish's contribution towards PAGE (Parishes Against Gravel Extraction)
Caunton Parish Council	150.00	Grit bin for the junction of Deans Close, Hedge Row and Norwell Road
Carlton on Trent Parish Council	200.00	Noticeboard
Norwell C of E Primary School	400.00	Play equipment for the 'Trim Trail'
Farnsfield Parish Council	300.00	Leaflets for public event
Bilsthorpe Parish Council	500.00	Contribution towards bunting, banners & land art for Tour of Britain
North Muskham Parish Council	150.00	To support the Xander Page appeal for specialist equipment
Farnsfield WI	400.00	Contribution towards a Commemoration Bench
<b>Cllr John Longdon</b>		
William Lilley Infant and Nursery School	450.00	To install a gate to give children direct access to the playing field
The Helpful Bureau	750.00	To help buy a replacement van
Pegasus Youth Football Club	350.00	Assist with purchasing a defibrillator for the Club House
Stapleford WI	150.00	To assist in replacing worn out equipment
Beeston & District Civic Society	150.00	To assist with the finance of 2 open days
<b>Cllr Rachel Madden</b>		
Kirkby Living Memory Group	50.00	Help with catering costs for the 'Blue Plaque' event
Coxmoor Tenants & Residents Association	50.00	Help with catering costs for the Sheltered Accommodation WW1 event
Kirkby Portland Cricket Club	200.00	Fund the cost of a soil sample to improve fields for pitches
Annesley Karate Club	200.00	For new equipment for all age groups
Kirkby Living Memory Group	200.00	Cleaning of 2 display cases, purchase of 2 new display cases for use in Heritage shop / Museum
Annesley All Saints Church	200.00	Purchase equipment to support WW1 commemoration events

Coxmoor Tenants & Residents Association	100.00	To provide 2 outings for elderly residents
C A K E (Community for Action and Kirkby Events)	200.00	To support Christmas events in Kingsway Park, Kirkby
Annesley All Saints Church	100.00	Support a WW1 Commemoration exhibition in All Saints Church, Annesley
Acacia Radio Association	600.00	To replace equipment used for media training in the community, leading to employment
<b>Cllr David Martin</b>		
Via East Midlands	110.00	2 Tonne of salt for community use
St Helens District Pensioners	260.00	Towards the annual outing and transport costs for members
Selston Ladies Section	250.00	To fund an outing for the club's anniversary
Notts Youth Services	500.00	Outdoor activities at the Mill Centre, Kings Mill Mansfield
Westwood Toddler Group	320.00	Play equipment for the group
Selston Community Group	250.00	For lunch show and outing costs for the group
Selston Parish Council	115.00	Annual Gala day activities (Selston Bowls Club)
Selston Parish Council	408.00	Winter activities for Underwood Outreach Youth Club
Tin Hat Writers	200.00	Provide materials and speakers
2nd Brinsley Underwood Scout Group	500.00	Activities at Mill Centre Mansfield
Tin Hat Centre	150.00	Purchase equipment
Jacksdale & Westwood OAP's	250.00	To fund a trip out and associated costs
Bagthorpe Primary School	258.93	Safety Street signage
Tin Hat Centre	150.00	Provision of indoor activities for disabled and isolated residents
<b>Cllr Diana Meale</b>		
Crescent Primary school	50.00	To purchase books to encourage pupils to read at home
Nottinghamshire Mining Museum Ltd	400.00	Contribution to help bring the 'Coal Mining Nationalisation' exhibition to the Museum
Brunts Charity Community Centre Social Fund	110.00	Christmas meal and party for elderly residents of West Mansfield
Maun Refuge	500.00	English lessons for refugees in West Mansfield

Friends of Pleasley Community Orchard	265.00	Help to purchase an apple press and crusher for 'apple day' event
Unanima Theatre	250.00	Support West Mansfield actors during a performance for local people
<b>Cllr John Ogle</b>		
East Midlands Brownie Guides	250.00	To provide equipment to take part in Country Scout & Guide Event
Rampton Parish Council	400.00	To go towards the play area at the community field
Gamston C of E Primary	500.00	To provide an outside mathematical educational tool for the school
<b>Cllr Philip Owen</b>		
Kimberley Town Council	250.00	Towards connection charges for new toilets built for local cemetery
LB	100.00	To buy prizes/gifts for the Temple Drive Street Party for children
1st Nuthall Scout Group	250.00	To support 70th Anniversary celebrations of the group
NOWMADS	250.00	Contribution towards the hire of costumes for the production of 'My Fair Lady'
Kimberley Bowls Club	250.00	To help with the operation of the bowls club
Nuthall Bowls Club	250.00	Purchase of portable tent / canopy
Nuthall Age Concern	250.00	Support the luncheon club's Christmas party
<b>Cllr Michael Payne</b>		
New Writers UK	250.00	Support the delivery of Gedling Borough Council's Art Festival 2018
Friends of Gedling Park	270.00	To support the establishment of a Nature Trail
Friends of Bestwood Community Park	500.00	To support refurbishment and development of 'Andy's Playground'
<b>Cllr John Peck</b>		
Wellow Swithins Church	250.00	To buy stone chippings to help to restore the old schoolroom
Thoresby Sporting Trust	250.00	To buy cricket equipment for the Under 11s team
Edwinstowe Village Hall Management Committee	250.00	Purchase of equipment to assist with upkeep of Village Hall
Outside the Cave CIC	250.00	Purchase equipment to help young people with low esteem and mental health issues
South Forest Indoor Bowls Club	250.00	New equipment for the Junior Bowls Club

Frack Free Sherwood Forest & Edwinstowe	150.00	Donation towards the Cyclops Pedal Power Event at the Robin Hood Festival
Edwinstowe Merry Women WI	187.75	Purchase equipment for the WI activity sessions
Sherwood & Newark Citizens Advice Bureau	200.00	Training and travel costs for volunteer advisers
Rosehips	150.00	Support dance group for adults with special needs & mental health issues
<b>Cllr Sheila Place</b>		
Worksop Pride	50.00	To help fund Pride events in Worksop in July 2019
Paul Temple Entertainments	450.00	Towards entertainment at the Langold Gala
Oldcotes Village Hall Fund	100.00	Towards indoor bowling equipment
Worksop Harriers	100.00	To support the Junior Park Run Event
Bassetlaw Youth Visit	40.32	Lunch for Bassetlaw Youth Visit to County Hall 05.06.2018
<b>Cllr Liz Plant</b>		
Church Croft Residents Committee	150.00	To support residents going on a day trip to Bourton-On-The-Water
SP	250.00	To support a child with brain injuries to attend Parliament to brief MPs
New Writers UK	250.00	Support for the Children's Writing Competition Awards
Home Lodge	250.00	Contribution towards a social evening to thank volunteers
Epperstone Court Residents Group	500.00	To fund sculpting classes including materials plus entertainment for a sing-song session
Abbey Road Primary School	1,000.00	Forest Schools Project for additional equipment & mature saplings to plant the 'forest'
West Bridgford Colts Football Club	300.00	To purchase balls, cones, bibs and first aid equipment for the club
Friends of Lady Bay Canal	300.00	Support the hire of a weed muncher to dredge the canal
West Bridgford Junior School	400.00	Contribution toward the production of the year 6 year book
Rushcliffe Muslim Women's Cultural Club	250.00	Support this new initiative during the early stages of its development
<b>Cllr Mike Pringle</b>		
Kirton Brickworks FC	250.00	Provision of suitable substitutes clothing
Ollerton Bowls Club	250.00	To help repair the tool shed roof and make the unit secure

G S	250.00	Transport costs for the '3 Peak Challenge' to raise funds for the British Heart Foundation
Egmanton Parish Meeting	100.00	Replace village green seat with a new one
<b>Cllr Francis Purdue-Horan</b>		
Robert Miles Infants School	250.00	To help build a small allotment patch within the school grounds
Royal British Legion Bingham	100.00	To help send two members to the Great Pilgrimage 90, in Belgium
Bingham Town Sports Club	280.00	Support Bingham Bfest (July 2018)
Orston Garden Club Produce Show	125.00	Towards hiring the village hall and printing costs for programmes
Calverton & Bingham Swimming Club	500.00	Towards the new computer programmer
Orston Millennium Green	500.00	Contribution towards an eco-toilet, part of the 'Forest School Project 2018'
<b>Cllr Mike Quigley MBE</b>		
Hallcroft Infant and Nursery School	500.00	Provision for a School running track for school and community use
North Nottinghamshire Community First Responders	500.00	Support the equipping and training of a first responder
The Royal British Legion Retford & District Branch	150.00	Purchase and erect memorial plaque to mark 100 year anniversary of WW1
GEM Mini Travel	100.00	Community bus trip to Skegness for disadvantaged children
<b>Cllr Alan Rhodes</b>		
Bassetlaw District Scouts	200.00	To help fund raising for scouts to attend the World Jamboree
Worksop WI	345.00	To fund a coach trip to Doddington Hall
Worksop Pride	100.00	To help fund Pride events in Worksop in July 2019
Worksop Army Cadet force	300.00	To help with cost of activities for young people in the ACF
Carlton in Lindrick Flower Arranging Group	250.00	Help support the 'Flowers at the Mill' event
Carlton & Lindrick Civic Centre	200.00	Support social activities for the 60+ Fitness, Friendship and Fun Group
Thievesdale Women's Institute	200.00	To support activities of the Women's Institute
Worksop Harriers	100.00	To support the Junior Park Run Event
Nottinghamshire Deaf Society	200.00	Towards the re-carpeting of the communal area for group activities

Carlton Bowls Club	250.00	To assist with travel costs to away matches
303 ATC Worksop Squadron	175.00	Replacement window blinds
Bassetlaw Youth Visit	40.32	Lunch for Bassetlaw Youth Visit to County Hall 05.06.2018
<b>Cllr Kevin Rostance</b>		
Rolls Royce Junior Football Club	250.00	Purchase new away kit for the 11-a-side team
<b>Cllr Phil Rostance</b>		
Ashfield District Scout Council	250.00	Help towards sending Scouts to the World Scout Jamboree
Butlers Hill Project Community Group	165.00	Public Liability Insurance for 'The Big Lunch' Fun Day
Rolls Royce Merlin	320.00	New equipment to enter 4 football competitions
Rolls Royce Junior Football Club	250.00	Purchase new away kit for the 11-a-side team
Ashfield Citizens Advice Bureau	90.00	Towards the costs of Awards ceremony for volunteers
Over 60s Youthful Group	200.00	Over 60s Christmas dinner
Via East Midlands (Invoice IM)	155.00	Grit bin Brickyard Drive Hucknall
Central Notts District Scouts	250.00	To send Hucknall Scout MT to the International Jamboree in the USA
East Midlands Education Support to Schools	200.00	Contribution towards the KS2 Holocaust Event 2019
<b>Cllr Mrs Sue Saddington</b>		
Mrs BW	120.00	To help Farndon Art Exhibition expenses for 12th May
Bleasby PCC	300.00	Refreshments for V.I.P guests at the Bleasby Aircrews Memorial
Battlefields Trust East Midland	250.00	For the production of a leaflet to explain trail walks to Commemorate the Battle at Stoke Fields
Averham, Kelham, Staythorpe PC	150.00	Towards War Memorial for those lost from these three villages
Rolleston Village Hall	150.00	Contribution towards Rolleston Village Fun Day
The Battlefields Trust East Midlands Region	156.00	To meet cost of a bus to transport guests from Site of Civil War to Stoke Village Hall at June 16th event
LF	300.00	Support the care for child who has a brain tumour to prolong their life

St Mary's Church Bleasby	250.00	Contribution towards expenditure for the Memorial Service, 1st September 2018
Think Children	200.00	Contribution towards events held for children
Rolleston Parish Council	250.00	Contribution towards Christmas Lunch for residents of Rolleston
<b>Cllr Andy Sissons</b>		
Mr SG	130.00	Travel costs to go to Edinburgh to accept Duke of Edinburgh Award
Mansfield Welfare Rights	490.00	Upgrade software and computer equipment
<b>Cllr Helen-Ann Smith</b>		
Dalestorth Primary School	864.00	Towards the DARE project
Ashfield Play Forum	250.00	Support free play days in six week holidays
Ashfield Heritage Society	400.00	WW1 Commemoration Event
Fiona Asbury Photography	200.00	To purchase equipment to work with autistic children and get formal accreditation
Teversal Manor Room Trust	500.00	Insurance for public event such as the village fayre
Jenny Tindall Sewilicious Fabrics	500.00	For equipment and insurance to do craft work, building skills for children in schools and community
<b>Cllr Tracey Taylor</b>		
North Nottinghamshire Community First Responders	250.00	Support the equipping and training of a first responder
North Notts Lions Club Activities Account	500.00	Support the DARE programme across the area's Primary Schools
Mattersey Thorpe Tenants & Residents Association	150.00	Towards activities, prizes etc. for the Family Fun Day
Scrooby Show	300.00	Hire of a marquee for the village produce show
<b>Cllr Parry Tsimbiridis</b>		
Mansfield Woodhouse Community Development Group	65.00	Purchase of 2 strimmers for the Lengthsman Scheme
Nottinghamshire Mining Museum Ltd	150.00	Contribution to help bring the 'Coal Mining Nationalisation' exhibition to the Museum
Mr MM	100.00	For the cost of photography and promotion of community events
Hettys	50.00	Support the drug / alcohol service
Tenants & residents luncheon club		Support the tenants & residents luncheon club



	125.00	
Triangle	100.00	Contribute towards the cost of room hire & speakers for community events
Mansfield Parks	50.00	Handrail at the Yeoman Hill Bowling Club pavilion
<b>Cllr Steve Vickers</b>		
North Nottinghamshire Community First Responders	250.00	Support the equipping and training of a first responder
<b>Cllr Keith Walker</b>		
None		
<b>Cllr Stuart Wallace</b>		
Literacy Volunteers	350.00	Funding towards a literacy volunteer to work at William Gladstone Primary School
Newark Town Council	200.00	Help towards Armed Forces Day parade
Newark Sea Cadets	400.00	Towards the cost of a second hand safety boat
William Gladstone C of E Primary Academy	250.00	Towards the cost of 'hoodies' for year 6 pupils
The Puffins	150.00	Mini bus hire for afternoon tea excursion on 9 August 2018
Action Academies	250.00	To help LJ, represent England in the World Cup Indoor Cricket tournament
Via East Midlands	100.00	Replace outside bulb, Beacon Terrace Newark
Chuter Ede Primary School	400.00	Towards the cost of 'DARE' education for Year 6
Barnby Road Academy	400.00	Towards the cost of 'DARE' education for Year 6
<b>Cllr Muriel Weisz</b>		
St James Church Porchester	950.00	To support the activities of the community festival
Self Help Nottingham	500.00	To provide trips out for 'Ugly Ducklings' a group that support those with Self-image issues
Parents Action Group Killisick	400.00	Support families attending holiday activities at the Children's Centre
Arnold Association of Neighbourhood Watch Schemes	300.00	Towards leaflets to promote Neighbourhood Watch Schemes in the Arnold area
<b>Cllr Andy Wetton</b>		
Friends of the Carrs	1,000.00	Saving the weir - Warsop Mill Dam
Warsop Carnival	1,420.00	To fund road closures for the Annual Parade of Floats



Nottinghamshire Mining Museum Ltd	400.00	Contribution to help bring the 'Coal Mining Nationalisation' exhibition to the Museum
Warsop Parish Council	942.00	Road closure traffic management for the Remembrance Sunday parade
Under 25's Mental Health Support Group	1,000.00	Goal posts for Meden Vale Park
Mr KH	238.00	To support GH to achieve her coaching award with British Gymnastics
<b>Cllr Gordon Wheeler</b>		
School Council Visit - Jesse Grey	201.40	Transport and lunch costs for Jesse Grey School Council visit
Cliftonettes Netball Club	150.00	To assist with costs of promotional material for the nationals.
Heymann Primary School	225.00	To assist with the DARE Project
Rushcliffe Asian Community Association	200.00	To part fund Yoga sessions for the members
Rugby Road Community Centre	225.00	Towards the day trip to Skegness (18.09.18) and Fish and Chip supper for those that can't go
DO	150.00	To assist with transport for days out for this individual
Jesse Gray Primary School	250.00	To part fund the cost of a coach for a visit to the House of Commons
Nottingham Central Seventh Day Adventist Church	100.00	Assist with costs of an Awards Ceremony (December 2018)
<b>Cllr Johnathan Wheeler</b>		
Flying High Trust - Edwalton Primary School	500.00	Repairs to adventure playground
Leahurst Road Pre-School	500.00	To purchase extra resources to support children with learning difficulties
<b>Cllr Yvonne Woodhead</b>		
Notts NUM ex & Retired Miners	200.00	Donation towards equipment to show children through virtual reality what it was like to be 'down the pit'.
Joseph Whitaker School	1,000.00	Support students in the Young Engineers Club
South Forest Indoor Bowls Club	100.00	To promote bowls to younger people
<b>Cllr Martin Wright</b>		
Crowther House (NCHA LTD)	100.00	To help towards the 25th Anniversary Celebrations
Oak Tree NMT	250.00	To help with the cost of the Oak Tree summer event
Bellamy Road Tennant & Resident		Help towards the Bellamy Summer Spectacular

Association	250.00	(August 2018)
Mansfield Petanque Club	200.00	Travel expenses for 3 members to attend the Home Nations Champs
Forest Town Methodist Church	75.00	Fund a commemorative feature in the church garden
Underage Recruitment	50.00	Fund recourses for an exhibition explaining the impact of the 'Great War' in Mansfield
East Midlands Education Support to Schools	200.00	Contribution towards the KS2 Holocaust Event 2019
<b>Cllr Jason Zadrozny</b>		
Ashfield Heritage Society	400.00	WW1 Commemoration Event
Fiona Asbury Photography	200.00	To purchase equipment to work with autistic children and get formal accreditation
SK	155.00	Travel costs for sporting qualifications for youth refereeing
Classic Cinema Club	1,200.00	Creation of new social club for local people suffering from isolation and loneliness

18 December 2018

Agenda Item: 11

## **REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND EMPLOYEES**

### **UPDATE ON USE OF RESOURCES BY COUNCILLORS**

#### **Purpose of the Report**

1. To present Committee with an overview of the use of resources by Councillors.

#### **Information and Advice**

##### **Background**

2. At the meeting of Full Council on 10 May 2018, a revised Code of Conduct for Councillors and Co-opted Members was agreed.
3. The new Code included a range of protocols, including the Councillor and Co-opted Member Protocol for use of Resources (attached for the Committee's reference at **Appendix A**).
4. This Protocol's guiding principles include the need to be mindful of costs and not using resources for political purposes. It also provides specific guidance, for example about volumes of printing, post and stationery, and stipulates that the only printing facilities to be used are the Council's Multi-Function Devices and Central Print service. Governance and Ethics Committee is responsible for taking an overview of the use of resources. This overview role includes considering:-
  - requests to exceed the 50 item limit on outgoing mail
  - requests to fund the use of venues other than County Council premises for Councillor Surgeries
  - possibly charging Councillors for excessive resource use (via direct debit)
5. A breakdown of costs relating to the following resources are detailed in **Appendix B**:-
  - Printing and photocopying (including business cards) – where the costs exceed £10
  - Room Hire for Councillor Surgeries
6. The Committee's views are sought on the expenditure and whether any further information or actions are required on specific items of expenditure.
7. The Committee's views are also sought on whether there are other resources they would like to receive information on in future such reports.

8. It is proposed that for the purpose of clarity, printing and postage costs relating to the Nottinghamshire County Council Chairman and Vice-Chairman civic roles are recorded and reported separately.

## **Postage**

9. In line with the spirit of the Protocol, an increasing amount of Members are choosing to collect their incoming mail from their political group rather than having this posted out to their home address.
10. With regard to outgoing mail from the political groups, there have been no requests received from any Councillors for the Committee to consider the need for the 50 item limit on postage to be exceeded for specific items. Currently Central Mail Room only alert Democratic Services retrospectively to any significantly large mail outs from the political groups and individual Councillors. None have been flagged in this period.
11. In order to maintain an ongoing record of all postage costs relating to Councillors it is proposed that Central Mail Room be requested to log all such outgoing mail from this point onwards. It is also proposed that the requirement for advance Committee approval be reinforced to Councillors and clarified with relevant officers. The message to Councillors will also include a reminder about the financial benefits of using the corporate letter template (correct use of this template enables automatic franking and reduced postage costs).

## **Printing and Photocopying**

12. **Appendix B** includes levels of charges (over £10) relating to both Councillors and the support officers for each of the political groups and for the Chairman and Vice-Chairman for the period April – October 2018.
13. At this point it is not possible to separate the charges relating to support to the Chairman and Vice-Chairman but this will be enabled going forward to give greater clarity.

## **Room Hire for Councillor Surgeries**

14. Councillors are expected to use County Council premises for surgeries, and are encouraged to use local libraries particularly.
15. A few Councillors had booked non-County Council venues within their Divisions for surgeries for the whole of 2018 in advance of the new Code of Conduct and Use of Resources Protocol being agreed and therefore these existing bookings have been honoured.
16. Shireoaks Village Hall has been used at a nominal fee of £8 per monthly session, as detailed in Appendix B. The village of Shireoaks has no other County Council establishment which offers easy access to residents which the Village Hall does. The use of this venue enables community engagement better than other alternative approaches such as individual home visits. It is therefore proposed that the Committee consider agreeing the continued use of this venue for this purpose in 2019.
17. As well as using a County Council venue (local library) for surgeries, the Mansfield North Councillors also use Focus Point, a community venue on Vale Road, Mansfield Woodhouse.

The two-hour surgeries held at Focus Point attracts attendance from a different resident population. The surgeries at both venues are well attended. The annual costs of the room booking at Focus Point is £900. Again, the Committee is asked to consider agreeing the continued use of this venue for this purpose in 2019.

### **Other Options Considered**

18. None – the report provides an update on expenditure as required in the revised Code of Conduct and the revised Councillor and Co-opted Member Protocol for use of Resources and seeks relevant approvals where required.

### **Reason/s for Recommendation/s**

19. To update the Committee and seek relevant approvals in line with the requirements of the revised Code of Conduct and the revised Councillor and Co-opted Member Protocol for use of Resources.
20. To ensure full and complete information in use of resources reports in future.

### **Statutory and Policy Implications**

21. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

That the Committee:-

- 1) Considers the resources expenditure for the period April-October 2018 and decide whether there is any further information required or any actions required on specific items of expenditure.
- 2) Agrees that postage and printing and photocopying costs relating to the Nottinghamshire County Council Chairman and Vice-Chairman civic roles are recorded and reported separately from this point onwards.
- 3) Agrees that the requirement for advance Governance & Ethics Committee approval for outgoing mail outs in excess of 50 items and the use of alternative venues be reinforced with Councillors.
- 4) Agrees that all outgoing mail from Councillors be sent from the political groups (or from the Governance Team in Democratic Services in relation to non-aligned Councillors) and the cost be logged on an ongoing basis from this point onwards.

- 5) Considers the continued use of Shireoaks Village Hall as a venue for Councillor Surgeries at a cost of £8 per month.
- 6) Considers the continued use of Focus Point as a venue for Councillor Surgeries at a cost of £900 per year.
- 7) Considers whether there are any other areas of expenditure Members would like to see included within the next overview report to this Committee.

**Marjorie Toward**

**Service Director, Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Keith Ford, Team Manager, Democratic Services Tel. 0115 9772590

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### **Constitutional Comments (SLB 3/12/18)**

Governance and Ethics Committee is the appropriate body to consider the content of the report. If Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments [RWK 05/12/2018]**

There are no specific financial implications arising directly from the report.

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

### **Electoral Division(s) and Member(s) Affected**

All

## **APPENDIX A**



### **Nottinghamshire County Council**

## **Councillors and Co-opted members – Protocol for Use of Resources**

### **1. INTRODUCTION**

This protocol provides rules on the use of Council resources in relation to your role as a Councillor.

The Council provides a range of support services and facilities to enable Councillors to carry out their duties. The full range of resources available and rules regarding use are set out in the **Schedule** attached to this protocol.

### **2. COUNCIL BUSINESS – WHEN THIS PROTOCOL APPLIES**

Councillors may use Council facilities and resources in connection with the following Council business:

- Matters relating to the decision making process of the Council, e.g. Council and committee meetings
- Representing the Council on an outside body
- Holding division surgeries
- Meeting, communicating with and dealing with correspondence from residents, other Councillors, officers, Government officials, MPs etc. in connection with Council business
- Matters for discussion by a political group of the Council, so long as it relates mainly to the work of the Council and not your political party or group

### **3. PRINCIPLES FOR USE OF RESOURCES**

- Councillors must be mindful of Council resources and must always seek to conduct business in the most cost effective way. Councillors must have regard to the need to ensure prudent and reasonable use of resources and value for money.
- Party political activities or individual campaigning do not form part of Council business and the Council's resources must not be used for these activities. This includes Council email addresses. The Council is prohibited by law from publishing any material which, in whole or in part, appears to be designed to affect public support for a political party or an individual Councillor, or to highlight their achievements.

- Use of resources for the purpose of representing individuals or small groups of residents is acceptable. However, high volume use of resources including sending out circulars and conducting wide-scale consultation exercises is not acceptable, even though these may involve Council business.
- In the interests of economy and the environment, Councillors are requested to use e-mail, or to hand-deliver, instead of using post wherever possible.
- Governance and Ethics Committee is responsible for oversight of use of resources including review of postage and photocopying costs incurred by individual Councillors and political groups. Committee is also responsible for considering requests for exceptions to be made. Committee reserves the right to charge Councillors for excessive use.



## SCHEDULE

### **Equipment and Resources for Councillors**

**ICT Equipment** - you will be provided with appropriate equipment for your full term of office.

If you have been provided with a phone, you will have access to unlimited calls and texts to standard numbers, with a 2GB monthly data limit. Any laptop or tablet devices have a 5GB monthly data limit. You will be required to meet the costs of any usage above those limits at a cost of 5p per MB.

You will be reminded of the terms and conditions around the appropriate use of these devices during your induction training.

On receipt of equipment Councillors are required to confirm that they have read the Councillors' ICT Acceptable Use Guidance.

Support for technical matters is supplied by the Council's ICT helpdesk. User training is available on the intranet.

**Councillors' Webpages** - the Council's Website includes a page for each Councillor. This page includes your contact details, photograph, and committee membership details. There is also a facility for you to provide regular updates on your activities as a Councillor. These webpages will be removed during all pre-election periods.

**Arrangements for incoming mail** – you will have a pigeonhole, located within your relevant group area (where applicable) for meeting papers and any mail sent to you at County Hall. Mail should be collected wherever possible but if you are not expected to be at County Hall for some time then you can ask for mail to be sent to your home address. Please discuss your specific requirements with your group researcher.

**Arrangements for outgoing mail** – there will be an outgoing mail tray located within your relevant group area (where applicable); this is the only mail tray you should use. The Council's corporate letter templates and window envelopes **must** be used in order to enable mail to be franked. If mail cannot be franked it is more expensive to post. Unless there are exceptional circumstances postage will be second class. Councillors should be economical in their use of post; volume use (anything in excess of 50 items) is not acceptable unless approved in advance by Governance and Ethics Committee. Use email or hand-deliver instead where possible. The Post Room reserves the right to open any post to ensure policies are being adhered to.

**Stationery** - a limited range of stationery is available from either your group researcher or Democratic Services. Stationery must not be adapted to include political logos. Photographs can be included but must be printed in black and white. The Multi-Function Devices are regularly re-stocked with printer paper; you should contact Facilities to re-stock if necessary rather than taking paper from other locations in the building; this is to ensure proper reporting to Governance and Ethics Committee regarding volumes used.

**Printing**– Photo security passes will enable you to print, scan and photocopy from the Multi-Function Devices located around County Hall. These will be the only printing facilities available, with the exception of Central Print. This is in order to ensure to ensure proper reporting to Governance and Ethics Committee regarding volumes used. In the interests of transparency and cost-effectiveness these facilities are only available when security passes as used. In accordance with the Council's Print Strategy **high volume copying and printing (any job involving 99 plus sides of paper) must be sent to Central Print as this is the cheapest option.** Due to the high costs associated with colour printing, you should always print /copy in black and white unless colour is required to enable the document to be understood. Councillors should be economical in their use of print.

**Business Cards** can be obtained from Democratic Services. You may request a supply of 500 cards to cover your full term of office. These cards should only include contact details for County Hall, to prevent any subsequent changes being required.

**Room Hire for Surgeries** – for your constituency surgeries you should seek to use meeting rooms that do not incur a charge to the Council. These can include community facilities and some Council premises. If no suitable premises are available an application for the cost of hiring an alternative venue will need to be approved by Governance and Ethics Committee

**Disclosure and Barring Service checks** – to undertake your role as a Councillor you need to have a Disclosure and Barring Service (DBS) check. Democratic Services will contact you about the process and documentation required to complete an electronic DBS application form. You may have a current DBS check, however there are very limited circumstances in which checks can be transferred. Democratic Services will advise you on this issue.

**Nottingham City Transport Cards** - a limited number of Nottingham City Transport Cards for official business travel on City buses are available for staff and Councillors from Reception at County Hall. These must be signed for and returned to County Hall reception after each use. At all times your chosen method of travel must be the most cost effective method, taking into account the value of time saved, anticipated subsistence and other expenses and any other relevant matters. More details are available in the Travel and Accommodation Policy.

**Conferences** – attendance at conferences, seminars and training events for which a fee is payable must be approved in advance by the relevant committee.

## **County Hall Essential Information**

**County Hall** is open Monday to Friday, usually 6.30am to 6.30pm. The building is also usually open on Saturdays from 8.00am to 1pm. If you intend to continue working in an office after 6.30pm, you should inform the Facilities office on extension 73316.

**Security pass.** You will be issued with a security pass. Security is very important and you should wear your pass at all times on a County Council lanyard as you may be asked for identification. Your pass will operate the car park barrier, the reception barriers and the doors to secure areas of the County Hall campus.

Each card is individually programmed to provide access to particular areas in the building. Your initial pass will be a temporary version – this will be replaced with a new pass containing your photograph which, as well as giving you the relevant access rights, will also enable you to scan, copy and print from the large machines around the building (called Multi-Function Devices or MFDs).

**Car Parking** spaces for Councillors' exclusive use in connection with Council business are available in the Members' Car Park on the River Trent frontage. Drive around to the rear of County Hall and present your security pass at the barrier to allow access to this area. Unless you are on Council business you should pay for parking at times when members of the public are required to pay to use the Car Park, for example during cricket and football matches.

**Office Accommodation** is provided for Councillors' use. There are currently suites of rooms on the ground and first floors at County Hall. The allocation of accommodation will be confirmed as soon as possible after the election, after consultation with the political groups.

**Confidential Waste** bins are provided in all work areas for secure disposal of confidential or sensitive documents. Recycling bins are also provided.

**Meeting rooms** – meetings involving Councillors will usually be held in

Council Chamber	- main building, floor 1.
Committee rooms B & C	- main building, ground floor.
Rufford Suite	- Riverside block, floor 1.
Committee room A & Civic Suite	- Riverside block, ground floor.

**Lifts** are available to all floors within County Hall. There is also a wheelchair lift to the Rufford Suite and Riverview Restaurant.

**Catering facilities** are available. Rolls, beverages and other snacks can be bought from the snack bar in Reception. The Riverview restaurant in the Riverside block serves hot meals and sandwiches. Councillors are entitled to complementary drinks from within their group accommodation or from the snack bar.

**Visitors** to County Hall must sign in at the reception desk in the entrance foyer; all visitors will be provided with a temporary pass. They should sign out and return the pass on leaving the building.

**Fire Alarms** are tested at 10.00am on the first Wednesday of every month. A continuous ring signals the fire alarm and an intermittent ring signals a bomb alert. If you hear the alarm bell you must vacate the building at the nearest fire exit. Please make yourself aware of these with the posters placed around County Hall and be aware of the relevant assembly points.

**COUNCILLORS' USE OF RESOURCES**

**A) Printing and Photocopying costs (over £10 threshold)**

The following costs for printing and photocopying have been recorded for Councillors during April-October 2018 (N.B. any costs under £10 threshold are not included):-

<b><u>DESCRIPTION</u></b>	<b><u>COST £</u></b>
Business Cards – Cllr Joyce Bosnjak	33.00
Business Cards – Cllr Samantha Deakin	52.00
Business Cards - Cllr Keith Girling	33.00
Business Cards – Cllr Tom Hollis	11.00
Business Cards – Cllr Mike Pringle	71.00
Business Cards - Cllr Jonathan Wheeler	33.00
Photograph for the Chairman	25.00
Thank you Cards for the Leader	30.00
Total print charges - Cllr Christopher Barnfather	37.33
Total print charges - Cllr Richard Butler	17.88
Total print charges - Cllr Neil Clarke	34.24
Total print charges - Cllr John Cottee	13.61
Total print charges - Cllr Jim Creamer	65.35
Total print charges - Cllr Diana Meale	44.34
Total print charges - Cllr Sheila Place	10.83
Total print charges - Cllr Tracey Taylor	12.11
Total print charges - Cllr Jonathan Wheeler	26.21
Total print charges - Cllr Jason Zadrozny	715.57

For information, the following costs for printing and photocopying have been incurred by Group support staff during the current financial year (N.B. the Conservative and Mansfield Independents costs for this period includes printing charges relating to the Civic Support to the Chairman and Vice-Chairman):-

Team Leader Ruling Group	203.45
PA to the Leader	64.81
PA to Committee Chairs – Ruling Group	195.53
Research and Civic Support	221.89
Executive Officer to the Leader	70.57
<b>Conservatives and Mansfield Independents (including support to the Chairman and Vice-Chairman)</b>	
<b>Total:</b>	<b>£756.25</b>
Senior Research Officer to Opposition Group	103.45
Executive Assistant to Opposition Group	480.14
<b>Labour Total:</b>	<b>£583.59</b>
Research Officer to Opposition Group	nil
<b>Ashfield Independents Total:</b>	<b>nil</b>

The printing budget for this year has also incurred retrospective charges for Councillors relating to the final period of the previous administration which are not included in the costs above.

**B) Room hire costs (for Councillor Surgeries)**

The following costs for room hire for surgeries have been incurred during the current financial year (it should be noted that the venues charge on a calendar year basis and therefore the charge includes surgeries held outside of this financial year although the total charge will be deducted from this year's budget):-

<b><u>Councillor</u></b>	<b><u>Venue</u></b>	<b><u>Total Cost</u></b>
Sybil Fielding	Shireoaks Village Hall	£72.00
Joyce Bosnjak and Parry Tsimbirdis	Focus Point	£900.00

**18 December 2018****Agenda Item:12****REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND  
EMPLOYEES****WORK PROGRAMME****Purpose of the Report**

1. To review the Committee's work programme for 2018 - 19.

**Information and Advice**

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the Committee's agenda, the scheduling of the Committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and Committee meeting. Any member of the Committee is able to suggest items for possible inclusion.
3. The attached work programme includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.

**Other Options Considered**

4. None.

**Reason/s for Recommendation/s**

5. To assist the Committee in preparing and managing its work programme.

**Statutory and Policy Implications**

6. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

**RECOMMENDATION**

- 1) That Committee considers whether any changes are required to the work programme.

**Marjorie Toward**  
**Service Director, Customers, Governance and Employees**

**For any enquiries about this report please contact:**

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E-mail: [keith.ford@nottsc.gov.uk](mailto:keith.ford@nottsc.gov.uk)

**Constitutional Comments (SLB)**

The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

**Financial Comments (NS)**

There are no financial implications arising directly from this report.

**Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

**Electoral Division(s) and Member(s) Affected**

All



**GOVERNANCE & ETHICS COMMITTEE - WORK PROGRAMME (AS AT 10 DECEMBER 2018)**

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
<b>30 January 2019</b>			
Outcomes from the Complaints Process – April 2017-March 2018	To provide a summary of complaints made to the County Council in the 2017-18 financial year.	Marjorie Toward	Laura Mulvany-Law
Appointment of Independent Persons	To agree the process for recruiting new Independent Persons for the County Council.	Marjorie Toward	Susan Bearman
Assurance Mapping Update	To provide an update on progress with the pilot assurance mapping process.	Rob Disney	Rob Disney
External Placements of Looked After Children and Young People	Outcomes of audit (to include specific update on off-contract spend as agreed by the Committee on 14 March 2018)	Rob Disney	Rob Disney / Laurence Jones / Jon Hawketts
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council (item to be confirmed).	Marjorie Toward	Laura Mulvany-Law
Follow-up of Internal Audit Recommendations	To report the latest progress with implementing the agreed actions relating to Priority 1 Internal Audit recommendations	Rob Disney	Rob Disney
<b>13 March 2019</b>			
Internal Audit 2018/19 Term 2 Report & 2019/20 Term 1 Plan	To provide details of internal audit work completed between August 2018 and November 2018, and to consult on the proposed Internal Audit Plan for the period April 2019 to July 2019.	Rob Disney	Rob Disney
Update on Local Government and Social Care Ombudsman Decisions	To consider any recent findings of the Local Government Ombudsman in complaints made against the County Council (item to be confirmed).	Marjorie Toward	Laura Mulvany-Law

